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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

October 9, 2023 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

Tim Lapham, County Judge
Mark Lamp, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner, Precinct 4
Andrea Cardenas, County Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

Motion to Adopt: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-672

- 1. Proclamations and Special Recognitions:**
 - a. Breast Cancer Awareness Month**

Motion to Proclaim: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-673

- 2. Petitions or Requests from the Public.**

J. R. Johnson and Leonel Brandiberg spoke with regard to forming a Citizen's Review Board for high profile cases to include the District Attorney's Office and Sheriff's Department. Mr. Brandiberg reminded the Court Quincy Williams' family needs closure.

- 3. Discussion and action regarding Burn Ban**

Lift Burn Ban.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-674

4. Discussion to appoint a director to the Austin County Appraisal District's Board of Directors and action as appropriate.

Per Commission Lamp, need to re-establish someone from the Court to appoint a Commissioner to the Board.

Appoint Commissioner Cerny to Appraisal District's Board of Directors.

Motion to Appoint: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-675

5. Discussion regarding FY 2023-2024 Compensation Order and action as appropriate

Page 4, District Attorney's office a change to a title, Library change to amount to not exceed is \$22.00, change to Precinct 4 Chemical Operator and Foreman position are the same amount and Sheriff's Department – change title from Dispatch Supervisor to Operations System Coordinator and increase in pay to \$28.65. Change Assistant Dispatch to Dispatch Supervisor – \$26.45 and 2nd Supervisor title changed to Dispatcher – \$23.17.

Per Billy Doherty (County Auditor), there is a discrepancy in the District Clerk's office employee pay. Per Judge Lapham, he has not heard from the District Clerk.

Approve changes as presented.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-676

6. Discussion regarding Kofile proposal to preserve historical probate files in county clerk's office and action as appropriate.

Approve Kofile proposal of \$49,500 and pay from Archive Fund to preserve historical Probate files.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-677

7. Discussion regarding County Clerk's 2023-2024 preservation and restoration records plan and action as appropriate.

Motion to Accept: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-678

8. **Discussion and consideration to approve recommendation from scoring committee regarding professional home demolition services for the Austin County CDBG-DR voluntary buyout program GLO Contract #20-066-002-8957 and action as appropriate.**

Top three bidders, GWTC, dsw and Sitek Omni Services. Per Shannon Hannath (Road and Bridge Administrative Assistant), will let GrantWorks know top 3 were approved.

Approve recommendation of top three bidders for professional home demolition services for Austin County CDBG-DR voluntary buyout program GLO Contract #20-066-002-8957.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-679

9. **Consideration and action to approve contract documents for CDBG-DR project #20-065-065-C184 Korthauer Road, Ives Creek Road, and Peters San Felipe Road sites.**

Fuqua will work on Korthouer Road, Ives Creek Road and Peters San Felipe Road.

Approve contract documents for CDBG-DR project #20-065-065-C184.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-680

10. **Consideration and action to amend Austin County Hazardous Mitigation Plan (2018)**
 - a. **Part 7, Pg. 2, Action#: A3**
 - b. **Appendix B: Critical Facilities**

Per Roy Mercer (Emergency Management), changing wording in Hazardous Mitigation Plan.

Approve changes to Mitigation Plan.

Motion to Amend: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-681

11. **CONSENT AGENDA - Items listed are of routine nature and may be acted on in a single motion unless requested otherwise by member of Commissioners Court.**
 - a. **Consideration and action to approve Right-Of-Way installation by AT&T on Rexville Road, Pct. 4**
 - b. **Consideration and action to authorize application for eligibility to receive federal surplus property.**
 - c. **Discussion and action to authorize a one-time variance from subdivision regulations to subdivide a 2 acre tract from a 7.53 acre parent tract on Lynn Road, Pct. 1**

- d. Discussion and action to authorize a one-time variance from subdivision regulations to subdivide a 2 acre tract from a 12.71 acre parent tract on Waak Road, Pct. 1
- e. Consideration and action to adopt FY 2024 Austin County Resolution Indigent Defense Grant Program.
- f. Consideration and action to authorize bid proposals for:
 - i. Asphalt Laydown
 - ii. River Rock
- g. Approval of minutes:
 - i. 08.28.23
 - ii. 09.11.23
- h. Consideration to accept 2023 Chapter 59 Forfeiture Report from Constable Ronnie Griffin, Pct. 3

a. Per Commission Reed, original 48" inches for the fiber being set from the top of the road, but needed to be 60" to the bottom of the ditch.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-682

- 12. **Budgetary and Financial Claims - action as appropriate.**
 - a. **Payment of Claims**

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-683

- b. **Fund Transfers**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-684

- c. **Budget Amendments**

#49 reverse Budget Amendment #16, 50 – reimbursement professional services, 51 and 52 federal reimbursements, 53 – reimbursements from various grants.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-685

- d. **County Auditor's Review of finances**

Per Billy Doherty (County Auditor), budgeted General Fund for \$20.3m, collected \$22.4m. Currently \$845,000 above. \$3.3m unspent, of the \$3.3m, \$2.2m is building for EMS leaving \$1.1m remaining. Overall, we had a profitable year.

- e. **County Treasurer**
 - i. **Payroll and Escrow Report – 10.06.2023**

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-686

- 13. **Written end-of-the month reports submitted by County Offices.**
 - a. **Constable, Pct. 1 – September 2023**
 - b. **Justice of the Peace, Pct. 3 – September 2023**
 - c. **OSSF – September 2023**
 - d. **Jail Population – September 2023**
 - e. **TxDMV – September 2023**
 - f. **Library – September 2023**

Motion to Accept: Commissioner Cerny, 2nd Commissioner Lamp, passed (4-0).
Order #23-687

15. Commissioners Court Inquiry.

Per Judge Lapham, he and Commissioner Reed will not be in Executive Session or return after.

Commissioner Rinn as Senior Commissioner will reside over the remainder of meeting.

Court recessed at 10:16 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:
1 Legal Matter (Matterhorn Agreement Letter)

Court reconvened at 10:34 a.m.

14. Action as appropriate on Executive Session.

Sign letter to Matterhorn Pipeline in regard to the fees

Motion to Approve: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-688

Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Lamp, passed (3-0).
Order #23-689

Court adjourned at 10:34 a.m.

**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS PROVIDED BY
COMMISSIONERS COURT**

I, Andrea Cardenas, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for October 9, 2023.



Date: October 13, 2023
Andrea Cardenas
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

FILED

2023 OCT 13 PM 4:40

Andrea Cardenas
CLERK OF COMMISSIONERS COURT
AUSTIN COUNTY, TEXAS