



**CARRIE GREGOR**

AUSTIN COUNTY CLERK

## COMMISSIONERS COURT MINUTES

On **October 25, 2013** Austin County Commissioners Court met in the Commissioners Court Meeting Room, at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge  
Reese Turner, Commissioner, Precinct 1  
Robert "Bobby" Rinn, Commissioner, Precinct 2  
Randy Reichardt, Commissioner, Precinct 3  
Douglas King, Commissioner, Precinct 4  
Shannon Hanath, Deputy County Clerk

### Opening – 9:00 a.m.

**Call to Order**  
**Invocation**  
**Pledges of Allegiance**  
**Roll Call and Certification of Quorum**

### **Consideration/Adoption of Agenda**

*Motion to Adopt: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-383**

### **1. Petitions or Requests from the Public**

Tom Sherman thanked Commissioner Turner for attending the Fort Bend County Subsidence District meeting and discussed the EP App/MTQ-Denial.

### **2. Consideration and possible action to accept deed as surveyed for a proposed turnaround area at the end of Zievert/Ludeke Road located in Precinct 1.**

Per Commissioner Turner, the intent is to protect a piece of property from ever being landlocked. Access to this has been on a road questioned as to whether it's private or not. This does not in any way imply or guarantee that the County will maintain this road. In 1983 Zievert/Ludeke Road was established as a public road. Inadvertently in 2005, Zievert/Ludeke Road was left off the list and not in the Court Order.

*Motion to Accept: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-384**

**3. Activity report by Sheriff Brandes.**

Monthly Report and inmate work crew activity for September reviewed by Sheriff Brandes.

**4. Consideration and possible action to approve application for required schooling reimbursement for Cheryl Kollatschny, Justice of The Peace, Precinct 3, to be held March 23-26, 2014 in San Antonio, Texas.**

*Motion to Approve: Commissioner Turner, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #13-385*

**5. Discussion regarding culvert permit application process and action as appropriate.**

Commissioner Reichardt discussed the current culvert permit application process and possible changes to the process. He will draw up a new culvert permit application, and bring back to November 6<sup>th</sup> meeting.

*Motion to Postpone Action: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #13-386*

**6. Consideration and possible action to authorize hardship variance for District Attorney's Office employee to carry over three unused vacation hours in Fiscal Year 2012-2013 through November 15, 2013.**

*Motion to Authorize: Commissioner Turner, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #13-387*

**7. Consideration and possible action to authorize \$200 clothing allowance per quarter for investigators as plain clothes officers.**

Two hundred (\$200) per quarter for 12 slots. Clothing allowance for 1<sup>st</sup> quarter will be paid in January payroll, the 1<sup>st</sup> pay period in the 2<sup>nd</sup> quarter.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Turner, passed (4-0).  
Order #13-388*

**8. Discussion regarding Bluebonnet Groundwater Conservation District Notice of Contested Case Hearing regarding applications of Electro Purification, LLC to be held on Monday, October 28, 2013 and action as appropriate.**

Commissioner Turner told the Court that the stronger argument against these wells is to be made in subsidence than in water. Sealy, San Felipe and Wallis are pretty close to flood plain level, with the studies being used by the Fort Bend County Subsidence District. The southern end of our County could go down 3 feet over the next years. If it subsides 3 feet, that will put the center of some of our towns in the flood plain.

*Motion to Authorize Resolution With Commissioner Turner To Represent Austin County: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*

**Order #13-389**

**9. Consideration and possible action to authorize hardship variance for Ira Wallace, land owner to Austin County On-Site Sewage Facility Order for aerobic system with public water to serve household for self and daughter in Precinct 1 on 1.1 acre tract.**

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

**Order #13-390**

**10. Discussion regarding County Transportation Reinvestment Zones (SB 1747) and action as appropriate.**

State has appropriated money for county road repair for damages from oil and gas activity. County must form a designated County Energy Transportation Reinvestment Zone to be eligible for a grant for any damages that occur.

*Motion to Postpone: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*

**Order #13-391**

**11. Discussion regarding Texas Comptroller of Public Accounts letter of overpayment of County Sales tax and action as appropriate for repayment.**

Austin County has been overpaid \$83,857.63 in county sales and use taxes. Judge Bilski would like to pay this back in 4 years instead of 1 year.

*Motion to Reimburse in 4 years or Negotiate Otherwise: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*

**Order #13-392**

**12. Consideration and possible action to authorize lease purchase intergovernment agreement with Great America through Brazos Valley Purchasing Solutions Alliance to replace Toshiba copier in Jail with Ricoh 3352 black and white copier.**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-393**

**13. Budgetary and Financial Claims-action as appropriate.**

**a. Payment of Claims**

Commissioner Reichardt recommended putting G&K Services on the November 6<sup>th</sup> agenda to discuss shopping through the Government Contracts. He also questioned the Racoon Bend Murder Investigation charge on the Claim Report being listed every time in the Reports. Per Commissioner Rinn, the bill for Nature's Necessity, Precinct #2, should be deleted.

*Motion to Authorize: Commissioner Turner, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-394**

**b. Budget Amendments**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #13-395**

**c. County Auditor's review of finances**

None.

**d. County Treasurer review of finances**

**i. Payroll & Escrow Report**

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

**a. County Court Monthly Report-September 2013**

**b. Election Identification Certification Contract with Texas Department of Public Safety**

Court recessed at 10:45 a.m.

**EXECUTIVE SESSION**

A closed meeting will be held concerning the following items:

- 1. Deliberation regarding Real Property. (This is in accordance with the Texas Government Code Section 551.072).**

Court reconvened at 11:38 a.m.

**15. Action as appropriate from Executive Session.**

Regarding property with drainage issues.

*Motion to Authorize Commissioner Reichardt to Pursue an Engineer for Review of Subject Property: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order# 13-396*

Frydek Road Property for future EMS Station.

*Motion to Authorize Commissioner Reichardt to Create a Committee/Develop Site Plan: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order# 13-397*

**16. Commissioners Court Inquiry.**

- Hillview/Sycamore Hill Subdivision

Court adjourned at 11:49 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 October 25, 2013.

Date December 2, 2013

Carrie Gregor

Carrie Gregor, Austin County Clerk  
Clerk of Commissioners Court

Austin County, Texas  
By: Shannon Hanath, Deputy

13 DEC -2 PM 3:59

Carrie Gregor

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

