



**CARRIE GREGOR**  
*AUSTIN COUNTY CLERK*

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**COMMISSIONERS COURT MINUTES**

**September 27, 2021** 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  
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**

Change wording on Agenda #26 d from action to ratify.

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*

**Order #21-317**

- 1. Petitions or Requests from the Public.**
- 2. Discussion and action regarding TPNUMR Renewal**

Scott Wallace presented changes to the Court.

Approve UMR renewal for third-party administrator.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*

**Order #21-318**

- 3. Discussion and action to approve Austin County Emergency Communication District F.Y. 2021 - 2022 Budget**

Jeffrey Hill (Austin County Emergency Communication District Director) presented the Austin County Emergency Communication District budget.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (3-1).  
Commissioner Rinn opposed.*

**Order #21-319**

**4. Discussion regarding F.Y. 2021-2022 Compensation Order and action as appropriate.**

Change Assistant Librarian hours from 1664 to 1560 per year. Commissioner Cerny moved an Assistant Foreman position to Foreman position and one Operator changed to part-time; changed the salary number from \$244,775 to \$234,854. Commissioner Lamp added another lead position.

Approve Compensation Order as amended.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (3-1).  
Commissioner Rinn opposed.*

**Order #21-320**

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

Per Commissioner Reed, putting together a few chairs and tables at JP #4. Per Commissioner Lamp, meeting with Architect and Civil Engineer on Wednesday about drainage issue and detention pond at the Justice Center. Spoke with Bill Byler about property that joins Pct #1, maybe do a property land swap. Per Judge Lapham, Justice Center waiting for above grid inspection, then start laying ceiling tiles.

**6. Discussion and action as appropriate regarding road construction projects.**

Per Commissioner Lamp, hope to have end of Coshatte open. Culverts changed out on Trenckmann. Doing some pavement repairs on Hacienda. Per Commissioner Rinn, should have West Ueckert finished. Donation deeds coming in for Emshoff bridge. Doing level up on Walnut Street last week and this week. Per Commissioner Cerny, going out for bids for Sealy and Kulow Roads. Taking care of some drainage issues. Per Commissioner Reed, doing some level up on Zaruba and Saha Roads. Spoke with contractors, they are about two weeks away from driving the roads to assess what needs to be done to those five roads. After completion, they will begin chip sealing the roads.

Item #5 continued.

Judge Lapham presented a proposal from McLarens for repairs to the elevator at the Courthouse. The cost to the County is \$37,947.21. Pay from Major Repairs.

*Motion to Approve: Commissioner Cerny, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-321**

**7. Discussion regarding Lease Agreement between Austin County and Austin County Fair Association and action as appropriate.**

Amend Lease Agreement under paragraph II to say "Austin County Commissioners Court" only. Remove Austin County Judge. Lease is from September 1, 2021 – August 31, 2046. Change signature line from Allen Zwahr to Robert Winkelmann.

Approve Lease Agreement between Austin County and Austin County Fair Association for 25 years and authorize Judge to sign Lease Agreement.

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-322**

**8. Discussion and action to declare the following vehicles as surplus: (Sheriff Brandes)**

- a. 2012 Chevrolet Tahoe/1GNLC2E01CR169184
- b. 2011 Chevrolet Tahoe/1GNLC2E04BR196703
- c. 2012 Ford Expedition/1 FMIU1 F55CEF35992
- d. 2010 Chevrolet Tahoe/1GNMCAE00AR139377

*Motion to Declare: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-323**

**9. Discussion regarding the correction of certificate pay level for two Advanced Peace Officers and action as appropriate.**

Correct clerical error.

*Motion to Correct: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-324**

**10. Discussion and action to add certificate pay for one Intermediate Peace Officer.**

*Motion to Add: Commissioner Lamp, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-325**

11. **Consideration and action to authorize a one-time variance from Subdivision Regulations to divide an 1.5 acre tract from a 4.6190 acre tract on Burleson Rd, Precinct 2.**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-326**

12. **Consideration and action to authorize 2022 Austin County Resolution, Indigent Defense Grant Program.**

*Motion to Authorize: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-327**

13. **Discussion regarding Personnel Action Form and action as appropriate.**

Per Stacie Ewald (Human Resource Director), all original PAF's go to Human Resource Department. She will distribute copies to Auditor and Treasurer offices. Add Terminate, Death and No Change box above date.

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #21-328**

14. **Consideration and action to authorize the appointment of Election Judges, Alternate Judges, Clerk's, and Central County Station and Ballot Board.**

*Motion to Authorize: Commissioner Cerny, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-329**

15. **Consideration and action to accept Chapter 59, Forfeiture Report, Constable, Precinct 3**

*Motion to Accept: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-330**

16. **Consideration and action to approve and sign interlocal agreements as budgeted for Fiscal Year 2021 - 2022, to serve Austin County Citizens:**

- a. **Colorado Valley Transit, Inc.**
- b. **Colorado Valley Transit, Inc. (JARC)**
- c. **Combined Community Action**
- d. **Emergency Medical Services I Industry**
- e. **Helping One Another I Meals on Wheels**
- f. **Library Services I Gordon Memorial Library**
- g. **Fire Fighters Association**
- h. **Focusing Families**
- i. **USDA Soil/Water Conservation Service**
- j. **Texana**

**k. Youth and Family Services**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-331**

- 17. Consideration and action to approve and sign interlocal Law Enforcement Agreements for Fiscal Year 2021-2022**
- a. Bellville**
  - b. San Felipe**
  - c. Sealy**
  - d. Wallis**
  - e. Sealy I.S.D**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-332**

- 18. Discussion to move \$157,084 from 101-51104-113 and 101-51106-113 to 101-55757- 127 to fund purchase of four (4) vehicles for Sheriff's Department and action as appropriate.**

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-333**

- 19. Consideration and action to advertise for bids for bridge project on Kulow Road & Sealy Road in Precinct 3 with Colorado County.**

Advertise for bids.

*Motion to Advertise: Commissioner Cerny, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-334**

- 20. Consideration and action to purchase a 2015 New Holland T56 Tractor and Alamo Boom Mower for Precinct 3.**

Bill of Sale states 11 hours, but it is 132 hours.

*Motion to Purchase: Commissioner Cerny, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #21-335**

- 21. Discussion and action to accept donation deed from Brenda Bodine for bridge replacement project on Mill Creek Road, Pct. 1**

*Motion to Accept: Commissioner Lamp, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-336**

- 22. Discussion and action to accept donation deed from Russel Stein and Darrell Stein for Bridge project on Emshoff Road, Pct. 2**

*Motion to Accept: Commissioner Rinn, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #21-337**

- 23. Discussion and action to purchase a 1-ton truck for Pct. 2**

\$34,525 from Cavendar's in Weimar with delivery in 90 days.

*Motion to Purchase: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-338**

- 24. Discussion regarding the purchase of 7 Technimount Safety Arm Monitor/Stretcher for Ambulance Stretchers and action as appropriate.**

Purchase 7 Technimount Safety Arm Monitor/Stretchers for \$21,220 from American Response Vehicles. Will move from mechanical fund to purchase.

*Motion to Purchase: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-339**

- 25. Consideration and action to approve and sign Clinical Agreement between Austin County EMS and Bercom Education.**

Agenda item #25 should say Percom instead of Bercom.

Per Walter Morrow (EMS Director), allows current employees to continue their education online and obtain certificates as well.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #21-340**

- 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. **September 13, 2021**
- b. **Consideration and action to accept special donations to Austin County EMS per Local Government Code 81.032:**
  - i. **\$500**
  - ii. **\$500**
  - iii. **\$100**
- c. **Consideration and action to approve Right-Of-Way installation by Fiberlight, LLC on Red Oak Road and Star Hill Road, Pct. 2**

- d. **Consideration and action to approve Right-Of-Way installation by Industry Telephone on Red Bird Lane, Pct. 2.**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-341**

- 27. **Budgetary and Financial Claims - action as appropriate.**
  - a. **Payment of Claims**
  
  - d. **County Auditor's Review of finances**

Elizabeth Ferreira (Auditor's Office) read text messages from Billy Doherty (County Auditor) to the Court with regard to review of finances. There is 10.7% remaining in the budget.

Payment of Claims continued.

Total = \$1,039,889.82

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-342**

- b. **Fund Transfers**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #21-343**

- c. **Budget Amendments**
  
- e. **County Treasurer**
  - i. **Payroll and Escrow Report Payroll & Escrow Report - 09.24.2021**

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-344**

- 28. **Written end-of-the month reports submitted by County Offices.**
  - i. **AgriLife Extension -August 2021**
  - ii. **OSSF -August 2021**
  - iii. **Library - August 2021**

*Motion to Accept: Commissioner Lamp, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #21-345**

#### **ADDENDUM**

- 1. **Open Bids for work to be done at 800 Wendt Street and action as appropriate.**

Bid from XXL Construction for \$77,268 to replace all ceiling tiles. Pay from Capital Outlay from next year's budget.

*Motion to Accept: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*

**Order #21-346**

2. **Consideration and action to authorize a one-time variance from Subdivision Regulations of a 2.685 acre tract from a 7.323 acre tract on Harrison Road, Precinct 4.**

Decline request for variance.

*Motion to Decline: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*

**Order #21-347**

Court recessed at 10:28 a.m.

Court reconvened at 11:09 a.m.

### **EXECUTIVE SESSION**

**A closed meeting will be held concerning the following item(s):**

1. **Personnel Matters**

29. **Action as appropriate on Executive Session.**

Approve Land Lease Agreement with Jarvis.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*

**Order #21-348**

30. **Commissioners Court Inquiry.**

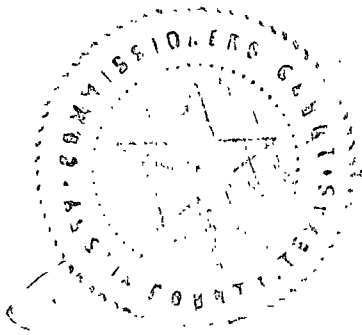


**Motion to Adjourn: Commissioner Cerny, 2<sup>nd</sup> Commissioner Reed, passed (4-0).  
Order #21-349**

Court adjourned at 11:10 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 27, 2021.**



Date: October 6, 2021

Carrie Gregor

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

2021 OCT -6 AM 10: 28

COUNTY CLERK  
AUSTIN COUNTY TEXAS