

**THE STATE OF TEXAS
COUNTY OF ANGELINA**

Commissioners Court met in Regular Session on Tuesday, September 14, 2021 at 10:00 A.M. at the Angelina County Courthouse Annex, Commissioners' Courtroom, 606 East Lufkin Avenue, Lufkin, Texas with the following members present:

Don Lymbery	County Judge
Rodney Paulette	Commissioner Precinct #1
Kermit Kennedy	Commissioner Precinct #2
Terry Pitts	Commissioner Precinct #3
Steve Smith	Commissioner Precinct #4

1. Judge Don Lymbery called the meeting to order at 10:00 A.M. with all members present.
2. Opening prayer by Chaplin Ray Vann.
3. Pledge of Allegiance to the Flag of the United States of America and to the Flag of the State of Texas.

4. Public Forum:

Charles Nick requested to be on the next agenda regarding the public forum and the format of the meetings and questioned the budget for next year's election

Tom Selman, Constable Precinct #1, spoke about the Salary Grievance Committee Meeting

5. Terry Pitts made a motion to approve the Commissioners' Court Minutes for August 19, 2021. Steve Smith seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
6. Terry Pitts made a motion to approve the Commissioners' Court Minutes for August 24, 2021. Rodney Paulette and Steve Smith seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
7. Chuck Brooks, Landfill Manager, stated that there were no bids received for the sale of timber located on approximately 32 acres of land located at the Angelina County Waste Management Center. He requested to run the ad for an additional two weeks. Rodney Paulette made a motion to table the action on awarding the bid until the next meeting. Kermit Kennedy seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.

8. Terry Pitts made a motion to approve the bid from Sun Coast Resources for gasoline and diesel for the Angelina County Waste Management Center for a period ending April 30, 2023. Rodney Paulette seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
9. Terry Pitts made a motion to approve the final plat of Kovar Subdivision in Precinct #3. Steve Smith seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
10. Terry Pitts made a motion to approve the final plat of Long Pines Phase 3 in Precinct #3. Rodney Paulette seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
11. Rodney Paulette made a motion to approve the final plat of Modisette Loop Estates in Precinct #1. Terry Pitts seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
12. Steve Smith made a motion to renew the following policies with Travelers:

Property, General Liability, Employee Benefits Liability, Auto, Inland Marine, Law Enforcement Professional Liability, Public Officials Liability, Employment Practices Liability, Data Breach/Cyber Liability and Umbrella Liability

Rodney Paulette seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
13. Kermit Kennedy made a motion to approve the donation of the pallets of water from Ricky Conner, Emergency Management, to a part of Louisiana that was affected by Hurricane Ida. Rodney Paulette seconded the motion.
Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.
14. Terry Pitts made a motion that the Court goes with the overwhelming support of the Salary Grievance Committee (8 to 1, almost 90%, recommended to give across the board raise to the Constables). Kermit Kennedy seconded the motion.
Voted For: Kermit Kennedy and Terry Pitts

Voted Against: Rodney Paulette, Steve Smith and Don Lymbery
Motion failed.

Rodney Paulette made a motion to deny the recommendation of the Salary Grievance Committee. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Steve Smith and Don Lymbery

Voted Against: Kermit Kennedy

Terry Pitts did not vote.

Motion Carried.

15. The Angelina County Commissioners Court opened a Public Hearing regarding the proposed Tax Rate for the Fiscal Year 2021 for Angelina County.

Charles Nick recommended the Court to review the constable situation for the future.

Tom Selman recommended that the proposed tax rate be approved in order to fund the operations of the County Government.

Stephanie Stroud, Assistant District Attorney, requested that the \$57,537 grant match funds, that will not be used, be moved to the District Attorney's budget for the proposed 2021 budget requests that were not approved.

16. The Court closed the Public Hearing at 11:05 A.M.

17. Rodney Paulette made the following motion "I move that property tax be increased by the adoption of a tax rate of .43712, which is effectively a 7.85 percent increase in the tax rate. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried with all Court Members signatures.

18. Rodney Paulette made a motion to conduct a separate vote to ratify the property tax increase reflected in the 2022 Fiscal Year Budget for Angelina County, Texas as required by Section 111.008 of the Local Government Code. Terry Pitts seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts, Steve Smith and Don Lymbery

Voted Against: (None)

Motion carried.

19. Judge Don Lymbery discussed two budget items that need to be clarified that were left out to begin with:

1) Rodney Paulette made a motion to increase the Emergency Management Director's salary by \$3,908.00. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy and Steve Smith

Voted Against: (None)

Terry Pitts did not vote.

Motion carried.

The Judge stated that the funds will come out of contingency.

2) Steve Smith made a motion to increase the Road Engineer's salary to \$110,000.00. Rodney Paulette seconded the motion.

Voted For: Rodney Paulette, Steve Smith and Don Lymbery

Voted Against: Kermit Kennedy and Terry Pitts

Motion carried

Rodney Paulette made a motion to approve the adoption of the Fiscal Year 2022 Budget for Angelina County, with the two changes:

Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts, Steve Smith and Don Lymbery

Voted Against: (None)

Motion carried.

20. Rodney Paulette made a motion to approve the adoption of the Angelina County Certified Salary Schedule for the Fiscal Year 2022, with the 2 changes made. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Steve Smith and Don Lymbery

Voted Against: Kermit Kennedy and Terry Pitts

Motion carried.

21. Terry Pitts made a motion to record the Certified Order of the District Clerk, appointing Janice Cordray as County Auditor for a two-year term beginning August 25, 2021 and ending August 24, 2023m, in the minutes. Rodney Paulette seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

22. Rodney Paulette made a motion to approve the donation of Little Helios Portable Barrel Burner to the Angelina County Sheriff's Office by Eagle Scout Taha Nazeer. Terry Pitts seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

23. Rodney Paulette made a motion to approve the letter from the Secretary of State accepting our application to do Countywide Vote Centers on Election Day. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

24. Terry Pitts made a motion to approve the Notice of Election for Early Voting and Election Day for the November 2, 2021 Constitutional Amendment Election. Rodney Paulette seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

25. Rodney Paulette made a motion to approve accepting the \$120,000.00 Security Grant that the Angelina County Election Administrator's office applied for:

\$60,000.00 to Software Maintenance, 059-153-4183

\$60,000.00 to Capital Outlay, 059-153-4995

Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

26. Rodney Paulette made a motion to approve the budget transfer request from Angelina County Elections:

Transfer from:	Election Fund	010-032-4220	\$16,000.00
Transfer to:	Capital Outlay	059-153-4995	\$16,000.00

Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

27. Rodney Paulette made a motion to approve the Service Agreement with eHealth Screenings; with the County Judge's signature. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

28. Rodney Paulette made a motion to approve the Second Contract Renewal for the Statewide Automated Victim Notification Service (SAVNS) with Appriss, Inc.; with the County Judge's signature. Steve Smith seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)

Motion carried.

29. Rodney Paulette made a motion to approve the budget transfer request from Road & Bridge #4:

Transfer from:	Hard Top Roads	035-135-4803	\$5,607.00
Transfer to:	Equipment Rental	035-135-4407	\$5,607.00

Terry Pitts seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith

Voted Against: (None)
Motion carried.

30. Steve Smith announced that Zavalla Trash Off is October 16, 2021. Rodney Paulette made a motion to approve the miscellaneous and routine items submitted by the County Auditor, Justice of the Peace Precincts #1 and #4 and the Tax Assessor-Collector. Terry Pitts seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.

31. Steve Smith made a motion to pay the bills as submitted by the County Auditor. Rodney Paulette seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.

32. The Court entered into Executive Session at 11:26 A.M.

33. The Court returned to Open Session at 11:44 A.M. An agreement was made to start receiving a report every 2 weeks from the Maintenance Department.

34. Rodney Paulette made a motion to adjourn at 11:46 A.M. Kermit Kennedy seconded the motion.

Voted For: Rodney Paulette, Kermit Kennedy, Terry Pitts and Steve Smith
Voted Against: (None)
Motion carried.

I, Amy Fincher, Angelina County Clerk, do hereby attest to the accuracy of the Commissioners' Court Minutes for September 14, 2021 on this 15th day of September, 2021.





Amy Fincher, Angelina County Clerk