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COMMISSIONERS COURT MINUTES

September 14, 2020, Austin County Commissioners Court met in the Basement Meeting Room at the Austin County Courthouse with the following present:

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

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

CONSIDERATION/ADOPTION OF AGENDA

Remove #9 b and c.

Motion to Adopt: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #20-307

Public hearing began 9:02 a.m.

1. PUBLIC HEARING ON PROPOSED TAX RATE

Pat May asked if Road and Bridge and FM Lateral rates could be lowered to the 2015 rates?

Public hearing closed 9:05 a.m.

2. Petitions or Requests from the Public.

Phillip DePawk, Nancy DePawk, Lyndou Bolen, and Kelli Stark (residents who live in Gindorf Estates) spoke with regard to issues with roads in the area. There have been at least four accidents.

Pat May requested to make employees aware that Item #12 doesn't cancel taxes.

3. Discussion regarding Burn Ban and action as appropriate.

Lift Burn Ban.

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-308*

4. Discussion regarding F.Y. 2020-2021 Compensation Order and action as appropriate.

Two changes in the Sheriff's Office. 1) Drop part-time switchboard operator. 2) Dispatch level 2 now called Intermediate, should be \$20.19 instead of \$20.05.

Per Commissioner Rinn, 3% increase should be applied to each position as set by Commissioners Court. Per Commissioner Reichardt, it is up to the Elected Official how salary funds are administered.

Approve Compensation Order as presented with two amendments in the Sheriff's Office.

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Lamp, passed (3-1).
Commissioner Rinn opposed.
Order #20-309*

5. Discussion regarding Burns Architecture Invoice for Industry EMS Station and action as appropriate.

Pay from Department 127 – Sealy EMS.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Reichardt, passed (4-0).
Order #20-310*

6. Discussion and action as appropriate regarding building projects and financing.

EMS in Sealy doesn't have the roof on yet. Waiting on electricity. Doors are on. Should be completed by mid-February 2021.

Will try to get yard cleared for Phase 2 for the Justice Center.

Wendt Street attic fan hasn't been worked on because of the heat.

7. Discussion regarding HVAC System at the Austin County Jail Museum and action as appropriate.

\$7,100 Trane XR Model 2 ton (15 SEER) Single Stage Cool/Tow Stage Heat Pump System and 10-year Labor, Parts and Compressor Warranty.

Motion to Approve: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #20-311

8. Discussion regarding funding request from San Felipe de Austin State Historic Site and action as appropriate.

Donate \$5,000 from 128 fund Economic Development to Friends of Austin County.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #20-312

9. Discussion and action to approve purchase of equipment, Precinct 1 (Mark Lamp)

- a. 2015 International 4300 Truck
- b. 2007 CAT 140H Grader
- c. 2004 CAT 140H Grader

Replace 1998 truck. Purchase 2015 International 4300 with 26' Van Body for \$32,000 from Herrmann International.

Motion to Purchase: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #20-313

10. Consideration and action to renew contract with Statewide Automated Victim Notification Services.

Per Sheriff Jack Brandes, Statewide Automated Victim Notification Services is required by the State.

Motion to Renew: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-314

11. Consideration to ratify Agreement To Provide Professional Medical Services of Inmates and action as appropriate.

Agreement began on September 1, 2020.

Motion to Ratify: Commissioner Reichardt, 2nd Commissioner Lamp, passed (4-0).
Order #20-315

- 12. Discussion regarding Internal Revenue Service IR-2020-195 Guidance to implement Presidential Memorandum deferring certain employee Social Security tax withholding from September 1, 2020 through December 31, 2020 and action as appropriate:**

Employees would have to pay taxes come first of the year. Taxes are deferred and not forgiven. If an employee were to leave the County, the County would have to pay the taxes for the employee.

Opt out of IR-2020-195.

Motion to Approve: Commissioner Reichardt, 2nd Commissioner Lamp, passed (4-0).
Order #20-316

- 13. Consideration and action to authorize a one-time variance from Subdivision Regulations of a 5 acre tract from a 25 acre tract on North Loop Road, Precinct 2.**

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #20-317

- 14. Consideration and action to authorize a one-time variance from Subdivision Regulations of a 3 acre tract from a 14.142 acre tract on Rinn Road, Precinct 2.**

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (3-1).
Commissioner Rinn abstained.*
Order #20-318

- 15. Discussion regarding payment/financing of election equipment and action as appropriate.**

Balance owed \$114,202.85. Use residual grant funds and pay balance of \$78,000.

Motion to Pay: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-319

- 16. Discussion and action to approve election judges / alternate judges / clerks for November 2020 General Election.**

Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-320

- 17. Discussion and action regarding Contract with Wilson Engineering Company, PLLC to provide Professional Services for the CDGB-MIT grant.**

Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-321

- 18. Review and Clarification of bid vendors and action as appropriate.**

*Motion to Accept: Commissioner Reed, 2nd Commissioner Reichardt, passed (4-0).
Order #20-322*

- 19. Discussion regarding Road and Bridge bids and action as appropriate:**
- a. Road Materials/Gravel
 - b. Hauling (Road Materials)
 - c. Asphalts, Liquid Asphalts, Emulsions & Dust Control
 - d. Corrugated Culverts
 - e. HDPE Culvert Pipe
 - f. Concrete/Cement
 - g. Fuel (Gasoline & Diesel)
 - h. Surface Treatments, Asphalt Laydown and Asphalt Milling

*Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #20-323*

- 20. Consideration and action to approve addendum to procurement/purchasing policy for federal programs.**

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-324*

- 21. Consideration and action to authorize advertisement for Invitation for Bids for General Land Office (GLO) Roadway and Drainage Improvements Project CDBG-DR 19-076-037-B689.**

Grant covers Klopsteck, Tomlinson, Tower, Blakely and Kaechele roads.

*Motion to Authorize: Commissioner Reed, 2nd Commissioner Reichardt, passed (4-0).
Order #20-325*

- 22. Discussion regarding Interlocal Agreement For Performance of Postmortem Exams and action as appropriate:**
- a. Fort Bend County
 - b. Travis County Medical Examiner

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #20-326*

- 23. Discussion regarding Open Gov and action as appropriate.**

Pay from this year's budget from fund 127.

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-327*

24. Consideration to declare Portable Buildings at Sheriff's Office as surplus and action as appropriate.

Building needs to be moved. Commissioner Reed will have right of refusal first. If he finds he doesn't need it then an ad will be put in the paper.

Declare surplus. Ad will go in the paper September 21, 2020, if Commissioner Reed decides he does not want portable building.

*Motion to Declare: Commissioner Reichardt, 2nd Commissioner Reed, passed (4-0).
Order #20-328*

25. Discussion regarding Iron Mountain Payment and action as appropriate

Per Billy Doherty (County Auditor), Iron Mountain was set up to be paid by credit card. Iron Mountain has somehow obtained the County's banking information to the General Fund account. They have drafted \$1,247.12 and \$621.16 for services rendered from the account. The County Auditor and Treasurer have put a stop to Iron Mountain's ability to draft directly from the account. An investigation is being conducted to find out how Iron Mountain obtained the account information.

County Auditor will report back to the Court once he has information.

No action.

26. 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. **Approval of Minutes**
 - i. **August 10, 2020**
 - ii. **August 24, 2020**
- b. **Consideration and action to approve request from Treasurer to transfer of \$5,000 from (salary) 101-51101-110 to (contract services) 101-51110-110**
- c. **Discussion and action to approve purchase of a new ZQ521 ticket writer out of JP tech fund**
- d. **Consideration and action to approve Right-Of-Way installation by Industry Telephone Company on**
 - i. **Squirrel Road, Precinct 2.**
 - ii. **Wiecker Road, Precinct 2.**

*Motion to Approve: Commissioner Reichardt, 2nd Commissioner Lamp, passed (4-0).
Order #20-329*

27. Budgetary and Financial Claims – action as appropriate.

a. Payment of Claims

Added ESNS – \$114,202.85 for election equipment. Total=\$3,170,406.36

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #20-330

b. Budget Amendments

Pull #74.

Approve #73, #75-#80 – see supporting documents.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #20-331

c. County Auditor's Review of finances

Per Billy Doherty (County Auditor), 21% remaining in budget. A few offices are negative, mainly libraries and District Attorney's office. Should be okay.

d. County Treasurer

i. Payroll and Escrow Report Payroll & Escrow Report

1. 08.28.2020
2. 09.11.2020

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #20-332

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

- i. County Court – August 2020
- ii. District Court – August 2020
- iii. Justice of the Peace – August 2020
 1. Pct 2
 2. Pct 3
- iv. Jail Population – August 2020
- v. Constable, Pct 2 – August 2020
- vi. Constable, Pct 4 – July 2020 & August 2020
- vii. Library System – August 2020
- viii. OSSF – August 2020

Motion to Accept: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #20-333

Court recessed at 11:04 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1 Economic Development Matter
- 2 Economic Development Matter

Court reconvened at 11:39 a.m.

29. Action as appropriate on Executive Session.

Give Judge Lapham authority to negotiate with Maass Flange Corp.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #20-334

30. Commissioners Court Inquiry.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #20-335

Court adjourned at 11:40 a.m.

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

I, Carrie Gregor, Austin County Clerk, attest to the minutes of the Commissioners
Court proceedings for September 14, 2020.



Date: September 18, 2020
Carrie Gregor

Carrie Gregor, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Andrea Cardenas, Deputy

FILED

2020 SEP 18 PM 3: 13

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS