

**AGENDA
NOTICE OF REGULAR MEETING
OF THE
CITY COUNCIL OF
CUMBY, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the city of Cumby, Texas will conduct a Regular Meeting on May 10, 2022, at 6:30 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

If the public desires to speak during a specific agenda item, they must email secretary@cityofcumby.com by 4:00 pm on the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. You may also communicate and send your comments to the City Councilmembers directly by email: alderman1@cityofcumby.com; alderman2@cityofcumby.com; alderman4@cityofcumby.com; cumbyalderman5@gmail.com.

The meeting agenda and agenda packet are posted online at <https://www.cityofcumby.com/index.shtml>

- 1. CALL MEETING TO ORDER**
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. ROLL CALL & QUORUM REPORT**
- 4. PRESENTATION BY CITIZENS**

The City Council welcomes "Presentation by Citizens." If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow guidelines posted at the bottom of this Agenda.**

- o Melanie Seely: Recommendation to add something to city hall after-hours answer message to call "911" to reach dispatch or Hopkins County.

5. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV'T CODE 551.0415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. "Items of Community Interest" include items posted at the bottom of this Agenda

- o May 30, 2022, is Memorial Day and City Hall will be closed

6. CONSENT AGENDA & DEPARTMENT REPORTS

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

- 6.1. Approval – City Council Minutes, Regular Meeting, April 12, 2022
- 6.2. Approval – City Council Minutes, Special Meeting May 4, 2022
- 6.3. Approval – 2022 April Financials
- 6.4. Approval – Vendor Balance Detail (April 2022)
- 6.5. Public Works Department Activity Report
- 6.6. Police Department Activity Report
- 6.7. Municipal Court Activity Report
- 6.8. Building Permit Activity Report
- 6.9. Fire Department Activity Report

7. EXECUTIVE SESSION:

- 7.1. In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:
 - 7.1.1. § 551.071(1): Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding: Security Systems for City Hall.
 - 7.1.2. Discussion: § 551.089 Deliberation regarding Security Devices for Municipal Court Proposed Security System. (Alderman Ryan Horne)
 - 7.1.1. Discussion: § 551.071(2) attorney advice on use of funds received into the Municipal Court for fines. (Alderman Lackey)

8. RECONVENE INTO OPEN SESSION:

- 8.1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

9. OLD BUSINESS

- 9.1. **Discussion/Action:** Resolution R-2022-05-1008 Appointing an Auditor for the City (Alderman Crocker)
- 9.2. **Discussion/Action:** Resolution R-2022-05-1009 Amending Resolution No. 001-2014 A Resolution of the City Council of the City of Cumby, Texas Repealing any Previous Resolution or Investment Policy and Providing for Investment Policy Scope, Standard of Care, Investment Objectives, Delegating of Authority and Appointment of Investment Officer, Ethics and Conflicts of Interest, Authorized Investments, Strategies, Safekeeping and Custody, Diversification, Internal Controls, Market Yield, Reporting, Adopting and Providing an Effective Date. Declaring Investment Officer for City of Cumby (Mayor Simmerman)
- 9.3. **Discussion/Action:** Ordinance O-2022-5-005 - Amending Ordinance 2022-02-06 costs for Building Plan review to capture fees from Building Inspector consulting firm and amending Move Permit Clause. (City Secretary / Mayor Doug Simmerman)
- 9.4. **Discussion:** Status of Payment plan for IRS outstanding past due amount of \$16,698.78 (City Secretary)

10. NEW BUSINESS

- 10.1. **Discussion/Action:** Appointment of committee to review Ordinances / Resolutions to determine which is the “newest” and effective for City of Cumby. Option for discussion is to hire firm to complete codification of City of Cumby Resolutions / Ordinances (fees have been requested from two companies that provide codification services.) (Alderman Crocker)
- 10.2. **Discussion:** AVR billing system; more specifically the current Ordinance for rates and what AVR currently has in our billing system and what we need to do to correct this issue. (Alderman Lackey)
- 10.3. **Discussion/Action:** Ordinance No. 2022-05-006 – An Ordinance amending trash rates, water and wastewater tap fees for City of Cumby Utility customers. (Mayor Simmerman)
- 10.4. **Discussion/Action:** Responsibility and Role of City Secretary (City Secretary & Mayor Simmerman) – Roles and responsibilities assigned to City Secretary and discussion of how the Council / Mayor would advise priorities and scheduling
- 10.5. **Discussion/Action:** Ordinance O-2022-05-007 Amending Ordinance 2020-12-01 Amending Bank Signatures (City Secretary / Mayor Simmerman)
- 10.6. **Discussion/Action:** Ordinance O-2022-05-008 Amending Ordinance 2020-12-01 – Amending Financial Institution Processes (City Secretary / Mayor Simmerman)
- 10.7. **Discussion:** Appointment of Municipal Judge for City of Cumby (Alderman Lackey)

10.8. Discussion and/or Action: Authorizing the Staff and the Mayor to take all reasonable steps to seek out Juvenile Case Manager Services for the City of Cumby and bring back to Council for approval a suitable agreement, including, but not limited to an interlocal agreement, for such services. (Alderman Lackey)

11. ADJOURNMENT

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV'T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV'T CODE 551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the city Council for the City of Cumby has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); 551.073 (Deliberations related to prospective gifts or donations); Section 551.074 (Personnel Matter); 551.076 (Deliberations regarding the deployment of security devices or the implementation of security policy); and 551.087 (Deliberations regarding Economic Development negotiations).

Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM: It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commission and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also notices as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Presentation by Citizens Guidelines:

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. 2020-12 Citizens are given three minutes (3:00) to speak during "Presentation by Citizens."
- Members of the public may only speak once and cannot pass the individual's time allotment to someone else.
- Direct your comments to the entire Council, not to an individual member.
- Show the Council members the same respect and courtesy that you expect to be shown to you.
- The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

City Council Comment Guidelines:

- Expressions of thanks, congratulations, or condolences.
- Information regarding holiday schedules
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person's public office or public employment is not honorary or salutory recognition for purposes of this subdivision.
- A reminder about an upcoming event organized or sponsored by the governing body.
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body or an official or employee of the municipality or county; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on May 6, 2022, at a place convenient and readily accessible to the general public at all times, and to the city's website, <https://www.cityofcumby.com>, in compliance with Chapter 551, Texas Government Code.



Betty Jo Hardman
Betty Jo Hardman, City Secretary

Alderman Lackey made a Motion to accept the consent agenda with removal of items 6.2 and 6.3;
Alderman Crocker, 2nd the Motion;
Approve items 6. Strike out 6.2. and 6.3

Alderman Crocker, made Motion to Table Items 6.2 and 6.3 and come back to them in the next regular council meeting
Alderman Mobley, 2nd the Motion;

Items 6.2 and 6.3 have been tabled until a CPA / Auditor can review QuickBooks and financials. This is highly supported by City Secretary.

5/0 Motion carried unanimously

The Mayor adjourned the regular meeting at 6.56pm to go into executive session.

Mayor Simmerman reconvened the Regular Council meeting at 8:43pm

ACTIONS FROM THE EXECUTIVE SESSION:

Alderman Lackey made motion to accept quote from BIT to move forward with upgrading the Municipal Court security system.

Alderman Crocker 2nd the motion

5/0 none against, the motion carried unanimously

Alderman Hardy made motion to approve Resolution R-2022-04-1006 Modifying and Approving an Alternate Design for a Storm Shelter Under Section 423.4, of the 2015 International Building Code for the Proposed Cumby Independent School District Construction of a High School Campus (2022-2023);

Alderman Horne 2nd the motion

5/0 none against, the motion carried unanimously.

7. OLD BUSINESS

7.1. Discussion: Final presentation by Ms. Anna Duckworth regarding history of Blackjack Grove and research concerning the name of City of Cumby. (Anna Duckworth)

Ms. Duckworth reported that it was an honor to do this research and she appreciated the city appointing her and making it possible. She has submitted a formal written report to the Mayor. To address several residents' concerns and comments, Ms. Duckworth reviewed the reason why she researched changing the name back to Blackjack Grove. She was certainly not researching nor presenting to "change for change's sake"; but for history. In history, this should be the only Blackjack Grove and perhaps in the world and we own the name; we celebrate Blackjack Grove Day; why not take the name back? Her research led to conclude this could easily be accomplished. City Council has authority to approve; and the cost is \$30 or so to record the name in the county clerk's office.

Regarding impact on Residents: this would have no impact on the residents because they are identified by zip code; Post Office doesn't care what we call ourselves – none of this would be impacted; would not have to cost very much money. If we could get grants, they could do a lot for this town: fix infrastructure; roads; generate new business; detailed items of what would have to change; the signs would be the only expense.

Some signs are optional, and some would have to change. Texas historical district would help; Historic Blackjack Road – nothing wrong with carrying Blackjack Grove in addition to Cumby; historical commission would take care of that for us.

Recommendation from her Research: She would like to see the City launch an information campaign of benefits of taking back the name: highlighting it and potentially put some money in the city’s pocket; theme festivals; flea markets; sell souvenirs – bumper stickers; etc. Perhaps at some point, set up an exploratory committee to come up with options or place an ordinance accepting name. She is a Certified genealogist and have had a wonderful time with her research. Blackjack Grove heritage is deep; and she is proud to call it home.

Mayor Simmerman thanked Ms. Duckworth for all of her efforts and research.

7.2. Discussion/Action: Bonding for City Secretary, Utility Clerk, Court Clerk (City Secretary at request of Council)

City Secretary presented the council with costs (appx 5% of bond value is the cost of the bond, e.g., \$10,000 bond would be +/- \$50) and a definition of a Surety Bond. Discussions held; with Ms. Angela Lee asking if the city would carry the cost of the bond; or if staff would carry part of the costs. It was determined that cost is borne by the city.

Alderman Lackey made Motion to carry \$10,000 bond on the City Utility Clerk, Deborah Hudson; \$50,000 bond on each City Secretary, Betty Jo Hardman and Rita Graham, Municipal Court Clerk. Alderman Hardy 2nd the Motion
5/0, none against, Motion Carried Unanimously

7.3. Discussion/Action: Ordinance O-2022-04-005 Amending Ordinance 2022-02-005: Amend to include Municipal State Fund; Municipal Security Fund; Municipal Technology Fund with no expiration date. Amend: Ordinance 2022-02-005 An Ordinance of the City of Cumby Texas Establishing a Municipal Court Local Truancy Prevention and Diversion Fund and Municipal Court Jury Fund and Ordinance No: 2002-04 An Ordinance that the City of Cumby, Texas establishing a Municipal Court Technology Fund; providing for the assessment and collection of a municipal court technology fee; providing for publication and effective date; providing for expiration date. (Alderman Ryan Horne)

City Secretary shared that this is “housekeeping” issue. City needs to have the Ordinance in place. When the council approved the Truancy Prevention and Diversion and Jury Fund accounts, it was discovered that there was no Ordinance authorizing the other Municipal Court bank accounts.

Alderman Horne made Motion to approve the Ordinance as presented
Alderman Hardy 2nd the Motion,
5/0, motion carried unanimously

8. NEW BUSINESS

8.1. Discussion/Action: Resolution R-2022-04-1002 Approving Building a Permanent Stage to be Constructed in Cumby City Park by Daughters of Blackjack Grove, a 501c3 nonprofit organization. (Alderman Ryan Horne)

Kendra Hood spoke to this; Landon company will build a metal stage; it will be designed by Landon Nabors. They have had a metal 20x20 trailer over the years. Would like to build a stage; discuss with builder what is needed; metal cannot tear up. Daughters of Blackjack Grove will pay for cost to build and then maintain.

Council agreed, definitely need a stage; look better; in the past, they (BJD) rented one for \$200; and, in the past have also used a trailer –

Size will be the same as the stage rented last year 16x20. This gets used more than one would think Council would request that before start building, blue print drawing be submitted to Council for review and approval.

City Secretary advised that the Park is not currently included in City's Property / Liability Insurance Coverage held with TML. She has been given the task to research coverage.

Alderman Horne made the motion to accept the Resolution as read

Alderman Crocker 2nd Motion

5/0 motion carried unanimously

8.2. Discussion: Daughters of Blackjack Grove 501c3 nonprofit organization intention to donate funds raised from events held in support of City Park in the City of Cumby Texas to the City of Cumby City Park Fund. (Alderman Ryan Horne)

The Mayor and Council thanked the Daughters of Blackjack Grove for their efforts and all they do for the Park

Ms. Kendra Hood, representing Daughters of Blackjack Grove, spoke. Their mission is to support Cumby City Park. They do not sponsor scholarships for the school or anything else; all they do is for the park. They help replace and maintain landscaping, etc. They want to give a donation to the Park Fund and will make a donation once a year. This will vary as it will be based on funds raised during each year's Blackjack Grove Day event. The City has difficulty supporting a park that big. Their desire is for any funds donated would of course only be used in support of the Park; and funds would go to that City of Cumby account.

Mayor Simmerman and council thanked Ms. Hood and Daughters of Blackjack Grove.

8.3. Discussion/Action: 2022 Spring Clean Day for City of Cumby residents. A discussion regarding dates of when City of Cumby will hold Spring Clean 2022: Decision will be based on number of trash receptacles and length of time (receptacles available) offered at no fee by Republic; as well as City of Cumby Maintenance staff availability to assist on-site and have staff available during Spring Clean event (at the trash site). (Alderman Ryan Horne)

Council agreed to host over two weekends: 22-23-24 April and 29-30 April 2022. It should be completed prior to Daughters of Blackjack Grove event which is always held the Saturday before Mother's Day celebration.

Alderman Horne made the motion to split the cleanup and hold on the 3rd and 4th week of April (determined by availability of Republic receptacles)

Alderman Lackey 2nd the Motion;

5/0 motion passes

8.4. Discussion/Action: Ordinance O-2022-04-003 to Renew Franchise Agreement with Atmos Energy. (Mayor Doug Simmerman)

Alderman Lackey made the Motion to approve the Ordinance as read

Alderman Crocker 2nd the Motion;

5/0 none against; motion carried unanimously

8.5. Recognize: Petition presented by Ms. Sharon Ward-Hart during February 8, 2022, Presentation by Citizens, City Council Meeting in which she presented a request of the residents of the Black Grove Addition, City of Cumby requesting that once the work on the Cumby school track is

completed, M&R Drive will be repaired as promised. Second: M&R Drive remain a dead-end street; Third: No parking signs to be placed along all private property; Fourth: a speed limit sign be posted. (Alderman Cocker)

Council recognized Ms. Ward-Hart's petition and request and agreed that this may at some point come back as an Agenda item. (NOTE: When an item is presented by Citizen in "Presentation by Citizens" on the council agenda, the item must be recognized by council for it to be placed on future agenda.)

8.6. Discussion/Action: Resolution R-2022-04-1003 Appointing an Auditor for the City (Alderman Crocker)

Discussion was held that there were originally three auditors the city sent the RFP onto; two were going to respond; however, never heard from one and the other decided he didn't have capacity to submit response (Mike Ward). The council also discussed potentially appointing CPA to review and correct the financials for City of Cumby; as well as continue searching for an Auditor. The cost is not in 2021-2022 budget and City would have a hard time paying for both: CPA and Auditor. An Audit is a must to ensure the city meets the obligations of 2012 Obligation funds provided by Texas Water Development Board and current / future Federal grants. Therefore, the city will continue to focus on finding an Auditor.

Alderman Hardy expressed concerns of hiring Mike Ward in this position due to some questions she may have about past audit.

Auditor must be hired. An auditor will come in and evaluate and go through the books; make recommendations; report; and then come back with recommended processes. The city must of course determine if it is in the best interest of the city to then follow-through with recommendations presented.

8.7. Discussion/Action: Ordinance O-2022-04-006 - Amending Ordinance 2022-02-06 Costs for Building Plan review to capture fees from Building Inspector consulting firm. (Mayor Doug Simmerman)

Alderman Lackey asked that this item be tabled until she could go through and compare against Ordinance 2022-02-06 and brought back to agenda for next council meeting.

8.8. Discussion/Action: A request by Council Member to add agenda items to the Consent Agenda each month for City of Cumby City Council meeting. (Alderman Lackey) (Addendum 1 attached)

8.9. Discussion/Action: A request by City of Cumby City Council Member to add policies to City of Cumby Employee & Policy Manual. (Alderman Lackey) (Addendum 1 attached)

Discussion was held, and it was agreed the items presented and requested by Alderman Lackey would be covered under adding a Bond on city employees. Additionally, most were unwieldy, cumbersome, and unnecessary. It was pointed out that the city only employs three (3) people in city offices and there is no capacity for daily tasks to be monitored by another staff member.

8.10. Discussion/Action: Resolution R-2022-04-1004 -Move ARPA grant funds from basic Water/Sewer checking account into an interest-bearing account; and, 90-day CD fund until funds are required for projects as determined by City Council. (City Secretary)

Funds would be held in separate account for accounting purposes and these may as well be in interest bearing account(s). Alderman Hardy inquired as to the use of interest that would be earned;

and it was agreed that any interest would stay with the funds generating the interest (which is how these funds are currently treated by City processes).

Alderman Hardy made the motion to accept the Resolution as read;
Alderman Crocker 2nd Motion;
5/0 none opposed, motion carried unanimously

8.11. Discussion/Action: Resolution R-2022-04-1007 – Establishing a Permit Fund Checking Account (City Secretary)

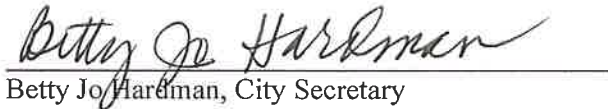
Fees that are submitted to the City for permitting (new / remodel / residential / commercial) would be placed into a Permit Fund account; payments made in regard to expenses incurred by the City for inspection; permitting; or other costs associated with permitting, would then be paid from this checking Permit Fund account.

Alderman Crocker made the Motion to accept the Resolution as read
Alderman Mobley 2nd Motion;
5/0 none opposed, motion carried unanimously

9. ADJOURNMENT, there being no further business, the meeting was adjourned at 9:36pm

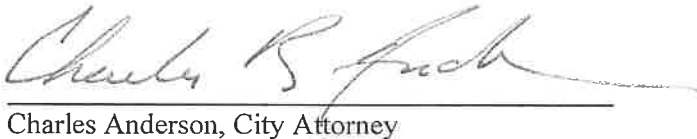


Douglas Simmerman, Mayor



Betty Jo Hardman, City Secretary

APPROVED as to Form



Charles Anderson, City Attorney

b.1 as presented

Consent Agenda:

- 6.1 – Minutes, Regular Meeting of April 12, 2022:
Add to 6.2 and 6.3 Financials:
Alderman Lackey stated, "After discussions with Betty Jo regarding the shape of QuickBooks are in and the errors, I cannot approve the financials. Paraphrasing LGC 22.075(c)
'The treasurer shall render... a full statement of the receipts and payments.' I believe until the issue(s) are resolved Council cannot get an accurate accounting. For those reasons I cannot in good conscience approve the financials at this time."
- 8.1 – Strike out read and replace with written.
- 8.4 – Strike out read and replace with presented.
- 8.7 – Strike out go through and compare against O-2022-02-06 and replace with Doug, I know there was not a motion brought to the table, but I ask that this be tabled until I can do more research and bring back to the next meeting.
- 8.8 – Add that it was advised that Council review what they would want to be included in the Consent Agenda and bring it back to the next meeting.
- 8.9 – Add, Alderman Lackey stated that these items were added, due to the deadline, before knowing the bonding of the city employees were being added to the agenda. Strike out the city only employs three (3) people in city offices and replace with there are only two (2) people in house (or employed).
- 8.10 – Strike out read and replace with written.
- 8.11 – Strike out read and replace with written.
-

Request for correction to Consent
Agenda - Minutes of April 12, 2022;
> Received from Alderman Aley Crocker
> for Alderman Sheryl Lackey as she
did not attend meeting;
May 10, 2022

Betty Jo Hallman
City Secretary

MINUTES
SPECIAL MEETING City Council
May 4, 2022

1. CALL MEETING TO ORDER – 5:00pm

2. PLEDGE OF ALLEGIANCE AND INVOCATION – led by Mayor Douglas Simmerman and Mayor Pro Tem respectively

3. ROLL CALL & QUORUM REPORT

Present: Mayor Douglas Simmerman
Holdover Alderman 1: Sheryl Lackey
Holdover Alderman 2: Amber Hardy

Mayor Pro Tem & Alderman 5: Ryan Horne
Alderman 3: Wayne Mobley
Alderman 4: Aly Crocker

4. PRESENTATION BY CITIZENS

The City Council welcomes “Presentation by Citizens.” If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow guidelines posted at the bottom of this Agenda.**

- Ginger Peeks: Council, City employees, contracted employees. Business, all that goes on in this room is to better the city, we have witnessed and watched witch hunts; people have left; come back. We would recommend that City Council gets procedures in place for City Employees. What are the steps to let them know what is expected? What are the steps to fix; resolve; before you run someone out of town? Fix this first. Attacks have got to stop. The negativity that goes with the city has got to stop. We need positive to come in; we have a fabulous police department. We have a Chief that does more for the community than has ever been done. This reprimand and misinformation and defamation of character has got to stop.
- Marcia Mickles: Agree with Ginger Peeks statement.
- Megan Baxter – speak at council meeting: I will be speaking in general about the role of the city council and the future of our town. Ms. Baxter had a prepared statement which she read. City Council - My name is Megan, and I have lived in Cumby most of my life. I'm here tonight just to serve as a reminder as to why all of you are sitting here. Because unfortunately I think some of you have forgotten the reason you ran for these positions in the first place. I have watched for at least the last 4-5 years people come in, whether they physically lived here or not, and run for city council or be some form of employee with the city, a lot of them for their own personal gain, or to get rid of this person or that person because they don't like them, and I think everyone here can agree we are still trying to sort out the mess that created. All of you sit here tonight and serve as a city of Cumby council member, or mayor, you were voted in or appointed, and your job is to serve this city. It is to make the best possible decisions for this city. It's to put your personal feelings aside and make decisions for the greater good of this city. You agreed and swore to being honest. You agreed to sit behind that table and listen with an open mind to every citizen that walked thru the door, and to be open to every situation even if it wasn't what you believed. You are not here to make your life easier; you are not here to get that person you don't like fired, and you are not here to spread rumors, and threaten citizens with lawsuits for talking about said rumors that you spread! You are not here to demote or fire employees (with reason) and then bring them back just because you get along with them better than who is here. There was a reason they were fired/ demoted. I want to make sure everyone is aware that it is illegal to discuss what is talked about in an executive session outside of that room, and it is distasteful. Regardless of what position you hold. I truly have hope that we (Cumby) are heading in a more positive direction, for the future of our town and our children. With that I will leave you with this, you guys hold this towns future in your hands please don't let it go back to how it was, we have come a long way and should not let our personal feelings mess that up, because the matter that you are all trying to discuss tonight isn't just affecting you guys, this is affecting the entire town. And getting rid of Chief Hundley, and more so bringing back an already demoted Robertson is not what's best for Cumby. Thanks.
- Chris Norfleet: Agree with the ladies.
- Cri McMullin: What the ladies said is great; they said it all. She would like to add, if the Council put as much effort in moving forward as we do holding the city back, we'd be at the top of small towns to live in. Words of Wisdom: “....do unto others and Karma comes around “
- Amanda Horne: Hope that the elected officials of the city hear what the citizens that have attended are saying. They are talking loud and clear; People are gong to be upset should anything happen to Chief.
- Angela Lee: Chief Hundley brought compassion. He has never profited (profiled?). As with other employee that needed assistance with QuickBooks, has the City Provided training to he and his officers? They are here to protect and serve. We live here for small town atmosphere; please put back confidence in the city. If a crisis you can call on him. Question City Council integrity.

- Christina Beck: New to the city; moved to town, scared for her (challenged) son's safety. First people she met was the Mayor and the Chief of Police. Both have been very kind. The Chief has been loving and caring to my family. My son lives at home (20 and special needs). He and his officers have been compassionate; son is in a safe place; all officers are good men.
- Sharon Starley: All Good, agree with other speakers
- Mr. Tyler McBride: does not live in Cumby, asked if he could speak – Mayor Simmerman allowed. Former Fire and Federal Law Enforcement. First thing that will happen if you get rid of a good Chief, you will also lose and get rid of good cops. When 1st moved to Texas “Cumby was a place that had bad cops”. Now – when come to Cumby, don't want to break the Law! You lose a good Chief; you will lose good officers.
- Nicky Petty: Email statement (attached) read.

5. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV'T CODE 551.0415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. “Items of Community Interest” include items posted at the bottom of this Agenda

Mayor went around the council table for comments. All council members commented that they appreciated the turn-out and citizens showing up to meeting.

Blackjack Grove Day coming up; like to see Citizens show up and come out in force.

Aly Crocker encouraged residents to send emails; good things or bad things; want to hear from citizens.

Mayor Simmerman broke for Executive Session at 5:18pm

6. EXECUTIVE SESSION

6.1. In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- 6.1.1.1. § 551.071(1): Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding: (i) Police Chief Hundley
- 6.1.1.2. §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: Police Chief Hundley (Alderman Wayne Mobley)

Executive Session ended at 6:28pm

7. ACTION: 6:30 – Mayor Simmerman returned council to Open Session.

7.1. Action, if any, from items discussed in Executive Session: 6.1.1.1. and 6.1.1.2 – NO ACTION


8. OLD BUSINESS

8.1. Discussion/Action: Resolution R-2022-04-1002 Review of metal stage design (if ready). If the design is not yet ready for review, we would ask that the Council give the Mayor and/or Mayor Pro Tem the authority to approve in lieu of another Special Council Meeting. Their Goal is to have this installed prior to 2022 Blackjack Grove Day (May 14, 2022) (Alderman Ryan Horne) – Design was not yet ready; when it is finalized, Mayor or Mayor Pro Tem authorize when design is ready.

9. ADJOURNMENT: There being no further business, council adjourned at 6:31pm


 Betty Jo Hardman, City Secretary


 Douglas Simmerman, Mayor

APPROVED as to Form

 Melissa Cranford, City Attorney

City of Cumby
Unpaid Bills Detail
As of May 9, 2022

	Type	Date	Num	Due Date	Aging	Open Balance
60.60 +						
114.95 +	7-H Construction Company					
83.00 +	Bill Pmt -Check	04/26/2021	1003			-44,059.00
913.11 +	Bill Pmt -Check	04/28/2021	1007			-5,000.00
120.00 +	Bill Pmt -Check	06/02/2021	1008			-30,316.50
192.66 +	Bill Pmt -Check	08/20/2021	1010			-126,179.00
537.34 +	Bill Pmt -Check	08/31/2021	1012			-3,545.50
2,826.92 +	Total 7-H Construction Company					-209,100.00
135,826.66 +	Airgas USA					
365.98 +	Bill	05/04/2022	Order ...	05/14/2022		60.60
241.00 +	Total Airgas USA					60.60
150.00 +	Alliance Document Shredding, Inc.					
1,052.65 +	Bill	02/02/2022	Inv 56...	03/04/2022	66	55.00
80.00 +	Bill	03/30/2022	Inv 54...	04/29/2022	10	59.95
170.00 +	Total Alliance Document Shredding, Inc.					114.95
20.00 +	Ana Lab Corporation					
80.00 +	Bill	04/30/2022	Inv A0...	05/30/2022		83.00
170.00 +	Total Ana Lab Corporation					83.00
4,971.44 +	AT&T Mobility					
6,550.77 +	Bill	04/21/2022	April / ...	05/21/2022		913.11
12,094.49 +	Total AT&T Mobility					913.11
20.00 +	Atmos Energy					
49.00 +	Credit	05/11/2021	30326...			-386.38
1,200.00 +	Total Atmos Energy					-386.38
353.36 +	AVR, Inc.					
400.00 +	Bill	04/30/2022	Inv 03...	05/30/2022		120.00
60.30 +	Total AVR, Inc.					120.00
1,497.00 +	Bobkat Enterprises, Inc.					
162.99 +	Bill Pmt -Check	07/13/2021	1205			-0.02
16,285.00 +	Bill	04/11/2022	Inv 22...	04/26/2022	13	34.58
134.03 +	Bill	04/13/2022	Inv 22...	04/28/2022	11	49.90
83.97 +	Bill	04/14/2022	Inv 22...	04/29/2022	10	29.98
660.00 +	Bill	04/22/2022	Inv 22...	05/07/2022	2	19.05
137.37 +	Bill	04/28/2022	Inv 22...	05/13/2022		59.17
286.90 +	Total Bobkat Enterprises, Inc.					192.66
16,113.02 -	Bureau Veritas North America Inc.					
129.96 +	Bill	04/26/2022	2022-...	05/26/2022		537.34
8,188.75 +	Total Bureau Veritas North America Inc.					537.34
3.10 +	Business IT Service Corps					
2,832.17 +	Bill	04/18/2022	Inv 2013	05/03/2022	6	1,637.92
586.26 +	Bill	04/18/2022	Inv. 20...	05/03/2022	6	1,189.00
1,674.90 +	Total Business IT Service Corps					2,826.92
185,100.496 +	Constellation Energy					
96.88 +	Bill Pmt -Check	02/25/2022	28289			-5,365.32
586.26 +	Bill	02/25/2022	02/22-...	02/25/2022	73	5,365.32
1,674.90 +	Bill	02/28/2022	2020 ...	02/28/2022	70	131,716.06
1,674.90 +	Bill	04/28/2022	62320...	05/19/2022		4,110.60
1,674.90 +	Total Constellation Energy					135,826.66
185,100.496 +	D & E Discount Auto Supply					
185,100.496 +	Bill	03/24/2022	Inv 14...	04/03/2022	36	28.00
185,100.496 +	Bill	03/26/2022	Inv 14...	04/05/2022	34	291.84

CDBA Acct

**reset Atmos * ?*

cancel acct

City of Cumby
Unpaid Bills Detail
 As of May 9, 2022

Type	Date	Num	Due Date	Aging	Open Balance
Bill	03/26/2022	Inv 14...	04/05/2022	34	46.14
Total D & E Discount Auto Supply					365.98
DataMax Leasing					
Bill	04/15/2022	Inv. LJ...	05/02/2022	7	241.00
Total DataMax Leasing					241.00
Doug Simmerman, City Council					
Bill	05/05/2022	May 2...	05/15/2022		150.00
Total Doug Simmerman, City Council					150.00
DPC Industries					
Bill	04/18/2022	Inv. 79...	05/18/2022		631.59
Bill	04/18/2022	Inv. 79...	05/18/2022		421.06
Total DPC Industries					1,052.65
ELLEN BAILEY					
Bill Pmt -Check	08/15/2019	25854			-278.00
Total ELLEN BAILEY					-278.00
Farmers Electric Cooperative					
Bill	05/04/2022	CUMB...	05/19/2022		20.00
Total Farmers Electric Cooperative					20.00
Gas & Supply of Campbell					
Bill	04/26/2022	Omv 3...	05/06/2022	3	80.00
Total Gas & Supply of Campbell					80.00
Griffin Communications & Security					
Bill	05/01/2022	Inv 1817	05/11/2022		170.00
Total Griffin Communications & Security					170.00
Hall Oil Company					
Bill	03/22/2022	Inv 12...	03/22/2022	48	1,566.63
Bill	04/04/2022	Inv. 12...	04/14/2022	25	1,064.48
Bill	04/18/2022	Inv 13...	04/18/2022	21	1,102.50
Bill	04/29/2022	Inv 13...	04/29/2022	10	1,237.83
Total Hall Oil Company					4,971.44
i3-Bearcat, LLC					
Bill	05/04/2022	CUMB...	05/16/2022		6,550.77
Total i3-Bearcat, LLC					6,550.77
IRS					
Bill	11/15/2021	12/31/...	05/21/2022		12,094.49
Total IRS					12,094.49
J&M Tire Shop					
Bill	04/21/2022	Inv. 45...	04/21/2022	18	20.00
Total J&M Tire Shop					20.00
J. J.'s Quick Lube					
Bill	05/04/2022	oRDE...	05/14/2022		49.00
Total J. J.'s Quick Lube					49.00
KOLOGIK					
Bill	05/04/2022	70210...	05/14/2022		1,200.00
Total KOLOGIK					1,200.00

) ?

added

City of Cumby Unpaid Bills Detail As of May 9, 2022

Type	Date	Num	Due Date	Aging	Open Balance
Liberty National Life Insurance Company					
Bill	04/21/2022	Cumb...	05/06/2022	3	353.36
Total Liberty National Life Insurance Company					353.36
Martin's Texas Trucking, Inc.					
Bill	04/18/2022	Inv 95...	05/03/2022	6	400.00
Total Martin's Texas Trucking, Inc.					400.00
Matheson Tri-Gas, Inc.					
Bill	04/30/2022	Inv 00...	05/30/2022		60.30
Total Matheson Tri-Gas, Inc.					60.30
Messer Fort McDonald					
Bill	04/21/2022	Inv 16...	05/01/2022	8	1,497.00
Total Messer Fort McDonald					1,497.00
NAPA Auto Parts-SS					
Bill	05/05/2022	Inv 04...	05/15/2022		162.99
Total NAPA Auto Parts-SS					162.99
Northeast Texas Disposal					
Bill	11/27/2018	18800	12/27/2018	1229	3,060.00
Bill	12/04/2018	18641	01/03/2019	1222	2,470.00
Bill	12/05/2018	17233	01/04/2019	1221	420.00
Bill	12/11/2018	18801	01/10/2019	1215	3,415.00
Bill	12/21/2018	18804	01/20/2019	1205	4,020.00
Bill	01/02/2019	21086	02/01/2019	1193	2,900.00
Total Northeast Texas Disposal					16,285.00
O'Reilly Auto Parts					
Credit	11/05/2020	0372-...			-18.00
Bill	06/10/2021	0372-...	07/10/2021	303	41.97
Bill	04/18/2022	Ref 03...	05/18/2022		104.77
Bill	04/18/2022	Inv 03...	05/18/2022		5.29
Total O'Reilly Auto Parts					134.03
Pitney Bowes					
Bill	04/02/2022	Inv. 10...	04/29/2022	10	83.97
Total Pitney Bowes					83.97
Public Management, INC					
Bill Pmt -Check	04/26/2021	1004			-6,000.00
Bill Pmt -Check	03/10/2022	1014			-6,000.00
Total Public Management, INC					-12,000.00
Pump Solutions, Inc.					
Bill	04/26/2022	Inv. 20...	05/26/2022		660.00
Total Pump Solutions, Inc.					660.00
Purchase Power					
Bill	03/16/2022	Feb 2...	04/15/2022	24	137.37
Total Purchase Power					137.37
Quill Corporation					
Bill	03/23/2022	Inv 23...	04/22/2022	17	286.90
Total Quill Corporation					286.90
Republic Services					
Credit	04/26/2022	Refun...			-16,113.02

*CDBG
Acct*

*sludge fund
credit!*

City of Cumby Unpaid Bills Detail As of May 9, 2022

Type	Date	Num	Due Date	Aging	Open Balance
Total Republic Services					-16,113.02
Sam Crocker					
Bill	04/18/2022	Ticket ...	04/28/2022	11	129.96
Total Sam Crocker					129.96
Texas Municipal League					
Bill	04/01/2022	2022 -...	04/11/2022	28	7,597.75
Bill	04/05/2022	Memb...	04/15/2022	24	591.00
Total Texas Municipal League					8,188.75
Texas Municipal Retirement Systems					
Bill	04/18/2022	Late F...	04/18/2022	21	3.10
Total Texas Municipal Retirement Systems					3.10
Texas Tank Services					
Bill	05/02/2022	Inv 3063	05/17/2022		2,832.17
Total Texas Tank Services					2,832.17
The C T Brannon Corporation					
Bill Pmt -Check	04/27/2021	1005			-5,450.00
Bill Pmt -Check	06/02/2021	1009			-2,050.00
Bill Pmt -Check	08/20/2021	1011			-4,100.00
Bill Pmt -Check	03/10/2022	1015			-3,525.00
Total The C T Brannon Corporation					-15,125.00
Uline					
Bill	04/11/2022	Order ...	05/11/2022		96.88
Total Uline					96.88
Underground Utility Supply					
Credit	02/15/2022	CR 24...			2,022.75
Bill	11/30/2021	Inv. 24...	12/30/2021	130	255.92
Bill	12/13/2021	Inv 24...	01/12/2022	117	330.34
Total Underground Utility Supply					1,436.47
VSPGraphic Group					
Bill	04/02/2022	Est 13...	04/12/2022	27	289.95
Bill	04/06/2022	Est 13...	04/16/2022	23	1,384.95
Total VSPGraphic Group					1,674.90
TOTAL					53,811.82

✓ OK

CD BG P.
Aunt P.

~~2,022.75~~ e used

586.26

* 185,100.49

* Includes:
 - payout constellation
 - IRS fine/# due

City of Cumby
Profit & Loss
 October 2021 through April 2022

	Oct '21 - Apr 22
Ordinary Income/Expense	
Income	
Public Grant Funds	34,338.44
Subdivision Fees - PD	1,350.00
Fines	402,296.32
Interest Earned	40.71
License & Permits	963.65
Misc Revenues - Utility	750.00
Property Sale	14,700.00
Public Safety Department	
Accident Report	64.00
Total Public Safety Department	64.00
Tax & Franchise Fees	
Franchise	4,689.93
Property Tax	71,694.32
Sales Tax	38,931.14
Tax & Franchise Fees - Other	4,809.38
Total Tax & Franchise Fees	120,124.77
Water - Sewer	
New Service Connection Fee	105.00
Water Transfer Fee	140.00
Garbage Revenue	25,067.98
Late Fee	3,382.72
Sales Tax Collected	2,262.49
Service Fee Collected	70.00
Sewer Revenue	41,951.18
Tap fee	2,500.00
Water Revenue	
Water Deposits Applied	520.00
Water Revenue - Other	76,229.13
Total Water Revenue	76,749.13
Water - Sewer - Other	496.47
Total Water - Sewer	152,724.97
Water Deposit	3,409.60
Total Income	730,762.46
Gross Profit	730,762.46
Expense	
Jury Duty	168.00
CDBG	39,075.50
Reconciliation Discrepancies	11,222.46
Administration	
Fire Dpt utilities	0.00
Late Fees & Interest	13,652.51
Reimbursement for Travel/Gas	666.82
Office Expense	886.85
Election	4,423.34
Insurance	17,113.55
Legal Fees	3,728.00
Maintenance	62.50
Mayor/Council Monthly Fee	1,467.99
Membership	848.83
Office Supplies	4,279.43
Postage	229.63
Property Tax Fees	2,961.44
Public Notice	995.95
Software	308.07
Subscription	61.99

City of Cumby
Profit & Loss
 October 2021 through April 2022

	Oct '21 - Apr 22
Technology	5,069.01
Telephone	769.47
Training	-45.00
Utilities	28,419.07
Total Administration	85,899.45
Construction In Progress	537.34
Debt Service	
Payment Processing Center	200.00
TWDB Bond	69,975.50
Total Debt Service	70,175.50
Municipal Court	
Legal Reference Material	312.48
Collection Service Fee	44,286.10
Judge	1,306.48
Legal Fees	1,621.00
Office Expense	738.66
Postage	258.89
Security	1,190.00
Software Update	5,500.00
State Fees	43,864.34
Technology	3,365.74
Telephone	1,578.46
Travel & Training	100.00
Utilities	25,320.13
Municipal Court - Other	-72.62
Total Municipal Court	129,369.66
Park Improvements	
Utilities	33.98
Maintenance	1,606.25
Supplies	52.99
Total Park Improvements	1,693.22
Payroll Expenses	
PENSION EXPENSE	13,145.77
Child Support	238.62
Payroll Expenses - Other	269,715.92
Total Payroll Expenses	283,100.31
Public Safety	
Utilities	0.00
Education	150.00
Police Department	
Postage	5.00
Technology	11,838.97
Reimbursement	1,082.36
Legal Fees	184.50
Auto Repair & Maintenance	21,936.73
Automobile Purchase	17,370.00
Equipment	2,513.69
Equipment Repairs	167.48
Fuel	18,429.38
License & Support	40.63
Office Supplies	541.34
Telephone	2,220.02
Testing Supplies	78.00
Training	591.11
Uniforms	78.19
Utilities	20,320.13
Police Department - Other	-13.10

City of Cumby
Profit & Loss
 October 2021 through April 2022

	Oct '21 - Apr 22
Total Police Department	97,384.43
Total Public Safety	97,534.43
Public Works	
Debris Cleanup	650.00
Street Repair	3,175.00
Total Public Works	3,825.00
Training Expenditure	30.42
Water Deposit Refund	125.59
Water/Sewer	
Technology	279.37
Bank Fee	236.00
Public Notice	336.85
Membership	866.00
UTILITY Cash Drawer	71.96
Lift Station	550.00
Water Meters	1,000.00
Mowing	227.99
Office Assitance	31.98
Automobile Repairs	1,124.70
Chemicals	3,366.24
Deposit Refund	786.49
Equipment Repairs	0.00
Fuel	972.60
Garbage Collection Fee	5,807.48
Lab Fees	426.92
Legal Fee	125.00
Legal Fees	273.00
Maintenance	29,702.63
Mileage	91.60
Office Supplies	1,154.83
Operating Supplies	6,389.21
Permit	2,963.45
Postage	1,352.09
Sales Tax Paid	4,034.28
Software	1,691.85
Telephone	1,007.62
Testing	1,065.00
Uniforms	18.80
Utilities	89,946.02
Water/Sewer - Other	1,681.16
Total Water/Sewer	157,581.12
Total Expense	880,338.00
Net Ordinary Income	-149,575.54
Net Income	-149,575.54

PUBLIC WORKS

APRIL 5, 2022

MAY 4 - 2022

* DAILY ROUTINES
READ WELLS Daily Pump checks
and Documentation. check Chlorine Residuals

Check Lift station an WWT P. and
document FOR state

* WATER

Repair 3 LEAKS. Lock out meters.
Get Ready for state TCE P inspection.
was moved to may 19th.

still trying to locate water line on Linet Denton
meter Reports
Read meters

still trying to get final Pricing for water
line for Howell custom homes Hwy 275 + 4129.
Call in Locales for TARRANT + Depot Alley.

* SEWER

Settled - 4 clogged lines

Able to locate Phipps sewer line for Tap apply
7 ft to Top of Pipe. South Tapping saddle ARRIVED
Along with 3 days of Rain.

Clean up at Plants also 2 Loads of crushed
concrete on Road - Need 2 MORE.

* WORK ORDERS

Complete 30 W.O Issued by Maint.

Complete 22 W.O Issued by City Hall.

now All Properties except W.T.P 3 times in the month,
worked dumpsters for city clean up.

City EASER Egg Hunt + Church services
worked.

Getting Ready for BIG Daughters in Park
meet with Pump Solutions had Pumps + M&P Clean
meet with Pump solution Salmerne to discuss

changing ~~impellers~~ impellers to stop clogging
engineers agreed it was Their Responsibility
an Pump Solutions charged on 5-5-22
No cost to City.

Flush Valves + Document.

Meter Read Report for City Council
2021-2022 Fiscal Year

(Report begins in March 2022)

	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
RG3 - Read Meters	354	352					
RG3 - Unread Meters	51	52					
Manual Reads	24	24					
TRASH (no meters)	30	28					
Duplicate Accounts (Appx)	2	2					
CHURCHES (NO BILL)	4	4					
March 1 - 31 Repaired Meters	19	-0-					
Accounts that need to be deleted	2	2					
Radio Reads that are actual manual read	1	1					
CITY METERS (NO BILL) (appx)	6	6					
Vacant that are or listed unread	6	6					

Date	. #	Problem	Solution	Date Completed
1/31/22	0202	Leak in middle of the road of 4727.	Main break in pipe, Cut in 3' pipe and 2 dresser Back fill with crushed concrete.	1/31/22
1/31/22	0203	Needs rock at base of mailbox.	Put 1/4 bucket of CC in front of mailbox.	2/10/22
2/1/222	0204	Customer says bill too high. Please perform consumption read.	Consumption read. C. RT	2/1/22
2/28/22	0215	Need locates heading Ezst.	Located water lines	2/2/22
3/2/22	217	Water main cut with excavator	Repaired water main	3/2/22
3/2/22	219	Cust requested water turned off	Water wasn't turned off. Domestic abuse situation.	3/2/22
3/3/22	79	Routine maintenance of wells	Perform maintenance.	3/3/22
3/4/22	80	Routine maintenance of wells	Perform maintenance.	3/4/22
3/4/22	81	Doing reports for City Council	Got reports ready	3/4/22
3/7/22	82	morning routines, check wells etc.	performed maintenance	3/7/22
3/8/22	83	morning routines, check wells etc	performed maintenance	3/8/22
3/9/22	84	Morning routines, check wells	Performed maintenance	3/9/22
3/10/22	85	Morning routines, check wells,pu rock salt	performed maintenance, checked on MAS Tech.	3/10/22
3/11/22	86	Morning routines,schedule generator maintenance, clean office	performed maintenance	3/11/222
3/14/22	87	Check wells, WTP, WWTP & lift stations	performed maintenance	3/14/22

3/9/22		meter not reading.		Change out meter register	3/9/22
3/4/22	220	Water main problem.		Not in city limits	
3/10/22	222	New customer needs reading.		Read meter.	3/10/22
3/4/22	223	New customer needs reading.		Read meter.	3/4/22
3/4/22	224	water turned back on, pd in full		Water reconnected	3/4/22
3/4/22	226	Requested for water to be turned off.		Watr turned off & locked.	3/4/22
3/7/22	226	Needs sewer line located,		located line.	3/14/22
3/8/22	228	Request water to be turned back on,		Turned water on.	3/8/22
3/8/22	229	Check to see if have city water & sewer		Not our water supply.	3/8/22
3/9/22	230	Check to see if on Cumby water.		Not our water supply.	3/9/22
3/9/22	231	Need locates. Co. laying fiber optic cable.		Located water lines	3/9/22
3/10/22	232	Needs locates.		Located water lines	3/10/22
3/10/22	233	Huge water leak		Repaired broken water main	3/17/22
3/15/22	234	new service turn meter on.		meter turned on.	3/16/22
3/15/22	235	Main break		located break & repaired	3/15/22
3/17/22	236	Check lots to see if available to set a meter.		Unchecked to see if he has meter connection	3/17/22
3/18/22	237	manual meter read		no repair needed	3/18/22
3/21/22	238	Needs to a culvert to access property		Referred to County of Commerce	3/21/22
		VOID			

3/14/22	3-1422	Meter not reading		Change out & marry register.	3/14/22
3/14/22	M-3	Meter not reading		Change out & marry register.	3/16/22
3/16/22	M-4	Meter not reading		Change out register	3/16/22
3/15/22	88	Interview new employee. Main break on southside of 1-30.		Called in emergency locate	3/15/22
3/16/22	89	Morning routine. Fill hole and clean up after break.		Complete	3/16/22
3/16/22	M-5	Meter not reading		Change out register	3/16/22
3/16/22	M-6	Meter not reading		change out register	3/16/22
3/17/22	90	morning routines, leak on Donelton		repaired leak on Donelton & fixed road.	3/17/22
3/18/22	91	morning routines & locates		Located water tap for customer	3/18/2022
3/17/22	M-9	Meter not reading		Change out register	3/17/2022
3/18/22	M-10	Vacant lot		Has maintenance meter	3/18/2022
3/18/22	m-7	Meter not reading		change out register	3/18/2022
3/18/22	M-8	Meter not reading		Change out register	3/18/2022
3/21/22	92	Check wells & WTP, drop off pipe for Lisa, work in shop		checked sewer plant	3/21/22
3/21/22	M-11	Meter not reading		Change meter register	3/21/22
3/21/22	M-12	Meter not reading		Change meter register	3/21/22
3/21/22	M-13	Meter not reading		Change meter register	3/21/22
3/22/22	93	Read wells check pump house & locates		Performed locates on Mill & Denton St.	3/22/22

3/23/22	94	Read wells & check WTP & lift station, work on annual proposal.	Changed light bulbs @city hall.Clean shop.	3/23/22
3/24/22	M-14	Meter needs to be added to computer	Added meter to computer	3/24/22
3/24/22	M-15	Meter needs to be added to computer	Added meter to computer	3/24/22
3/30/22	M-16	Need to locate meter	Dug up meter, manual located meter buried in dirt.	3/30/22
3/30/22	M-18	locate meter box	Changed register	3/30/22
3/24/22	95	Read wells & check WTP & lift station, work on annual proposal.	Checked on water tap for customer.	3/24/22
3/25/22	96	Read wells morning routine.	Completed manual meter & radio reads.	3/25/22
3/28/22	97	read wells & check lift sations	Mowed Park, Green & M& R drives.	3/28/22
3/29/22				
3/29/22	98	Check wells & WTP, drop off pipe for Lisa, work in shop	Assisted Cumby ISD with vavle issues.	3/29/22
3/30/22	99	Read wells & check pump house & lift station	Worked on meter issues	3/30/222
3/31/22	100	read wells & WTP	weed eat several locations	3/31/22
4/1/22	101	Check & read wells, clean park & mow	Mowed Park, and well locations.	4/1/22
4/4/22	102	check wells & WTP. Mow & week eat WWTP.	Monthly report for city council.	4/4/22
4/5/22	103	Read wells & WTP, work on clarifier.	Performed maintenance on sewer plant. Doing reports for TCEQ.	4/5/22
4/5/22	4522	Check meter, very high bills	Consumption read done	
4/5/22	45221	Check to see if Cumby water	ONot on Cumby water	4/5/22

4/6/22	104	Read wells & check WTP & lift station, work on annual proposal.	Have gas relocated on Barker St.	4/6/22
4/7/22	105	Read wells & check WTP & lift station, work on meter report for city council.	located sewer lin on Holland St.	4/7/22
4/8/22	4822	Sewer backed up & need new meter top	Cleaned out & replaced top	4/8/22
4/8/22	106	Morning routine, Mow, weed & clean park	completedd maintenance cut limbs, & locate sewer line.	4/8/22
4/10/22	107	Investigating leak called in 8pm	Called in locates	4/10/22
4/11/22	108	Morning routines, locate meter	Set sewer plant lock out	4/11/22
4/11/22	41133	Check AC in attic	Checked attic, all vents connected.	4/11/22
4/11/22	41122	Alarm on Lift station keeps going off.	Pumps stopped up. Unlogged pump	4/11/22
4/11/22	110	Check WTP & wells /pump clogged.	Unlogged pump.	4/11/22
4/13/22	111	Morning routine & lift stations	Training new guys to do state BACT test monthly	4/13/22
4/14/22	112	Morning routines	Mow & weed eat park	4/14/22
4/12/223	41222	Service to be terminated for non-payment.	Service terminated & locked.	4/12/22
4/18/22	418221	Sewer line clogged.	Ran sewer line, better flow	4/18/22

4/18/22	441188	Customer moving, turn water off.	Water turned off,	4/18/22
4/18/22	113	read wells, check pump house, leak on Tarrant & Depot	located leak .	4/18/22
4/19/22	441922	Plumbing issues.	Flushed line.	4/19/22
4/18/22	41822	Need water locates.	located lines for Atmos	4/18/22
4/19/22	114	Read wells, check WTP Sewer issues, check manhole	Cleared lines	4/14/22
4/20/22	115	Read wells check WTP	Finish mowing, weed eated lift stations.	4/20/22
4/21/22	116	Read wells, check WTP & lift stations issues, check manhole. Dumpster delivered	Had to do locates close to fiber	4/21/22
4/22/22	117	Check wells & WTP Gas line inspect 305 Mill.	Changed light bulbs at city hall	4/22/22
4/23/22	118	Clean up day	Cleaned up.	4/23/22
4/25/22	119	read well & WTP	Assisted in loading dumpsters.	4/25/22
4/26/22	120	read wells & WTP check lift stations	Did locate at Tarrant & Depot/meter reports	4/26/22
4/27/22	121	Read wells, check WTP & check lift station	Started sewer tap on Denton	4/27/22
4/19/22	441923	Customer wants to know if she is on Cumby water.	Gafford Chapel water supply	4/19/22

3/24/22	241	Bathtub/faucet water black		Pulled meter & reinstalled	3/24/22
3/28/22	242	Large leak by Presbyterian Church		Dug up & repaired Meter is off. Residents taken to jail.	4/6/22
3/28/22	243	high read. Perform consumption		Locked meter. Check reading to make sure tails within normal usage.	3/31/22
3/29/22	178	high water bill, suspected leak			3/29/22
3/30/22	244	Big metal reel left/ torn up concrete /w pipe coming out.		will try to get ahold of contractor. Will smooth out dirt when it dries,	3/30/22
3/30/22	245	Reserve park for Blk Jack Daughters for Egg Hunt & Service		Park Clean & ready	4/16-4/17
4/1/22	248	Cust turned off for non payment.		Cust pd water bill/turned back on	4/1/22
4/1/22	249	Paid past due, turn water back on.		Water trurned back on.	4/1/22
4/6/22	4622	New customer		Meter read & water turned on.	4/6/22
4/7/22	4722	New customer will need meter and tap		Meter located	4/7/22
4/21/22	250	Replace burnt out bulbs		Replaced bulbs at city hall	4/21/22
4/22/22	251	high water need consumption read done.		consumption read done	4/22/22



Cumby Police Department

April 2022 Activity Report

Calls for Service	286
Warning Citations	76
Citations	65
Total Traffic Contacts	141
Crash Reports	2
Incident Reports	7
Offense Reports	13
Arrests	17

- We still have 2 fulltime Police Officer vacancies
 - One recruit starts soon. He is very young and inexperienced so he will be in training for 2-3 months with another officer.
- The numbers on this monthly report are inaccurate due to the loss of service by AT&T for 3G network and hotspot capability. New hotspot cards have come in and are in service and fully operational.
- Still working on an updated list of active city ordinances and for them to become official, several residences have been observed for possible violations.

- The 2015 Explorer unit has been put into service. I striped the vehicle myself and some equipment was donated by agency contacts. This allowed us to save a lot of money and the rest will be covered with seizure funds. No expense to the city whatsoever.
- Chevy truck unit (Old K9), is back from body shop, was wrecked 3 times by former employee, and is awaiting striping to be replaced from body shop repairs. This is scheduled to be done this month. Again, at no cost to the city. All repairs have been covered by insurance and Seizure funds and our own labor.
- Silent Sentinel program will go active as soon as the city website is active. I briefly discussed this program in the recent executive session but can advise further if anyone has question.
- Implementing a public awareness type program for special needs children and adults. Again, briefly touched on this in the executive session. It's a safety sticker program. Stickers will be made for house windows/doors, as well as vehicles.
 - I will supply a demo of the stickers once they are ready for disbursement.

Should anyone have any questions, comments, or concerns regarding the Police Department, please visit with Chief Hundley directly to avoid any here say and/or rumor control. Thank you.

CUMBY MUNICIPAL COURT DEPOSIT REPORT

DEPOSIT DATE April DATE RANGE 3-29 | 4.25 - 2022
monthly

TOTAL OF ONLINE PAYMENTS =	TOTAL OF MONEY ORDERS =	TOTAL PAYMENTS=
29,074.11	12,984.21	42,058.32
- GHS	- SECURITY	
6,512.15	516.70	
- STATE	- TECHNOLOGY	
10,616.58	494.30	
- OMNI	- TRUANCY FUND	
259.18	384.34	
	- JURY FUND	
	7.62	
= TRANSFERABLE TO GENERAL	= DEPOSIT TO GENERAL	TOTAL DEPOSIT=
11,554.63	11,690.08	23,267.48
	= %	
	55.3%	

PROCESSED BY R. Orabone

DATE 5.2.2022

CITY OF CUMBY
BUILDING PERMIT REPORT
MAY 10, 2022

1. Commercial Building Permit:
 - a. Request for information from Great Outdoor RV – Extensive discussion regarding initial remodel; fence (security); followed by new build
 - b. Final inspections For motorcycle shop: Sign / Electrical
2. Residential Permit:
 - a. Residential Permit Packet provided to: Mr. Jared Rodriguez. just purchased property on Tarrant & 275
 - b. Residential Permit Packet and Ordinances discussed at length and provided to ten (10) People/companies (new build / remodel / gas line installation / culvert drains / etc. etc.
3. Contractor Registration:
 - a. Received four registrations for Electrical Engineer
4. Many calls:
 - a. permits that City of Cumby does not yet have in place:
 - i. Boring Permit: Right of way for Spectrum contractor(s) laying fiber cable (nothing needed as they had permits from State / Federal.
 - ii. Solar Panel: Instructed them to use 2015 ICC International Building Code Electrical requirements (minimum)
 - iii. Fencing / Swimming pool”
5. Interviewing two (2) inspection firms:

*Time requirement on City Secretary is increasing and now at approximately one-day (+/-) each week. I am tracking and have kept the Mayor and Mayor Pro Tem informed as to how much time this is now taking out of a week. Discussion regarding who else could take care of this process – how was it done in the past?

City Secretary

From: City Secretary
Sent: Tuesday, May 03, 2022 9:28 AM
To: BITS Support
Cc: Doug Simmerman; Ryan Horne
Subject: PLEASE POST ON CUMBY WEBSITE
Attachments: 2022.03.31 Cumby - Contractor Registration Application.pdf; 2022.01.20 - Residential Permitting Package.pdf; Commercial Permitting Packet.pdf

Hi Stephen,

Please call me and we can walk through posting all this on Cumbytx.com.
Let's also post on the old website as we have a lot of traffic coming in regarding permitting.

CITY OF CUMBY BUILDING PERMIT HOURS:

Wednesday and Thursday each week:

9:30 – 11:30

2:00 – 4:30

Please call to schedule an appointment: (903) 994-2083

City of Cumby Building Permit packages, Residential and Commercial, are available online (www.CityofCumby.com).

A hard copy may be picked up at City Hall, 100 E. Main Street, Cumby TX 75433.

Thank you,

BJ (Betty Jo) Hardman
City Secretary

City of Cumby
P. O. Box 349 | 100 East Main | Cumby, TX 75433
Main: 903.994.2272 | Direct: 903.994.2083 | Fax: 903.994.2650
secretary@cityofcumby.com

CUMBY VOLUNTEER FIRE DEPARTMENT REPORT

MONTH	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA	INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
JAN	11	25	34.5	11	1	4	13	3	4	3150	150.43
FEB	13	38	32.1	10	1	5	10	8	17	3849	151.37
MAR	10	30	71.75	15	0	4	11	8	2	9120	151.58
APR	8	9	0	2	0	2	9	4	0	0	42.47

CITY OF CUMBY, TEXAS

RESOLUTION NO. R-2022-05-1008

A RESOLUTION OF THE CITY OF CUMBY, TEXAS APPOINTING MIKE WARD ACCOUNTING AND FINANCIAL CONSULTING AS THE AUDIT FIRM OF AS THE CITY OF CUMBY; AUTHORIZING MIKE WARD TO ACT ON THE CITY'S BEHALF AS ITS AUDITOR.

WHEREAS, the City Council has the authority the City Charter to appoint by the affirmative vote of a majority City Council a competent, duly qualified licensed and practicing Auditor in the State of Texas to serve as the Municipal Auditor;

WHEREAS, the City Council desires that Mike Ward to act on behalf of the City of Cumby as its Municipal Auditor;


WHEREAS, the City Council recognizes the benefits of designating Mike Ward of the Auditing Firm of Mike Ward Accounting & Financial Consulting as the City of Cumby's Municipal Auditor to include liability coverage offered as a result of the City's participation in the Texas Municipal League Intergovernmental Risk Pool;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS:

That Mike Ward is now designated as the City of Cumby's Municipal Auditor to serve with full authority in that capacity unless and until a majority of the full membership of the City Council votes otherwise; or their contract is complete.

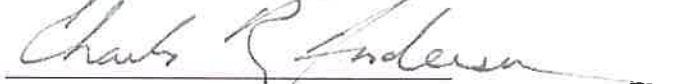
PASSED AND APPROVED by a majority of the of the City Council of the City of Cumby, Texas, this the 10 day of May, 2022.

ATTEST:


Douglas Simmerman, Mayor


Betty Jo Hardman, City Secretary

APPROVED as to FORM:


Charles Anderson, City Attorney

RESOLUTION NO. R-2022-05-1009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS AMENDING RESOLUTION NO. 001-2014 AND REPEALING ANY PREVIOUS RESOLUTION OR INVESTMENT POLICY AND PROVIDING FOR INVESTMENT POLICY SCOPE, STANDARD OF CARE, INVESTMENT OBJECTIVES, DELEGATION OF AUTHORITY AND APPOINTMENT OF INVESTMENT OFFICER, ETHICS AND CONFLICTS OF INTEREST, AUTHORIZED INVESTMENTS, STRATEGIES, SAFEKEEPING AND CUSTODY, DIVERSIFICATION, INTERNAL CONTROLS, MARKET YIELD, REPORTING, ADOPTING AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cumby acknowledges the high priority of providing necessary guardianship of public funds in the municipal sector; and,

WHEREAS, the City Council expressly intends to set high fiscal standards, delegate treasury and investment duties to appropriated officials, and to review the actual performance at regular intervals; and

WHEREAS, the City Council hereby intends to implement investment requirements set forth in the Texas Government Code, 2256.005, Public Funds Investment, Subchapter A – Public Funds Investment Act and Subchapter B – Investment of Public Funds;

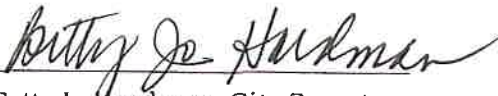
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS:

SECTION 1. That the City of Cumby Investment Policy attached hereto as Exhibit "A" is the official policy of the City of Cumby, Texas.

SECTION 2. That the Mayor shall serve as Investment Officer and this Resolution shall take effect immediately from its passage.

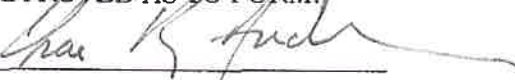
SECTION 3. All provisions of the resolutions of the City of Cumby in conflict with the provision of this Resolution are hereby repealed, and all other provisions of the Resolutions not in conflict with the provisions of this Resolution, shall remain in full force and effect.

PASSED AND APPROVED at a Regular Meeting of the City Council of the City of Cumby, Texas on this the 10th day of May 2022.


Betty Jo Hardman, City Secretary


Douglas Simmerman, Mayor

APPROVED AS TO FORM:


Charles Anderson, City Attorney

CITY OF CUMBY INVESTMENT POLICY

All investments made by the City of Cumby shall comply with the Public Funds Investment Act (Texas Government Code Chapter 2256, Subchapters A and B) and all federal, state and local statutes, rules or regulations.

INVESTMENT POLICY ADOPTION AND REVIEW

This policy shall be adopted by Resolution by the City Council and shall be reviewed not less than annually by the City Council. The Council shall adopt a written instrument stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The Council shall perform a compliance audit of management controls on investments and adherence to the Council's established investment policies. The compliance audit shall be performed in conjunction with the annual financial audit.

SCOPE

This investment policy applies to the investment activities of the City of Cumby. All financial assets including all governmental funds, enterprise funds and other funds that may be created from time to time shall be administered in accordance with the provisions of these guidelines.

INVESTMENT AUTHORITY

The City Council shall designate one or more employees or officers as investment officer(s) to be responsible for the investment of its funds pursuant to this policy. Authority granted to a person to invest City funds is effective until rescinded by the Council or until termination of the person's employment by the City.

Within 12 months after assuming duties, the investment officer(s) of the City shall attend at least one training session and receive not less than ten hours of training relating to their respective responsibilities under the Public Funds Investment Act. The investment officer(s) must also subsequently attend investment training not less than once in a two-year period and receive not less than ten hours of instructions relating to investment policies under the Public Funds Investment Act.

STANDARD OF CARE/INVESTMENT OBJECTIVES

Investments shall be made with the judgment and care, under prevailing circumstances that a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment strategies shall have as their primary objective safety, investment liquidity

and maturity sufficient to meet anticipated cash flow requirements. Investments shall be governed by the following objectives in order of priority:

1. Preservation and safety of principal;
2. Liquidity; and
3. Yield

In determining whether an investment officer has exercised prudence with respect to an investment decision, the following shall be taken into consideration:

1. The investment of all funds, rather than the prudence of a single investment, over which the officer had responsibility.
2. Whether the investment decision was consistent with the Council's written investment policy.

PERSONAL INTEREST

A City investment officer who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing the personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined by Government Code Chapter 573, to an individual seeking to sell and investment to the City shall file a statement disclosing that relationship with the City and with the Texas Ethics Commission. For purposes of this policy, an investment officer has a personal business interest with a business organization if:

1. The investment officer owns ten percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization'
2. Funds received by the investment officer from the business organization exceed ten percent of the investment officer's gross income for the previous year; or
3. The investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

QUARTERLY REPORTS

Not less than quarterly, the investment officer shall prepare and submit to the Council a written report of investment transactions for all funds covered by the Public Funds Investment Act. This report shall be presented to the Council not less than quarterly, within a reasonable time after the end of the period. The report must:

1. Contain a detailed description of the investment position of the City on the date of the report;
2. Be prepared jointly and signed by all City investment officers.

3. Contain a summary statement for each pooled fund group. The report must be prepared in compliance with generally accepted accounting principles and must state:
 - a. Beginning market value during the period;
 - b. Additions and changes to the market value during the period;
 - c. Ending market value for the period; and
 - d. Fully accrued interest for the reporting period.
4. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested.
5. State the maturity date of each separately invested asset that has a maturity date.
6. State the account or fund or pooled group fund in the City for which each individual investment was acquired.
7. State the compliance of the investment portfolio of the City as it relates to the City's investment strategy expressed in the City's investment policy and relevant provisions of law.

If the City invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the Council by that auditor.

AUTHORIZED INVESTMENTS

The City may purchase, sell and invest its funds under its control in investments described below, in compliance with its adopted investment policies and according to the standard of care set out in this policy. The Council shall permit investment of City funds in only the following investment types, consistent with the strategies defined in this policy:

1. Obligations of or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. Banker's acceptances as permitted by Government Code 2256.012.
5. Commercial paper as permitted by Government Code 2256.013.
6. Two types of mutual funds as permitted by Government Code 2256.014: money market mutual funds and no-load mutual funds.

7. A guaranteed investment contract as an investment vehicle for bond proceeds provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
8. Public funds investment pools as permitted by Government Code 2256.016.

ELECTRONIC FUNDS TRANSFER

The City may use electronic means to transfer or invest all funds collected or controlled by the City.

SAFETY AND INVESTMENT MANAGEMENT

The main goal of the investment program is to ensure its safety and maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from the interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

LIQUIDITY AND MATURITY

The City's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

DIVERSITY

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from over concentration of assets in a specific class of investments, specific maturity or specific issuer.

MONITORING MARKET PRICES

Monitoring shall be done monthly or more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment. The investment officer shall keep the Council informed of significant declines in the market value of the City's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisors, and representatives/advisors of investment pools or money market funds.

SAFEKEEPING AND CUSTODY

The City shall retain clearly marked receipts providing proof of the City's ownership, or the City may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with City funds. All investment transactions except

investment pool funds and mutual funds shall be executed on a delivery versus payment basis.

SELLERS OF INVESTMENTS

A written copy of the investment policy shall be presented to any person offering to engage in an investment transaction with an investing entity or to an investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio. For purposes of this policy, a business organization includes investment pools and an investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio. The qualified representative of the business organization offering to engage in an investment transaction with the City shall execute a written instrument in a form acceptable to the City and the business organization substantially to the effect that the business organization has:

1. Received and thoroughly reviewed the City investment policy; and
2. Has acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's policy.

The investment officer may acquire or otherwise obtain any authorized investment described in the City's investment policy from a person who has not delivered to the City the instrument described above.

BROKERS/DEALERS

Prior to handling investments on behalf of the City, brokers/dealers must submit required written documents in accordance with law. Representatives of broker/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the National Association of Securities Dealers.

SOLICITING BIDS

In order to get the best return on its investments, the City may solicit bids in writing, by telephone or electronically.

INTERNAL CONTROLS

A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and record keeping and electronic transfer of funds.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the City's independent auditing firm.

ORDINANCE NO: O-2022-05-005

AN ORDINANCE AMENDING ORDINANCE 2022-02-06 PROVIDING FOR CONTRACTOR REGISTRATION, PERMITTING AND YEARLY FEE; PROVIDING FOR RESIDENTIAL PLAN REVIEW AND COMMERCIAL PLAN REVIEW REQUIREMENTS AND FEES; PROVIDING FOR MOVING INSPECTION, NEW RESIDENTIAL PERMIT, RESIDENTIAL REMODEL, NEW COMMERCIAL, COMMERCIAL REMODEL AND/OR ALTERATION OF COMMERCIAL PROPERTY STRUCTURE, DEMOLITION, AND SIGN PERMIT REQUIREMENTS, TERMS AND FEES. ALSO ESTABLISHING THE LONGEVITY OF PERMITS ISSUED UNDER THIS ORDINANCE; ESTABLISHING A PENALTY FOR THE VIOLATION OF THE TERMS OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mayor and City Council recognize the importance and necessity of amending the existing permit requirements, terms, and fees, and

WHEREAS, as authorized under law, and in the best interest of the citizens of Cumby, Texas, the Mayor and City Council deems it expedient and necessary to adopt this Ordinance amending the existing permit requirements, terms and fees;

WHEREAS, the Council finds that the City of Cumby will incur additional costs in regard to each item, such as setting up and maintaining files, administering proper billing and financial accounting, and having the files available for any needed City follow up inspections, and that these additional costs are at least 15% of the fees charged by the City's consultant.

NOW THEREFORE, BE IT ORDAINED:

SECTION 1, FINDINGS OF FACT. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2, REGISTRATION, LICENSURE, PLAN SUBMISSIONS AND REVIEW AND PERMIT REQUIREMENTS, TERMS AND FEES. The following is hereby adopted as effective and binding in and for the City of Cumby and is incorporated herein for all purposes.

A. ANNUAL CONTRACTOR REGISTRATION:

No Fee. (Fees are not allowed for Electrical, Plumbing, therefore, we are waiving for all contractors).

Each person who performs electrical, plumbing, heating/AC (HVAC), and general contractors are considered contractors and must register annually with the City of Cumby prior to beginning work. Contractor should be licensed in at least one of these areas; and must also provide copy of Licenses (if applicable); along with copy of driver's license and a Certificate of Insurance (COI).

Fees for all the following are considered to be the cost of service incurred by the City of Cumby, plus 15% administrative fee

- B. **PLAN SUBMISSION AND REVIEW:** Residential House Plan and Commercial Plan Review. Two (engineered stamped) copies of Plans must be submitted to the City of Cumby. Plans must be submitted prior to receiving a permit. The Plan must be submitted at least ten (10) business days prior to the date the applicant intends to begin utilizing the permit; and the Plan must be approved by the building inspector prior to issuance of the requested permit(s).
- C. **MOVING INSPECTION FEE:** Before any previously-constructed, fabricated, and/or used structure(s) intended for living and/or residential purposes, including but not limited to, homes constructed on-site, mobile homes, modular homes, and/or any other homes partially or totally constructed off-premises, as well as any other residences that are to be moved from either from one premise to another location within the city limits or one premise outside the city limits to inside the city limits of the City of Cumby, Texas, there must first be an inspection from the Company that will be moving the structure, along with a Certificate of Insurance; or, performed by City of Cumby building inspector with a non-refundable fee to determine if the structure is structurally sound to move.
- D. **PERMITS REQUIRED:** Permits are required for the following:
- i. **NEW RESIDENTIAL PERMIT AND RESIDENTIAL REMODEL PERMIT:**
 - i. The permit fee includes one of each of the following inspections listed on Addendum A and attached hereto. This Addendum may be updated and made part of this Ordinance from time to time and will be published as required for City Ordinances.
 - ii. **NEW COMMERCIAL PERMIT AND COMMERCIAL REMODEL PERMIT:**
 - i. The permit fee includes one of each of the following inspections listed on Addendum B and attached hereto. This Addendum may be updated and made part of this Ordinance from time to time and will be published as required for City Ordinances.
 - iii. **ALTER EXISTING COMMERCIAL STRUCTURE PERMIT:** A determination at the time of Plan submission and review will be made as to the number of inspections, and increase, if any, to cost.
 - iv. **DEMOLITION PERMIT:** No Fee for Residential Demolition (Permit is still required). All Plans submitted for issuance of a demolition permit must comply with the Asbestos Survey Requirements as part of Senate Bill 509, and the applicant must also file with the City of Cumby an Asbestos Affidavit Verification of Survey.
 - v. **SIGN PERMITS.** In the event any work is started or proceeded without prior obtaining the necessary permit, the applicable specific fee shall be doubled to obtain the required permit. If a permit is denied, the sign content permit fee will be refunded.
- E. **COST INCREASES:** In the event that additional inspections are required, as determined by the City of Cumby, the permit price will increase accordingly. The increased amount will be determined prior to the final inspection.
- F. **LONGEVITY OF PERMITS:** All permits shall be valid for a term of 180 days from the date of the last inspection or from the date the permit was issued.


SECTION 3. PENALTY PROVISION. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not to exceed the sum of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00), unless the violation is related to fire safety, zoning, or public health and sanitation, including dumping and refuse, in which case the fine shall not exceed the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Cumby from filing suite to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal laws.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES. All Ordinances, or other Policies of the City, or portions of those Ordinances and/or Policies, that are in conflict with the Provisions of this Ordinance shall be repealed unto the conflict only and shall otherwise remain in full force and effect.

SECTION 5. SEVERABILITY. Should any paragraph or part or section of this Ordinance be adjudged or held to be illegal or invalid, such severability shall not affect the validity or the remainder of the Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be of full force and effect immediately upon the adoption by the City Council.

ADOPTED AND APPROVED on this 10th day of May 2022.




Douglas Simmerman, Mayor

ATTEST:



Betty Jo Harman, City Secretary

APPROVED as to Form:



Charles Anderson, City Attorney



Typical New Residential Inspections

BV Task Management System has the ability to add other department approvals to the list of required inspections, as requested by the city.

- Plumbing Rough
- Water Service
- Yard Sewer
- Form Board Survey

- Foundation

- Electric Rough
- Mechanical Rough
- Gas Rough Piping/Test
- Plumbing Top-Out
- Framing

- Energy Insulation

- Construction Electric
- Gas Final

- Electrical Final
- Mechanical Final
- Plumbing Final
- Energy Final
- Building Final
- Customer Svc. Insp. Form

- T-Pole
- Flatwork / Approach



Typical Commercial Inspections

BV Task Management System has the ability to add other department approvals to the list of required inspections, as requested by the city.

- Temporary Power Pole
- Yard Sewer
- Water Service
- Plumbing Rough
- Gas Wrap
- Customer Svc. Insp. Form
- Foundation
- Pier/Footing
- Retaining Wall
- Sprinkler/Double Check
- Backflow
- Framing
- Plumbing Top-Out
- Gas Rough Pressure Test
- Mechanical Rough
- Electrical Rough
- Insulation (energy)
- Drywall
- Electrical Underground
- Gas in Slab
- Gas Underground
- Grease Duct
- Mechanical Underground
- Tilt Panel
- Grade Beam
- Veneer
- Slab Add On
- Construction Electric
- Gas Temporary
- Gas Final
- Mechanical Final
- Plumbing Final
- Electrical Final
- Energy Final
- Building Final

ORDINANCE NO. 2022-05-006

AN ORDINANCE OF THE CITY OF CUMBY AMENDING THE CITY'S CURRENT TRASH RATES; ESTABLISHING RATES FOR TRASH SERVICE AS SHOWN ON THE "SCHEDULE OF SERVICES AND RATES" (EXHIBIT A); AMENDING WATER AND WASTEWATER TAP FEE AND PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council of the City of Cumby, Texas recognize the importance and necessity of amending the existing Schedule of Rates and Charges that equitably applies to those Customers and Entities that receive Services from the City; and

WHEREAS, as authorized under law, and in the best interest of the citizens of Cumby, Texas, the Mayor and City Council deems it expedient and necessary to adopt an amended *SCHEDULE OF SERVICES AND RATES* as included under "Exhibit A" of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CUMBY, TEXAS:

SECTION 1. FINDINGS OF FACT. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. SCHEDULE OF SERVICES AND RATES. The *Schedule of Services and Rates* attached hereto as "Exhibit A" is hereby adopted as effective and binding in and for the City of Cumby and is incorporated herein for all purposes.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. All Ordinances, or other Rate Schedules or Policies of the City, or portions of those Ordinances and/or Policies, that are in conflict with the Provisions of this Ordinance and the amendments to the "Schedule of Services and Rates" (Exhibit A) attached hereto, shall be repealed unto the conflict only and shall otherwise remain in full force and effect.

SECTION 4. SEVERABILITY. Should any paragraph or part or section of this Ordinance or the "Schedule of Services and Rates" (Exhibit A) be adjudged or held to be illegal or invalid, such severability shall not affect the validity of the remainder of the Ordinance and the "Schedule of Services and Rates."

SECTION 5. EFFECTIVE DATE. This Ordinance and the "Schedule of Services and Rates" (Exhibit A) shall be of full force and effect immediately upon the adoption by the City Council of the City of Cumby.

ADOPTED AND APPROVED on this 10th day of May 2022, by the City Council of the City of Cumby, Texas.



Douglas Simmerman, Mayor

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ATTEST:



Betty Jo Hardman, City Secretary

APPROVED AS TO FORM:



Charles Anderson, City Attorney

CITY OF CUMBY
Ordinance No. 2022-05-006

EXHIBIT A
Schedule of Services and Rates

CITY OF CUMBY
ORDINANCE 2022-05-006
Exhibit A

Deposit - Residential Owner (inside City Limits)	\$150.00
Deposit - Residential Owner (outside City Limits)	\$200.00
Deposit - Residential Renter (inside City Limits)	\$200.00
Deposit - Residential Renter (outside City Limits)	\$250.00
Deposit - Commercial	\$325.00
Connect Fee	\$35.00
Late Fee	\$20.00
Disconnect Notice	\$10.00
Disconnect Fee	\$35.00
Reconnect Fee	\$35.00
After Hour Reconnect Fee	\$50.00
Transfer Fee	\$35.00
Return Check Fee	\$35.00
Water Tap Fee - Residential	\$2,250.00
Water Tap Fee - Commercial	\$4,250.00
Wastewater Tap Fee - Residential	\$2,250.00
Wastewater Tap Fee - Commercial	\$4,250.00

MONTHLY WATER RATES - CUSTOMERS WITHIN THE CORPORATE LIMITS OF THE CITY:

MONTHLY DEMAND RATE \$10.50 PLUS		
0-3,000 Gallons	\$6.75	per 1,000 gallons or part thereof
3,001 - 5,000 Gallons	\$7.50	per 1,000 gallons or part thereof
5,001 - 15,000 Gallons	\$8.00	per 1,000 gallons or part thereof
15,001 - 50,000 Gallons	\$8.50	per 1,000 gallons or part thereof
50,001+ Gallons	\$9.00	per 1,000 gallons or part thereof

MONTHLY WATER RATES - CUSTOMERS OUTSIDE THE CORPORATE LIMITS OF THE CITY:

MONTHLY DEMAND RATE	\$42.00	includes 2,000 gallons
2,001 - 3,000 Gallons	\$5.50	per 1,000 gallons or part thereof
3,001 - 5,000 Gallons	\$5.70	per 1,000 gallons or part thereof
5,001+ Gallons	\$7.00	per 1,000 gallons or part thereof

MONTHLY WATER RATES - COMMERCIAL WATER RATES INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY:

MONTHLY BASE RATE	\$42.00	includes 2,000 gallons
2,001 - 3,000 Gallons	\$5.50	per 1,000 gallons or part thereof
3,001 - 5,000 Gallons	\$5.78	per 1,000 gallons or part thereof
5,001+ Gallons	\$7.00	per 1,000 gallons or part thereof

BULK WATER RATE: \$45.00 PER LOAD MAXIMUM UP TO 3,000 GALLONS

WASTEWATER RATES

<u>MONTHLY BASE RATE</u>	<u>\$23.00</u>	<u>includes up to 5,000 Gallons</u>
<u>5,001+ Gallons</u>	<u>\$4.50</u>	<u>per 1,000 gallons or part thereof</u>

MONTHLY GARBAGE RATES

WE NOW OFFER COMMERCIAL YARD CONTAINERS

CALL FOR A QUOTE

<u>Residential within the City Limits (1 cart)</u>	<u>\$20.00</u>
<u>Residential outside City Limits (1 cart)</u>	<u>\$20.00</u>
<u>Residential/ Commercial (per extra cart)</u>	<u>\$10.00</u>
<u>Commercial</u>	<u>\$35.00</u>

HOUSING AUTHORITY

<u>WATER USAGE</u>	<u>\$220.00</u>	<u>includes up to 20,000 gallons</u>
<u>20,001 - 50,000</u>	<u>\$5.50</u>	<u>per 1,000 gallons or part thereof</u>
<u>50,001+</u>	<u>\$7.00</u>	<u>per 1,000 gallons or part thereof</u>
<u>Sewer Usage</u>	<u>\$220.00</u>	<u>includes up to 20,000 Gallons</u>
<u>20,001 +</u>	<u>\$4.50</u>	<u>per 1,000 gallons or part thereof</u>

ABOVE RATES SUBJECT TO ANY ADDITIONAL TAX

AMENDMENT TO REFUSE COLLECTION, REMOVAL AND DISPOSAL CONTRACT

This Amendment (the "Amendment") to the Agreement is entered into as of the 1st day of June 2022, by and between Republic Waste Services of Texas, Ltd. dba Republic Services of Campbell ("Contractor") and City of Cumby, Texas ("City") (collectively referred to herein as the "Parties" and individually as a "Party").

WHEREAS the Parties entered into the Refuse Collection, Removal and Disposal Contract (hereinafter "Contract") dated 1st June 2012 to provide certain waste removal services in accordance with the Contract;

AND WHEREAS, the Parties desire to amend the term of the Contract as set forth more fully herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Except as specifically provided in this Amendment, each and every provision of the Contract, as amended through the date hereof, remains, and is, in all respects, in full force and effect.

2. **"Section 4.02, REMUNERATION", Page 7:** This section is hereby revised to read as follows:

"Rate adjustments must be approved by City of Council. The change in the Consumers Price Index according to the change in the Bureau of Labor Statistics, United States City Average – All Items CPI-garbage –trash index and other factors may be used to adjust the rates. The Contractor shall provide notice of an increase in cost due to the Disposal Site being used."

3. **"Section 12, TERM", Page 8:** This section is hereby revised to read as follows:

"The term of this Contract is hereby extended for a five (5) year period beginning June 1, 2022 and ending five (5) year thereafter. Thereafter, this Agreement shall be renewed for an additional period of (5) years upon mutual consent of the parties."

4. **"Section 19, EXCLUSIVITY", Page 10:** This section is hereby revised to read as follows:

"Contractor shall have the exclusive right to collect Waste Material from Residential Units, Small Commercial Units, Industrial Units and Construction Units within the City during the Term of this Contract."

5. **"Exhibit A, Rates, Page 12":** This exhibit is hereby replaced with the below Rate Schedule.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first set forth above.

Republic Waste Services of Texas, Ltd. dba City Of Cumby, Texas
Republic Services of Campbell

By: _____

Its: _____

Print Name: _____

By:  _____

Its: Mayor _____

Print Name: Douglas Simmerman

EXHIBIT A
RATE SCHEDULE

June 1, 2022

Residential - Franchise fee of 3% included in rate

Once weekly solid waste collection/disposal	\$ 13.52
Once weekly brush/bulk collection 1 cu yd	
Price includes blue bag Recycling at city facility	
2 nd Cart	\$ 4.30

Commercial Hand Collect

- 1 Cart - \$ 21.10
- Extra - \$ 6.15

Commercial Containers

Size	1 X WK	2 X WK	EXTRA
2YD	\$ 77.71	\$ 0.00	\$ 31.89
3YD	\$ 101.26	\$ 0.00	\$ 32.37
4YD	\$ 124.56	\$ 0.00	\$ 56.86
6YD	\$ 175.14	\$ 0.00	\$ 73.90
8YD	\$ 228.16	\$ 0.00	\$ 85.27

- Gates/casters - \$2.00 per services
- Exchange/delivery - \$91.51
- Excess trash - \$65.00 per yard

Roll off Containers

Size	Delivery	Rental/day	Haul
20 yd	\$ 74.56	\$ 3.98	\$348.11
30 yd	\$ 74.56	\$ 3.98	\$ 348.11
40 yd	\$ 74.56	\$ 3.98	\$ 348.11
Disposal per ton	\$ 40.13		

Notes:

Spring cleanup annually - 4 roll off hauls free

ORDINANCE NO. O-2022-05-007

AN ORDINANCE AMENDING ORDINANCE NO. 2020-12-01 OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS APPROVING SIGNATORIES AND AUTHORIZATION ON CITY BANK ACCOUNTS

Whereas, the City Council of the City of Cumby finds it is necessary to amend and adopt policy and procedure for authorized signatories for the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS:

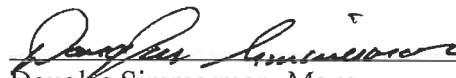
1. This ordinance amends Ordinance 2020-12-01 and shall continue to have effect until express written notice of its rescission or modification has been received and recorded by any financial institution. Exhibit A, "Signatures", may be updated as appropriate with change in Council and/or Staff without requiring an amendment to this Ordinance, O-2022-05-007;
2. The City of Cumby agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City, and authorizes any financial institution, at any time, to charge this corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the financial institution, regardless of by whom so long as they contain the required number of signatures in the proper combination for this purpose and resemble specimens as collected and presented herein as "Exhibit A" and can be updated as needed through the certified meeting minutes of the City of Cumby;
3. If indicated, any person listed below (subject to any expressed restrictions) is authorized to:
 - A. Mayor
 - B. Mayor Pro-Tem
 - C. City Secretary
 - D. Municipal Court Clerk

Each following require two authorized signatures from A and C/D; or B and C/D


- i. Open any deposit or checking account(s) in the name of this corporation.
- ii. Endorse checks and orders for the payment of money and withdraw funds on deposit with this Financial Institution.
- iii. Apply for, receive and utilize credit, debit, automated teller machine cards or other access devices to exercise those powers authorized by this Resolution. Under the terms of the agreement, credit, debit cards will be in effect until cancelled by the customer. The card will be accepted by the depositor regardless of the signatures included in this resolution. The City assumes all responsibility and liability for the use of the card and the financial institution assumes no liability until such time the financial institution is notified that the card is to be cancelled.
- iv. Transfer funds from any established account to another established account.

7. That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Cumby, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.
8. This Ordinance shall be in full force and effect immediately upon its passage in accordance with the provisions of the Tex. Loc. Gov't. Code.
9. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 10 day of May, 2022.




Douglas Simmerman, Mayor





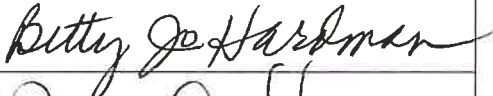
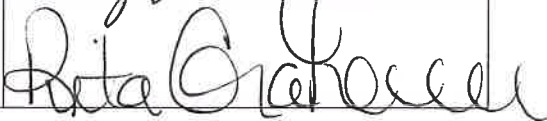
Betty Jo Hardman, City Secretary

ATTEST & APPROVED AS TO FORM:



Charles Anderson, City Attorney

Exhibit A

	Title	Name	Signature
A	Mayor	Doug Simmerman	
B	Mayor Pro-Tem	Ryan Horne	
C	City Secretary	Betty Jo Hardman	
D	Municipal Court Clerk	Rita Graham	

ORDINANCE NO. O-2022-05-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS APPROVING AUTHORIZATION ON CITY FINANCIAL INSTITUTION PROCESSES

Whereas, the City Council of the City of Cumby finds it is necessary to amend and adopt a new policy and procedure for authorized signatories for the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS:


1. This ordinance amends Ordinance 2020-12-01 and it shall continue to have effect until express written notice of its rescission or modification has been received and recorded by any financial institution;
2. All transactions, if any, with respect to borrowings by or on behalf of the City of Cumby with any financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed;
3. Any of the persons named below, so long as they act in a representative capacity as agents of this corporation, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with any financial institution, concerning funds deposited in any financial institution, moneys borrowed from any financial institution or any other business transacted by and between the City of Cumby and any financial institution subject to any restrictions stated below;
4. Any and all prior ordinances adopted by the City Council of the City of Cumby and certified to any financial institution as governing the operation of the city's account(s), are in full force and effect, unless supplemented or modified by this authorization;
5. The City of Cumby agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City, and authorizes any financial institution, at any time, to charge this corporation for the payment of money, that are drawn on the financial institution, so long as they are approved by the mayor or the mayor pro tem and contain the required number of signatures in the proper combination for this purpose and resemble specimens as collected and presented herein as "Exhibit A" and can be updated as needed through the certified meeting minutes of the City of Cumby;
6. If indicated, any person listed below (subject to any expressed restrictions) is authorized to:
 - A. Mayor
 - B. Mayor Pro-Tem

Each following require two authorized signatures:

- i. Borrow money on behalf and in the name of this corporation, sign, execute and deliver promissory notes or other evidence of indebtedness.

- ii. Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by this corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
7. That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Cumby, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.
8. This Ordinance shall be in full force and effect immediately upon its passage in accordance with the provisions of the Tex. Loc. Gov't. Code.
9. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 10 day of May, 2021.



Douglas Simmerman, Mayor



Betty Jo Hardman, City Secretary


ATTEST & APPROVED AS TO FORM:

Charles Anderson, City Attorney

Exhibit A

	Title	Name	Signature
A	Mayor	Doug Simmerman	
B	Mayor Pro-Tem	Ryan Horne	

Exhibit A

	Title	Name	Signature
A	Mayor	Doug Simmerman	
B	Mayor Pro-Tem	Ryan Horne	