



CARRIE GREGOR
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

December 27, 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

Per Judge Lapham, remove #9 and #17ai.

Motion to Adopt: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-505

1. Public Hearing regarding speed limit on Chew Road, Pct. 4

Public Hearing began at 9:04 a.m.

No one was present to speak.

Public Hearing closed at 9:04 a.m.

2. Action as appropriate regarding public hearing

Approve Resolution establishing speed limit at 35 mph on Chew Road (between I-10 and Sodalak Ln).

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-506

3. Petitions or Requests from the Public.

Per Commissioner Lamp, Mike Novak (Game Warden) will speak to Court with regard to Mill Creek bridge.

Mike Novak (Austin County Game Warden) spoke with regard to Mill Creek not being a navigable waterway. Per State, Mill Creek is not a navigable waterway. It is considered a county easement. One land owner wants to fence a portion of county easement from private property to bridge. This would not obstruct or restrict access to it.

Per Commissioner Lamp, will put "No Access" sign up at Mill Creek and Grubbs. It is not for public access.

Per Mike Novak (Austin County Game Warden), land owners own to the middle of the creek and are free to fence their property off if they want to.

4. Discussion and action to accept resignation of Carrie Gregor, County Clerk effective 12.31.2022.

*Motion to Accept: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-507*

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

Per Judge Lapham, tomorrow at 9:00 a.m. is the Workshop – Construction Meeting for the EMS stations.

Per Commissioner Rinn, Auditor and Treasurer's offices need painting and flooring. Per Brian Haevischer (County Treasurer) and Billy Doherty (County Auditor) won't be affected by work. Per Commissioner Reed, will notify Wade Baggerly (Sheriff Office Trustee Coordinator) to have trustees paint the Auditor, Treasurer and Road and Bridge Administrative Assistant offices.

Per Commissioner Reed, pipe that feeds EMS station busted in Wallis, but didn't ruin anything. It is now fixed.

Scale on I-10 is progressing. Just waiting on TxDot to bring power to building. Once power is available, will bring in air conditioner. Concrete under the scale has been poured. TxDot is paying to bring power across Interstate.

Commissioner Lamp suggested running scale on generator until State gets power to scale.

Per Judge Lapham, black chairs are needed at the Justice Center and Courthouse. Commissioner Reed will bring chairs.

6. Discussion and action regarding a new ambulance to replace ambulance involved in accident.

Per Judge Lapham, new truck was purchased in last year's budget. One coming is purchased in this year's budget. TAC (Texas Association of Counties) paid \$78,171.

Purchase new truck.

Motion to Purchase: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-508

7. Discussion and action regarding EMS special events pay/agreements and rates.

Per Walter Morrow (EMS Director), school rates will be \$60 per hour and standard rates will vary from \$70 – \$90 per hour dependent on need.

Set rates contingent upon approval by Jesse Skinner (Assistant District Attorney).

Motion to Set: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-509

8. Discussion and action to approve Clinical Site Memorandum of Agreement with Axon Education Consortium.

Per Walter Morrow (EMS Director), had an agreement with Texas EMS school. Axon Education, LLC bought Texas EMS school. Same agreement with name change.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #22-510

10. Discussion and action to accept executed interlocal agreement for postmortem examinations with Harris County Institute of forensic sciences.

Motion to Accept: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-511

11. Consideration and action to accept bid proposals for the following:

- a. **Stabilized Sand**
- b. **Proprietary Polymers**

Accept bid proposals from G. E. Huebner Concrete, Inc., Sealy Concrete, Inc. for stabilized sand and Terra Pave International for proprietary polymers.

Motion to Accept: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-512

12. Discussion and action to approve Interoperable Communications Grant Resolution.

Per Roy Mercer (Emergency Management Coordinator), grant will provide portable radios for emergencies at no cost to the County.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-513

13. Action to accept grant from the Office of the Governor in the amount of \$32,405 to supply School Resource Officers with bulletproof shields.

There is no cost to the County. This grant allows school officers to have bulletproof shields. Shields will remain County property.

Motion to Accept: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-514

14. Discussion and action to approve Oveman Trucking, LLC drainage submittal, Pct. 1.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-515

15. Discussion and action to authorize a one-time variance from Subdivision Regulations to subdivide a 6.2 acre tract from an 18.93 parent tract on Mertz Lane, Pct. 2

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-516

16. Consideration and action to select indigent contract attorneys:

- a. John Anderson
- b. Calvin Garvie
- c. Stephen Longoria

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-517

17. 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
 - ii. November 16, 2022
 - iii. November 23, 2022
 - iv. November 28, 2022
- b. Consideration and action to accept Agreement for temporary access between Allen M Parsons and Austin County, Pct. 2

- c. **Consideration and action to accept special donation of \$88,452.96 to Austin County from the Estate of Isabel Frizzell per Local Government Code 81.032:**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Lamp, passed (4-0).
Order #22-518

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

Total = \$525,977.56

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-519

- b. **Fund Transfers**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-520

- c. **Budget Amendments**

Invoice from Christensen Building Group for \$17,343.92 for plan review fees for EMS stations in Bellville and Wallis. Not included in construction contract.

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

Per Billy Doherty (County Auditor), still within budget restraints.

- e. **County Treasurer**

- i. **Payroll and Escrow Report Payroll & Escrow Report- 12.16.2022**

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-521

- ii. **Monthly Treasurer Report - November 2022**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-522

- 19. Written end-of-the month reports submitted by County Offices.**
- i. Justice of the Peace, Pct. 2 and Pct. 4 - November 2022**
 - ii. Constable, Pct. 2 - November 2022**
 - iii. Agrilife - November 2022**
 - iv. Statutory Court - November 2022**

Motion to Accept: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #22-523

Court recessed at 9:55 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1. Personnel Matter – Communications**
- 2. Personnel Matter – County Clerk**

Court reconvened at 11:21 a.m.

- 20. 1. Personnel Matter – Communications**

Hire Catherine Cordeiro as Communications Coordinator.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-524

- 2. Personnel Matter – County Clerk**

Advertise for position of County Clerk.

Motion to Advertise: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-525

- 21. Commissioner Court Inquiry**

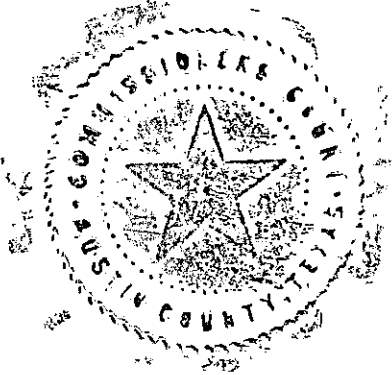
Per Commissioner Lamp, will start bridge on Nelius Road.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-526

Court adjourned at 11:24 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 December 27, 2022.



Date: January 12, 2023

Carrie Gregor

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

FILED

2023 JAN 12 PM 1:13

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS