



**CARRIE GREGOR**  
AUSTIN COUNTY CLERK

**COMMISSIONERS COURT MINUTES**

On **September 23, 2013** Austin County Commissioners Court met in the Commissioners Courtroom 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  
Cyndi Gomez, Deputy County Clerk

**Opening – 9:00 a.m.**

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

**Consideration/Adoption of Agenda**

Move Addendum to 9:35 a.m.

*Motion to Adopt: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Turner, passed (4-0).*  
**Order #13-323**

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

None.

**2. Consideration and possible action to set date for public hearing for Final Plat of Settler's Crossing, Section Two, being a partial replat of Reserve B of Settler's Crossing, Section 1 (Austin County Clerk's File No. 084794) out of a 136.997 acre tract of land out of an original 160 acre tract (Volume 276, Page 144 in Deed Records) and being situated in the H.&T.C.R.R. Company Survey, Section 164, and being part of the M.M. Kenney Survey, Abstract 370, Austin County, Texas.**

Set hearing date for October 28, 2013 at 9:00 a.m.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-324**

- 3. Consideration and possible action for approval of construction of roads and drainage within Kenneywood Subdivision, a subdivision of 121.453 acres of land in the John Fitzgibbons Survey, Abstract 36 (AKA John F. Gibbons Survey, Abstract 36), Austin County, according to a map or plat thereof recorded in County Clerk's File No. 131281, and commencement of a minimum one-year maintenance period by Highway 36 Venture, LLC., including the acceptance by Austin County of Irrevocable Standby Letter of Credit #291 drawn under First National Bank of Bellville in the amount of \$78, 512.50 dated September 23, 2013 and the release by Austin County of an Irrevocable Standby Letter of Credit in the amount of 314,050.00 dated November 26, 2012.**

Court to approve construction of roads and drainage.

*Motion to Approve: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-325**

Court to accept letter of credit for \$78,512.50 dated September 23, 2013.

*Motion to Accept: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-326**

Court to accept the release of Irrevocable Letter of Credit in the amount of \$314,050.00 dated November 26, 2012.

*Motion to Accept: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-327**

- 4. Consideration and possible action to authorize Certificate of Acceptance for construction of Star Hill Road Bridge Improvements at Post Oak Point Creek in Precinct 2.**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Turner, passed (4-0).*  
**Order #13-328**

- 5. Consideration and possible action to adopt Consent Agenda Format.**
- 6. 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. Transmittal of Minutes – August 19, 2013**

Change duplicate bidders as noted by Commissioner Rinn.

*Motion to Amend: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-329**

- d. Consideration and possible action to ratify Security Deposit Agreement between USFon, Inc. and Austin County Precinct 4.**

Amend to a \$15,000.00 cash deposit.

*Motion to Amend: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-330**

- b. Consideration and possible action to authorize purchase of laptop for Environmental Desk not to exceed \$1,000.00.**
- c. Consideration and possible action to authorize purchase of official record binders out of Records Management 137-010-0000 in the amount of \$150.65.**
- e. Consideration and possible action to authorize County Judge to execute contract with William Farrell as Veterans Service Officer.**
- f. Consideration and possible action to authorize County Judge to execute contract with Don R. Bosse, M.D. as County Health Authority.**
- g. Consideration and possible action to authorize County Judge to sign interlocal agreements as budgeted to serve Austin County citizens**
  - i. Combined Community Action**
  - ii. Austin County Soil and Water Conservation District**
  - iii. Youth and Family Services**
  - iv. Colorado Valley Transit, Inc.**
  - v. Helping One Another – Meals on Wheels**
  - vi. The Virgil and Josephine Gordon Memorial Library**
  - vii. Focusing Families**
  - viii. Austin County Fire Fighters Association**
  - ix. Texana Center for behavioral healthcare & developmental disability services**

*Motion to Approve: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-331**

**7. Open bid proposals for financial accounting package and action as appropriate.**

Proposals from Netdata, STW Inc. and Kirk Cunningham, Account Executive, of Tyler Technologies.

Auditor, Treasurer and IT guys will get together and review proposals.

*Motion to Accept: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-332**

**8. Consideration and possible action to authorize purchase of 1 Medtronic Physio-Control LIFEPAK 15 Cardiac Monitor / Defibrillator / Pacemaker with accessories.**

Not to exceed \$30,116.30.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-333**

**9. Consideration and possible action to adopt property tax levy for assessment and collection purpose.**

**a. General Maintenance**

.3488

**b. Special Road and Bridge Tax**

.0648

**c. Farm-To-Market and Lateral Roads Tax**

.0782

**d. Debt Service Tax**

.0365

Total of .5283

*Motion to Adopt: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-334**

## **ADDENDUM TO ACTION AGENDA**

### **1. Discussion regarding burn ban and action as appropriate.**

Per Commissioner Reichardt, the burn ban was dropped Friday. Bellville and Cat Spring had fires over the weekend. These were supervised fires that got out of control. The citizens were irresponsible and the fires were not monitored properly. You need to stay with your fires.

Per Judge Bilski, will send out another notice to monitor and stay with your fire.

*Motion to Ratify: Commissioner Reichardt, Commissioner Rinn, passed (4-0).*  
**Order #13-335**

### **10. Budgetary and Financial Claims – action as appropriate.**

#### **a. Payment of Claims**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-336**

#### **b. Budget Amendments**

Discussion regarding grant money and the Assistant DA's position.

*Motion to Approve: Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-337**

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

Betty Jez, Auditor, questioned Laura Kaye, Treasurer, as to why line items in budget are showing overages in salaries. Line items should be zero at the end of September.

Discussed the last pay period of this Fiscal Year. Dates are overlapping with the start of the 2013-2014 Budget year. Also 24 vs 26 week reviewed.

Per Judge Bilski, there will have to be remedial work done to fix this.

Per Betty Jez, the only remedial work is to do it manually. She does not want to accrue all employees payroll when the County can go to 24 pay periods. She will put in letter form that the budget is all messed up and that she has tried to do it right. Her suggestion for the next week or two, is to pay September 30<sup>th</sup>, then start October 15<sup>th</sup> pay period. Anything paid in October will be in October's budget, and the County will be in the same situation next year.

Jez, stated for the record, that she offered her advice and will not be held responsible for the way the budget turns out.

Per Commissioner Reichardt, hopefully this new accounting system we are looking at will make this issue go away and accrue back.

Per Judge Bilski, continue with October 4, 2013 pay check; October 1, 2013 with 3% salary increase; consider a 24 or 26 week pay period for next year.

Per Brandon Hoff, IT Department, a software upgrade may take several months, even if approved today. Need to consider the change during the middle of the year or wait until the end of the fiscal year and phase out.

Per Judge Bilski, ratify that there are no questions. For the record, time sheets will go in on September 30, 2013 and pay on October 4, 2013 going into next year's budget. Accrual increase begins October 1, 2013 and will be in the October 18, 2013 pay check.

*Motion to Ratify; Commissioner Turner, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #13-338**

**d. County Treasurer review of finances**

**ii. Payroll and Escrow report**

*Motion to Accept: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-339**

**i. Monthly Reports – October 2012 – May 2013**

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

- a. OSSF Activity – August 2013**
- b. Monthly Fees and Commissions of Tax Assessor-Collector – August 2013**
- c. County Court – August 2013**
- d. Austin County Library System – August 2013**
- e. Justice of the Peace, Precincts 1, 2, 3 & 4 – August 2013**
- f. Constable, Precincts 1, 2, 3 & 4 August 2013**
- g. Resolution – Sealy Chapter of American Association of Retired Persons (AARP)**

Court recessed at 10:55 a.m.

**EXECUTIVE SESSION**

A closed meeting will be held concerning the following items:

1. **Personnel Matters regarding County Judge Staff. (Environmental and Maintenance) (This is in accordance with the Texas Government Code Section 551.074).**

Court reconvened at 11:30 a.m.

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

Ratify salary for Sandra Vrablec and contract money to David Ottmer for doing inspections.

*Motion to Ratify: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-340**

**13. Commissioners Court Inquiry**

- Personnel Action Form for Road & Bridge
- Bucket Truck \$4,000.00 with repairs
- Truck from Ryan Ford for Austin County Fair Parade
- Fence for Frydek property – Roy Golan

Court adjourned at 11:45 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 September 23, 2013.

Date: October 2, 2013

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

FILED

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Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

