



CARRIE GREGOR
AUSTIN COUNTY CLERK

COMMISSIONERS COURT MINUTES

On **January 23, 2012** Austin County Commissioners Court met in the Commissioners Courtroom at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge
David Ottmer, 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 Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #12-14

1. Petitions or Requests from the Public

Bob Bebee, resident of Hickory Creek, spoke with regard to county road neglect of 30 plus years and requesting road repairs.

2. Report by Frank Monk on Austin County Drainage District 1

Frank Monk gave update on water routes in District 1.

3. Consideration and possible action to accept Donation Deed from Kenneth Harold Grebe and Karen Jean Grebe to Austin County for bridge project on Industry Road in Precinct 2

Motion to Accept: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #12-15

4. Consideration and possible action to accept preclearance redistricting letter issued by the Department of Justice on January 5, 2012, for submission of new commissioners court, justice of the peace and election precincts

Per Judge Bilski, submission under Section 5 of the Voting Rights Act and CD will be with minutes in the County Clerk's office for review.

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Ottmer, passed (4-0).
Order #12-16

5. Consideration and possible action to approve the bond for Justice of the Peace, Precinct 2

Motion to Approve: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #12-17

6. Consideration and possible action to approve application for required schooling reimbursement for Daniel Leedy, Judge, County Court at Law, to be held April 26-27 in Dallas, Texas

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #12-18

7. Consideration and possible action to set annual terms for Statutory Court for March and September per Government Code 25.00016

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Rinn, passed (4-0).
Order #12-19

8. Consideration and possible action to accept Financial Report for Austin County Emergency Services District #3 – Fiscal Year Ending September 30, 2011

Motion to Accept: Commissioner King, 2nd Commissioner Rinn, passed (4-0).
Order #12-20

9. Consideration and possible action to authorize purchases out of Records management 137-010-0000 for a total amount of \$786.76

- a. \$399.06 – Index to Official Records; Commissioners Court Index Binder
- b. \$239.73 – Commissioners Court Binders
- c. \$147.97 – Official Records Binders

Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #12-21

10. Consideration and possible action to authorize Affiliation Agreement between Wharton County Junior College Public Safety Training EMS Program and Austin County EMS

Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Ottmer, passed (4-0).
Order #12-22

11. Consideration and possible action to authorize Change Order for New Wehdem Road Bridge at Rocky Creek to add a water gate structure

Motion to Authorize: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #12-23

12. Consideration and possible action to approve Certificate of Acceptance for New Wehdem Road Bridge at Rocky Creek in Precinct 2

Motion to Approve: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #12-24

13. Consideration and possible action to authorize bid proposals for bridge construction in Precinct 2

- a. Industry Road at Mill Branch Creek
- b. West Ueckert Road at Millseat Branch

Motion to Authorize: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #12-25

14. Consideration and possible action to authorize agreements for temporary easements during bridge construction between Austin County Precinct 2 and the following:

- a. David and Bonnie Schulz – West Ueckert at Millseat Branch
- b. Elroy H. and Mabel Fay Wiecker – West Ueckert at Millseat Branch
- c. Bruce Buenger – Industry Road at Mill Branch Creek

Motion to Authorize: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #12-26

15. Consideration and possible action to authorize Resolution opposing the Environmental Protection Agency's proposal to add Matagorda County to nonattainment status

Motion to Authorize: Commissioner Ottmer, 2nd Commissioner Reichardt, passed (4-0).
Order #12-27

16. Consideration and possible action to grant variance to Emily Habermacher Estate from Subdivision Regulations for staff length of approximately 2000 feet for 17 acre flag lot on FM 1458 in Precinct 4

Per Judge Bilski, due to last minute change, grant will be contingent upon Charles Kalkomey final review of survey and plat.

Motion to Grant: Commissioner King, 2nd Commissioner Ottmer, passed (4-0).
Order #12-28

17. Consideration and possible action to adopt anti-fraud policy as part of personnel policy and procedures manual

Per Judge Bilski, policy has been reviewed by Debra Mergel, Sharon McCowin and Travis Koehn for additional wording in "Guidelines for the Investigation of Suspected Fraud" and "Fraud Awareness Training" sections.

Motion to Adopt: Commissioner Reichardt, 2nd Commissioner King, passed (4-0).
Order #12-29

18. Budgetary and Financial Claims – action as appropriate

a. Payment of Claims

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #12-30

b. Budget Amendments

None.

c. County Auditor's review of finances

Reviewed by Betty Jez, Auditor.

d. Treasurer's review of finances

i. Quarterly Report – October 1, 2011 – December 2011

*Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Ottmer, passed (4-0).
Order #12-31*

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

- a. Justice of the Peace, Precinct 4 – October – December 2011
- b. On-Site Sewage Facility (OSSF) – December 2011
- c. Constable Precincts 1, 2, 3, & 4 – December 2011
- d. Austin County Library System – December 2011
- e. Certificate of Completion for Carrie Gregor, County Clerk
- f. Proclamation from Harris County Junior Deputy Sheriff's Mounted Posse –
80th Annual Houston Livestock Show and Rodeo

20. Commissioners Court Inquiry

Per Betty Jez, County Auditor, talked to Judge Steinhauser regarding comp-time earned by employees in her office. As of September 2011, they have earned \$6,355.55 for both employees. Judge Steinhauser suggests paying half, \$3,182.78.

Judge Bilski suggests putting request on next agenda.

Court adjourned at 10:05 a.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 January 23, 2012.

Date: February 1, 2012

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

FILED

12 FEB -1 AM 11:03

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

