



**CARRIE GREGOR**  
AUSTIN COUNTY CLERK

## **COMMISSIONERS COURT MINUTES**

On **April 22, 2013** Austin County Commissioners Court met in the Commissioners Courtroom at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge  
Reese Turner, Commissioner, Precinct 1  
Robert "Bobby" Rinn, Commissioner, Precinct 2  
Randy Reichardt, Commissioner, Precinct 3  
Douglas King, Commissioner, Precinct 4  
Cyndi Gomez, Deputy County Clerk

### **Opening – 9:00 a.m.**

**Call to Order**  
**Invocation**  
**Pledges of Allegiance**  
**Certification of Quorum**

### **Consideration/Adoption of Agenda**

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-106**

### **1. Proclamations and Special Recognitions**

#### **a. Environmental Crime Prevention Week**

Update by Alfonso Acosta, Environmental Enforcement Officer.

#### **b. National Crime Victims' Right Week**

Update by Barbara Reinhardt, Austin County Sheriffs Department, Crime Victim Liaison.

#### **c. Fruhling Saengerfest**

Update by Grace Holtkamp, member.

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

Grace Holtkamp reviewed the 2012 CHC (County Historical Commission) Report.

**3. Consideration and possible action to adopt Consent Agenda Format**

See Agenda #4.

**4. 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 possible action to authorize purchase of official record binders out of Records Management 137-010-0000 in the amount of \$301.30.**
- b. **Consideration and possible action to authorize agreement for temporary access between Barnelli H. Marek and Austin County Precinct 2 to clean ditch and improve drainage.**
- c. **Consideration and possible action to authorize agreement for temporary access between Marilyn Dierking and Austin County Precinct 2 to clean ditch and improve drainage.**
- d. **Consideration and possible action to approve application for required schooling reimbursement for Laura Kaye, County Investment Officer, to be held June 10-12, 2013 in Galveston, Texas.**

*Motion to Approve: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #13-107*

**5. Consideration and possible action to award bid for Star Hill Road Bridge Improvements at Post Oak Point Creek in Precinct 2.**

Wakefield Bridge, Inc., \$180,125.00.

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).  
Order #13-108*

**6. Consideration and possible action to accept Comptroller's Audit Report of JP 4 Clerk theft and summary of funds due by Austin County to State of Texas.**

Total due \$30,220.34. Accept and disburse to the State for theft of funds.

*Motion to Accept: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #13-109*



## **7. Activity Report by Sheriff Brandes.**

Review of miles driven, calls and arrests, schedule for work crew supervised by Wade Baggerly, mowing, workstation for Courthouse Security, doorway at counter in County Clerk's office and assisting with tire waste pickup.

Sheriff Brandes read a letter from the Simulator Training Specialist and discussed the Behavior Observation Worksheet Summary.

## **8. Request by Sheriff Brandes for certificate pay as budgeted, and action as appropriate.**

Review 2013 Certificate List. Request Advanced Telecommunicator's pay change from \$900.00 to \$1,200.00; Basic Telecommunicator's pay change from \$300.00 to \$900.00.

Per Commissioner Turner, there was a lot of discussion regarding Certificate pay last year. None was paid in 2010/2011 due to budget or loose ends with regard to the system. He would like to form a committee with the Sheriff to handle Certificate pay and move forward without delay.

Judge Bilski asked to postpone action, due to questions by the Auditor from prior discussion. Are they going to pay one \$1,200.00 Certificate, or pay all the way across as much as \$1,800.00 or \$2,340.00 for all certificates?

According to Commissioner Reichardt, the more degrees you get, the more money you can make.

Per Judge Bilski, they would be short money in the budget. They have \$49,000.00; \$45,960.00 for payroll taxes. They would have to add \$3,000.00.

Sheriff Brandes requested Advanced Telecommunicator's pay be the same as Masters, \$1,200.00 and Intermediate Telecommunicator's pay be increased to \$900.00.

Per Judge Bilski, they do not have the money. Need to form a committee to find money and bring back to next meeting. She would like herself and the Auditor to be on the committee with Commissioner Turner.

*Motion to Postpone: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-110**

## **9. Consideration and possible action to authorize Planned Maintenance Generator Agreement proposal for Austin County Jail.**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-111**

**10. Consideration and possible action to authorize disposal of surplus equipment in Precinct 2.**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-112**

**11. Consideration and possible action to amend Court Order 12-446 regarding Right-of-Way installation by New Ulm Water Supply Corporation from FM 109 to Walnut Street, to add exhibit of Lot 47 to permit No. 12-5.**

*Motion to Amend: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-113**

**12. Consideration and possible action to purchase one (1) 2006 I/R SD100D 84" Roller for Precinct 3 not to exceed \$49,750.00.**

Commissioner Turner questioned why the Commissioners could not share a roller? The people that elected him expect the best decisions given with what he works with.

Commissioner Reichardt, Commissioner Turner and Judge Bilski discussed the General Fund vs. Road & Bridge account.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-114**

**13. Consideration and possible action to authorize extension of current contract between AshBritt, Inc. and Austin County for debris removal.**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-115**

**14. Consideration and possible action to upgrade copier in Tax Assessor-Collector's Office.**

The upgraded replacement copier has a savings of \$942.50.

*Motion to Upgrade: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-116**

**15. Consideration and possible action to grant extended leave of absence for employee ID #1320.**

Expected to return no later than May 21, 2013.

*Motion to Grant: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-117**



**16. Consideration and possible action to adopt Resolution to petition Texas Department of Transportation to study, consider and recommend good alternatives for a “Relief Route” connecting the improved State Highway 36 South of Bellville with the improved State Highway 36 North of Bellville.**

This study will be at no cost to the County. Will need a workshop meeting to begin a major step forward.

*Motion to Adopt: Commissioner Turner, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-118**

**17. Consideration and possible action to authorize one-time variance from subdivision platting for 2.111 acre tract and a 2.989 acre tract out of 5 acres located at 5769 FM 1457 in Precinct 2.**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Turner, passed (4-0).*  
**Order #13-119**

**10:30 AM**

**20. Workshop with legal counsel of Allison, Bass & Associates regarding Landfill Order, and action as appropriate.**

Eric Magee, of Allison, Bass & Associates, discussed the Government Codes and provisions for non-prohibited and suitable areas for a landfill.

Schedule a special meeting for additional workshop on May 6, 2013 at 9:00 a.m. for review of options.

*Motion to Authorize: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-120**

**18. Consideration and possible action to ratify prior Court actions to be reflected in Personnel Policy & Procedures Section 4.01 and 7.01**

Full-time vs. part-time in Policy Section 4.01, “Categories Of Employment”, employees working 30 hours per week on a regular basis; Section 4.02 “Introductory Period” will change from 120 days to 90 days; Section 7.01, “Medical And Life Insurance”, will be offered after 90 days probation to employees working less than 130 hours a month; Section 7.04 change to prorated 6.5 hours.

Per Sharon McCowin, Human Resources, a full-time employee working 40 hours per week will get vacation, sick leave and holidays. Full-time/part-time employees working 32 hours per week will get benefits, supplemental, basic term life, and retirement, but vacation, sick and holidays are prorated at 6.5 hours. Regular full-time employees working 30 hours per week get all benefits, excluding vacation, sick and holidays. Seasonal holidays can be

approved through Commissioners Court. Regular part-time employees working 29.75 hours per week or less, are not eligible for medical, term life, vacation, sick or holidays. Eligibility starts the 1<sup>st</sup> of the month after their 90 day probation for the remainder of the year 2013.

*Motion to Ratify: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-121**

**19. Discussion regarding holiday leave benefit for part-time employees, and action as appropriate.**

Per Judge Bilski, Policy Section 9.00 "Holidays", Holiday Eligibility; will now be 6.5 hours for any employee working 32 hours per week effective next holiday.

*Motion to Approve: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Turner, passed (4-0).*  
**Order #13-122**

Court recessed at 11:55 a.m.

Court reconvened at 12:07 p.m.

**21. Budgetary and Financial Claims – action as appropriate**

**a. Payment of Claims**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-123**

**b. Budget Amendments**

Betty Jez, Auditor, reviewed the 3% and 2% Salary Increase report for 2012-2013 Budget. After salary adjustments the County is \$9,209.65 short.

Per Judge Bilski, authorize \$245,000.00 of salary adjustments into individual departments on the report; take \$24,209.00 out of Contingencies.

Road & Bridge needs \$54,123.00 to come out of individual salary adjustments, divided by number of employees per precinct.

Per Judge Bilski, original 3% increase was never deducted or amended in the budget and did not have a true balance. The County has not over spent, they just need to juggle some accounts and bring back to court.

**c. County Auditor's review of finances**

Reviewed by Judge Bilski and Betty Jez, Auditor.



**d. County Treasurer's review of finances**

**i. Investment Report – January 1, 2013 – March 2013**

Invest \$5,000,000.00 of the County's money at 1st National Bank in either a 6 month or a 91 day CD.

*Motion to Authorize: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-124**

**22. Written end-of-the month reports submitted by County Offices**

- a. Justice of the Peace, Precincts 1, 2, 3, & 4 – March 2013**
- b. Constable, Precincts 1, 2, 3, & 4 – March 2013**
- c. Austin County Library System – March 2013**
- d. County Court Monthly Report – March 2013**
- e. Texas AgriLife Extension Service – January – March 2013**
- f. Environmental Enforcement – March 2013**
- g. V. G. Young Continuing Education Certificate for Robert W. Rinn, Commissioner, Precinct 2**

Court recessed at 12:55 p.m.

**EXECUTIVE SESSION**

**A closed meeting will be held concerning the following items:**

- 1. Deliberation regarding Real Property. (This is in accordance with the Texas Government Code Section 551.072).**

Court reconvened at 1:17 p.m.

**23. Action as appropriate from Executive Session.**

Per Commissioner Reichardt, authorize Judge Bilski to contact Cervenka & Associates for an appraisal on the tract of land in Sealy.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-125**

**24. Commissioners Court Inquiry**

- Firefighters going to West, Texas for procession and funeral.
- Tire collection – Port-A-Can for employees.

Court adjourned at 1:25 p.m.

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

I, Carrie Gregor, Austin County Clerk, attest to the accuracy of the record of the Commissioners Court proceedings for April 22, 2013.

Date: \_\_\_\_\_

*May 24, 2013*

*Carrie Gregor*

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Carrie Gregor, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas  
By: Cyndi Gomez, Deputy



FILED

13 MAY 24 AM 10:41

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS