

**THE STATE OF TEXAS
COUNTY OF ANGELINA**

Commissioners Court met in Regular Session on Tuesday, September 24, 2019 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
Greg Harrison	Commissioner Precinct #1
Kermit Kennedy	Commissioner Precinct #2
Terry Pitts	Commissioner Precinct #3
Bobby Cheshire	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 Judge Don Lymbery.
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: None
5. Terry Pitts made a motion to approve the Commissioners' Court Minutes for September 10, 2019. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.
6. Terry Pitts made a motion to approve the Commissioners' Court Public Hearing on Proposed Budget Minutes for September 16, 2019. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.
7. JoDee Neil, with the law firm of Simon, Greenstone, & Panatier, gave an update on the status of the opioid litigation.
8. Terry Pitts made a motion to approve the final plat of Wilkerson Road Subdivision in Precinct #3. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.
9. The Court opened a Public Hearing at 10:14 A.M. on the Proposed Angelina County Budget for the Fiscal Year 2020:

Billie Page, Angelina County Tax Assessor-Collector, presented information on tax rates on all Angelina County taxing jurisdictions between 2018 and 2019

Pam Hooton spoke in favor of the proposed budget

Luke Tarbutton, representing citizens that contacted him, expressed concerns about the proposed tax increase

Chad Kovar spoke in opposition to the proposed tax increase

Robert Stephenson spoke in opposition to the proposed tax increase

Mark Dunn spoke in opposition to the proposed tax increase

Mark Hicks spoke in opposition to the proposed tax increase

Kurt England spoke in opposition to the proposed tax increase

Kelly Dickinson spoke in opposition to the proposed tax increase

Johnnie Igness spoke in opposition to the proposed tax increase

Bobby Cheshire made a motion that Lynn Atkinson's time to speak be removed because of Atkinson's personal attacks on a member of the court. Atkinson agreed to speak to the agenda item only. Cheshire withdrew his motion.

Lynn Atkinson spoke in opposition to the proposed tax increase

Karen Gilcrease spoke in favor of raises for the Sheriff's Office Deputies

10. The Public Hearing was closed at 10:54 A.M.

11. Judge Lymbery gave 3 different options for adoption of the Fiscal Year 2020 Budget for Angelina County:

Option #1-the original budget that is posted on the website at the same tax rate as last year, .437121

Option #2-the original budget that was posted on the website with all the things that it has plus one change-the \$2,080 increase in across the board salaries, that tax rate would be the same as the 2018 tax rate which is .458803

Option #3-the proposed budget with all of the things added that have been voted on in all the workshops leading up to this point, that tax rate is .50250

Greg Harrison made a motion to approve option #1, the original budget that was proposed. Terry Pitts seconded the motion. Bobby Cheshire made an objection that the proposed budget is a tax increase of 3.3%.

Voted For: Greg Harrison, Terry Pitts and Don Lymbery

Voted Against: Kermit Kennedy and Bobby Cheshire

Motion carried.

12. Tax rate will be .437121
Voted For: Greg Harrison, Terry Pitts and Don Lymbery
Voted Against: Kermit Kennedy and Bobby Cheshire
Motion carried.

13. The Order will reflect .437121 as the tax rate.
Voted For: Greg Harrison, Terry Pitts and Don Lymbery
Voted Against: Kermit Kennedy and Bobby Cheshire
Motion carried.

“I move that the property tax rate be increased by the adoption of a tax rate of .437121, which is effectively a .02633 percent increase in the tax rate” was read by Judge Lymbery.

Greg Harrison made a motion to approve. Terry Pitts seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Don Lymbery
Voted Against: Bobby Cheshire
Motion carried.

Bobby Cheshire made a motion to recess at 11:27 A.M. Terry Pitts seconded the motion.

The court returned to open session at 11:37 A.M.

14. Terry Pitts made a motion to approve the Angelina County Certified Salary Schedule for the Fiscal Year 2020. Greg Harrison seconded the motion. Bobby Cheshire abstained from the vote.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Don Lymbery
Voted Against: (None)
Motion carried.

15. Greg Harrison made a motion to approve retaining the law firm of Allison, Bass & McGee to represent Angelina County in the process of reviewing existing precinct boundaries and in determining the need for redistricting; authorized County Judge to sign. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.

16. Greg Harrison made a motion to approve the Treasurer’s Report for month ended August 2019. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.

17. Greg Harrison made a motion to approve the Sheriff's Office to purchase a 2019 Chevrolet Tahoe and emergency equipment to replace a Tahoe that was totaled in a vehicle crash. Bobby Cheshire seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

18. Greg Harrison made a motion to amend the contract with Texas State University and Angelina County Sheriff's Office to increase the amount from \$20,000.00 to \$40,000.00 for minor tobacco stings. Bobby Cheshire seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

19. Bobby Cheshire made a motion to approve the Election Day Judges and Alternate Judges with Polling Locations (revised) and AW1-5 Order of Special Election (revised). Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

20. The Court opened Public Hearing on Petition to Create an Emergency Services District known as Angelina County Emergency Services District #1 at 11:59 A.M.

No public comments

21. The Public Hearing was closed at 12:01 P.M.

22. Bobby Cheshire made a motion to deny the petition. There was no second to the motion. Bobby Cheshire amended his motion to table and reconsider, whether to grant the petition to create Angelina County Emergency Services District #1 and whether to order an election to confirm the district's creation, on October 22, 2019. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

23. Greg Harrison made a motion to approve a budget transfer request from Angelina County Parks:

Transfer from:	Park Maintenance	022-122-4317	\$ 500.00
Transfer to:	Utility Phone	022-122-4701	\$ 500.00

Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

24. Greg Harrison made a motion to approve a budget transfer request from County Airport:

Transfer from:	R&M Facilities	083-183-4303	\$ 1,050.00
Transfer to:	Utility Telephone	083-183-4701	\$ 1,050.00
Transfer from:	Airport Repairs	083-183-4301	\$ 2,050.00
Transfer to:	Vehicle Gasoline	083-183-4307	\$ 2,050.00

Bobby Cheshire seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

25. Greg Harrison made a motion to approve a budget transfer request from Justice of the Peace, Precinct #3:

Transfer from:	Janitorial Services	010-078-4126	\$ 2,000.00
	R&M Office Equip	010-078-4316	\$ 500.00
	Dues & Publications	010-078-4226	\$ 340.00
Transfer to:	Supplies Office	010-078-4615	\$ 2,840.00

Kermit Kennedy seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

26. Greg Harrison made a motion to approve a budget transfer request from County Auditor:

Transfer from:	Contingency	010-078-4126	\$75,000.00
Transfer to:	Communications	010-075-4993	\$75,000.00
	Upgrade		
Transfer from:	Training Personnel	010-015-4248	\$ 200.00
Transfer to:	Dues & Publications	010-015-4226	\$ 200.00

Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

27. Bobby Cheshire made a motion to approve the monthly report from the Justice of the Peace Precinct #1, Justice of the Peace Precinct #3, Collections Department and Tax Assessor-Collector. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

28. Greg Harrison made a motion to pay the bills as submitted by the County Auditor.
Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.

29. Greg Harrison made a motion to adjourn at 12:10 P.M. Bobby Cheshire seconded the motion.
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire
Voted Against: (None)
Motion carried.

I, Amy Fincher, Angelina County Clerk, do hereby attest to the accuracy of the Commissioners' Court Minutes for September 24, 2019 on this 25th day of September, 2019.





Amy Fincher, Angelina County Clerk