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COMMISSIONERS COURT MINUTES

May 23, 2022 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, Deputy County Clerk

9:00 A.M. OPENING
CALL TO ORDER
INVOCATION
PLEDGES OF ALLEGIANCE
ROLL CALL AND CERTIFICATION OF QUORUM

Remove item #19.

Motion to Adopt: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-200

1. **Proclamations and Special Recognitions:**
 - a. **Elder Abuse Awareness and Prevention Month**

Motion to Proclaim: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-201

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

Stacy Villarreal (Agrilife) spoke about the feral hog bounty program. Stores participating are Steinhauser's in Sealy, Linseisen's in Bellville, and Lindemann Store in Industry. Created form to submit for reimbursement. Will apply for Grants. Per Commissioner Reed, County purchased one trap, but hasn't been used yet.

3. **Open bids for Wallis Communication Tower Building and action as appropriate.**

#2 continued.

Per Commissioner Lamp, law makers are making comments about local government. Commissioners Court sets tax rate, not the evaluation of property. Local Appraisal District sets evaluations set upon them by the State of Texas.

#3 continued.

Received two bids. Trico Towers \$72,754 and Lonestar Prestress \$88,786.

Per Al Cordeiro (Communications), bid requirement were 3 ½" thick walls. Trico Towers was 4" and Lonestar Prestress was 6.5". Used Motorola R56 spec as standard for building communications site.

Commissioner Reed asked if there were any other hidden costs or problems associated with the building? Per Al Cordeiro, had to file with FCC for a license before putting up antenna. One requirement is an environmental impact study. Waiting on Texas Historical Commission to proceed. Also, notified 13 Native American nations. The Northwestern Shoshone nation and Cheyenne tribe want to monitor all construction of tower. Have already done soil test with 4" core drilled down 8'. Need to save core for them to examine. Had discussion with Northwestern Shoshone's attorney and they have not replied if coming or not. This is holding up construction and costs are rising. County will have to pay costs for travel and lodging for Native American nations to come monitor the project. If County can commit now, may be able to lock in prices. Tower is paid for. There was a cost overrun on concrete. Had to spend an extra \$20,000. Once ground work is done, Native American nation won't be involved. Per Al, doesn't think they will come to monitor, believes they will want compensation instead. It usually costs around \$20,000 – \$30,000.

Judge Lapham questioned the roof of the building. The bid did not specify it was concrete. Al will check into it.

Will come back.

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

Per Judge Lapham, meeting today at 2:00 p.m. with Kenney Burns and Justice Center offices to discuss issues with building. Have list of issues at Sheriff's Office. Designs for EMS stations were sent to Christensen. Working on getting addresses.

Per Commissioner Lamp, fence project is coming along. Need to get power to operator pad. Discussed getting keypad on the gate. Dumpster is in back of Justice Center and trash truck needs to get to it.

Per Sheriff, can use a keycard which archives everything. Judge Lapham asked about cost for the card reader because a line has to be run out there? According to Commissioner

Lamp, it has keypad so it's all there. Per Sheriff, it takes a little longer for people to punch in a number. If the keypad is there, use it. Can change it later.

Per Commissioners Reed and Rinn, Wendt Street Building renovations should get started early June.

Billy Doherty (County Auditor) presented a list of items (computers and monitors) needed for Justice Center offices. These items can be purchased with other funds instead of General Fund or Bond funds. List of items total \$15,300. There may be a couple of items to bring back to pay from General Fund. Additional chairs were purchased, should be here this week or beginning of next week. Computers and monitors are for County Clerk, District Clerk, County Court-at-Law offices and laptops for 155th Judicial District Court Report and Judge Yancey (Justice of the Peace, Pct.1).

Billy Doherty (County Auditor) informed Court two weeks ago he needed the dolly that was in Judge Leedy's office. When he and Maintenance Coordinator arrived at Justice Center, Security did not allow them in because it was against policy. Billy requested the Court give County Judge and Maintenance Coordinator card keyed access to the Justice Center. Judge Lapham stated they didn't have a key to all offices. Auditor stated the appropriate people need complete access to that building. Per Maintenance Coordinator, all the mechanical rooms are inside those offices. He can get in back door and door by the Security station. Commissioner Lamp asked the Sheriff what he was going to do about it? Per Sheriff Brandes, they only give access as requested by the Elected Officials that occupy offices. Maintenance Coordinator asked what if something happens at night? Sheriff responded he should have a card to get into the building. Sheriff suggested going Elected Officials and ask them for permission. Commissioner Lamp suggested it be brought up at the 2:00 pm meeting.

Approve list of items for Justice Center be paid from other line items. Anything to be paid from General Fund will be brought back to Court for approval.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #22-202

Per Judge Lapham, there is an issue with postage machine previously approved. The original postage machine cannot handle the amount of mail that goes out from either building. Other offices bring mail to Courthouse to be metered and mailed. Dianna Grobe (County Judge Sr. Admin. Asst.) is in charge of postage machine at Courthouse. She orders supplies and postage. Judge Lapham doesn't want his employee to be in charge of a machine somewhere else. Will discuss at the 2:00 p.m. meeting today.

Judge Lapham presented a list of furniture needed for 2nd floor Courtroom in Courthouse for \$4,070. Items include five Mission Rectangle Tables plus one with modified height.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #22-203

5. Discussion and action as appropriate regarding road construction projects.

Per Commissioner Reed, doing routine maintenance.

Per Commissioner Cerny, doing routine maintenance. Bridge project is going well, expect to open in August.

Per Commissioner Rinn, doing routine maintenance. Used up limestone. Contracts came in to be sign for two bridges.

Per Commissioner Lamp, received letter from TxDot with regard to Grubbs Road bridge. Steckbottom and Grubbs Roads are closed. Doing routine maintenance. Received call from Sheriff's Office with regard to signs being destroyed or stolen.

6. Discussion regarding participating in TAC's Cybersecurity Training Program and action as appropriate.

Per Billy Doherty (County Auditor), each employee with access to County computers should be receiving an email for Cybersecurity Training. If training is not completed, can be removed from grant process.

No action.

#3 continued.

Building will have a concrete roof. Award to Trico Tower.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-204

7. Consideration and action to approve commercial development permit at 2266 FM 2187 between FM 1094 and RR Tracks, Pct. 3.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0).
Order #22-205

8. Discussion and action to approve Resolution to continue participation in the Texas Countywide Polling Place Program.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-206

9. Discussion regarding fund reallocation to supplement fuel budget.

Per Don Darraq (Sheriff's Office), fuel has increased. Would like to reallocate funds to supplement fuel budget. Funds available because positions are not filled.

10. Discussion regarding budget amendment to transfer salary line item to non-salary line item and action as appropriate. (Sheriff Brandes):
 - a. \$33,000.00 from 101-51104-113 (Deputy salary) to 101-53300-113 (Gas/Oil/Grease)
 - b. \$40,000.00 from 101-51104-114 (Jailer salary) to 101-53300-113 (Gas/Oil/Grease)

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-207

11. Discussion regarding renewal of LESO/Military Surplus agreement and action as appropriate.

Contract is with State of Texas who manages military surplus.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0).
Order #22-208

12. Discussion regarding County Engineer and action as appropriate.

Per Commissioner Lamp, remove salary from ad.

Run ad as presented.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-209

13. Discussion regarding Austin County Buyout Program offer for property located at 3294 Lazy River Drive, Sealy, Texas and action as appropriate.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-210

14. Discuss, consider, and select a Professional Surveying Firm to assist in the project implementation and surveying services for Austin County's GLO Community Development Block Grant - Mitigation Program Contract Number 22-085-007-D235

No action.

15. Consideration and action to approve bridge resolution for:
 - a. Chew Road over Draw
 - b. Frantz Road over San Bernard River
 - c. Mill Creek Road over Sandy Creek

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0).
Order #22-211

16. Consideration and action to amend bridge resolution for Precinct 1

Motion to Amend: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).

Order #22-212

17. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 3 acre tract from a 4.201 acre parent tract on Graham Road, Pct. 1.

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

Order #22-213

18. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 1 acre tract from a 21.476 acre parent tract on FM 331, Pct. 1.

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

Order #22-214

20. Discussion regarding the purchase of 2 Stenographs and action as appropriate

Purchase stenographs for Court Court-at-Law and 155th Judicial District court reporters to be paid from #117-55751-165.

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

Order #22-215

21. 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 required schooling application for Tim Lapham, County Judge, to be held June 13-16, 2022 at Corpus Christi, Texas**
- b. **Consideration and action to approve required schooling application for Tim Lapham, County Judge, to be held October 3-6, 2022 at Cedar Creek, Texas**
- c. **Consideration and action to approve required schooling application for Ronnie Griffin, Constable, Pct. 3, to be held June 13-16, 2022 at San Antonio, Texas MN NM**
- d. **Consideration and action to approve required schooling application for Bryan Haevischer, Treasurer, to be held June 27-29, 2022 at Galveston, Texas**
- e. **Consideration and action to authorize a Temporary Access Agreement between Justin and Jennifer Hargrave and Austin County, Pct. 2**
- f. **Consideration and action to approve Right of Way installation by Bernard Electric Co-op Hall Road, Pct. 2**

- g. Consideration and action to accept special donation(s) to Austin County S.O., per Local Government Code 81.032, in the amount of:**
 - i. \$500**
 - ii. \$100**

Per Commissioner Rinn, pull f. Will bring back at a later date.

Approve a – e and g.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-216

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

Total = \$784,529.92.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-217

- b. Fund Transfers**

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #22-218

- c. Budget Amendments**

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

Per Billy Doherty (County Auditor), still within budgetary constraints.

- e. County Treasurer**
 - i. Payroll and Escrow Report Payroll & Escrow Report**
 - 1. 05.20.2022**

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-219

- 23. Written end-of-the month reports submitted by County Offices.**
 - a. Agrilife - April & May 2022**
 - b. Constable Precinct 1 - April 2022**
 - c. Constable Precinct 4 - March & April 2022**

Motion to Accept: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-220

Court recessed at 10:43 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- a. Real Estate Matter - 20 South Holland

Court reconvened at 10:59 a.m.

25. Action as appropriate on Executive Session.

Declare 20 S. Holland as surplus to be auctioned.

*Motion to Declare: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-221*

26. Commissioners Court Inquiry.

*Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #22-222*

Court adjourned at 11:01 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 May 23, 2022.



Date: June 8, 2022

Carrie Gregor

Carrie Gregor, Austin County Clerk
Clerk of Commissioners Court

Austin County, Texas

By: Andrea Cardenas, Deputy

FILED

2022 JUN -8 PM 3: 29

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS