



ANDREA CARDENAS
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

August 14, 2023 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, County Clerk

9:00 A.M. OPENING
CALL TO ORDER
INVOCATION
PLEDGES OF ALLEGIANCE
ROLL CALL AND CERTIFICATION OF QUORUM
CONSIDERATION/ADOPTION OF AGENDA

Motion to Adopt: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-271

1. **Proclamations and Special Recognitions**
 - a. **Austin County Historical Commission - 2022 State Distinguished Service Award**

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

Kim Rinn (Tax Assessor-Collector), presented "I voted" and "Future Voter" sticker contest.

Andrea Cardenas (County Clerk), announced Property Fraud Alert for all citizens.

Judge Lapham reminded all of how dry the area is and suggested keeping water available should a fire arise. Sheriff Brandes spoke with regard to support first responders.

Commissioner Reed stopped shredding due to how dry everything is. Road may not look as upkept.

3. Budget discussion and action as appropriate.

Travis Koehn (Criminal District Attorney) and Brandy Robinson (Assistant Criminal District Attorney) spoke with regard to the need for a new prosecutor and increase in pay for felony clerk within their office. Real need is for a prosecutor and legal assistant.

Per Judge Lapham, move 50504 to \$35,360 and 50510 change title to Sr. Legal Assistant and increase to \$49,970. Move 50503 to \$85,805, 50504 to \$49,970, 50507 to \$82,487, and 50510 to \$49,970.

Sheriff Brandes needs help with budget. Chief takes home less than some of those he supervises.

Court recessed at 11:04 a.m.

Court reconvened at 11:17 a.m.

Kim Rinn (Tax Assessor-Collector) last budget year requested a position for elections. Was not able to find anyone. Have two people in elections. Requests \$24 per hour for Election Administrator.

4. Discussion to set 2023-2024 proposed salaries for elected officials and action as appropriate.

Approve amended salaries for elected officials.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-272

5. Discussion regarding 2023-24 tax rate and action as appropriate.

No action.

14. Consideration and action in reference to variance requests for an RV Park in Pct. 1

No action.

15. Discussion and action to approve preliminary plat for Rexville Ranch Estates, Pct. 4

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-273

16. Discussion and action to approve final plat for Rexville Ranch Estates, Pct. 4

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-274

17. Consideration and action in reference to variance requests for San Bernard Bend Subdivision in Pct. 4.

Lots 5, 6, 7, 8, and 9 were off from 3-1 ration.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-275

18. Discussion and action to approve preliminary plat for San Bernard Bend, Pct. 4

Motion to Accept: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-276

19. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 2 acre tract from a 6.48 parent tract, Pct. 1

Motion to Authorize: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-277

Court recessed at 12:18 p.m.

Court reconvened at 1:31 p.m.

Court recessed at 1:32 p.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

1. Economic Development Matter
2. Real Estate Matter

Court reconvened at 2:14 p.m.

27. Action as appropriate on Executive Session.

1. Enter 381 Agreement with Hailiang Copper Texas, Inc.

Motion to Enter: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-278

2. No action.

6. Consideration and action to adopt Holiday Calendar for 2024

Option 1 that includes Juneteeth.

Motion to Adopt: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).

Order #23-279

7. Discussion regarding Wendt Street Building Lease Agreement with W.I.C. and action as appropriate.

Motion to Lease: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).

Order #23-280

8. Consideration to accept increase to HIDTA Grant and action as appropriate.

Motion to Accept: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).

Order #23-281

9. Discussion and action to approve Austin County Wrecker Rotation Policy and Contract for non-consent towing and storage services.

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

Order #23-282

10. Consideration and action to accept executed 381 Economic Development Agreement with Sealy Power, LLC

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

Order #23-283

11. Discussion regarding Clinical Affiliation Agreement between the Texas A&M Engineering Extension Service and Austin County EMS and action as appropriate.

Add use of forms.

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

Order #23-284

12. Discussion and action to declare Election Department Poll Pads as surplus.

Motion to Declare: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).

Order #23-285

- 13. Discussion regarding Industry Telephone Company Telecommunication Facilities Right of Way Easement and action as appropriate, Pct. 2**

No action.

- 20. Discussion regarding Purchasing Cooperative of America Membership and action as appropriate.**

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-286

- 21. Discussion and action to approve re-plat for Southfork Ranch, Pct. 4.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-287

- 22. Discussion regarding Texas Department of Motor Vehicles Imposition of Optional Fees for Calendar Year 2024 and action as appropriate.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-288

- 23. Consideration and action to set 2024 Sheriff and Constable Fees effective January 1, 2024**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-289

- 24. 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. **Consideration and action to approve Right of Way removal of cable by Southwestern Bell Telephone Company, dba AT&T Texas at Mill Creek Road/Sandy Creek Bridge, Precinct 1**
- b. **Consideration and action to accept special donation of \$3,000.00 from The Abe and Irene Levine Trust to Austin County Emergency Management per Local Government Code 81.032**
- c. **Consideration and action to ratify Right of Way installation by Industry Telephone Company on Dockal Road, Pct 2**
- d. **Consideration and action to ratify Right of Way installation by Industry Telephone Company on Krebs Road, Pct 2**
- e. **Consideration and action to ratify Right of Way installation by Industry Telephone Company on Ashenbeck Road, Pct 2**
- f. **Consideration and action to authorize agreement for temporary easement between Jean Grisham Aiken and Austin County Precinct 2**

- g. Consideration and action to approve required schooling application for Travis J. Koehn, District Attorney, to be held August 1, 2023 - December 31, 2023 online.
- h. Consideration and action to approve required schooling application for Benjamin Nystrom, Assistant District Attorney, to be held August 1, 2023 - December 31, 2023 online.
- i. Consideration and action to approve required schooling application for Brandy Robinson, Assistant District Attorney, to be held August 1, 2023 - December 31, 2023 online.
- j. Approval of Minutes for July 24, 2023
- k. Consideration and action to authorize agreement for temporary easement between Ramon Gonzalez and Austin County Precinct 4

Agenda item 24f. should be Precinct 4.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-290

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

Early bills = \$502,233.96. Regular bills = \$747,324.99.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-291

- b. **Fund Transfers**

Capps Rental - \$5,394, Capps Rental - \$5,394 and Overhead Door Company of South Central Texas - \$368.91.

Motion to Approve: Commissioner Rinn, 2nd Reed, passed (4-0).
Order #23-292

Early bills for \$502,233.96, regular bills for \$747,324.99 and added bills for \$11,156.91.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #23-293

- c. **Budget Amendments**

#32 – #45

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-294

d. County Auditor's review of finances

Per Billy Doherty (County Auditor), within budgetary constraints.

e. County Treasurer's

i. Payroll and Escrow Report

1. 07.28.2023

2. 08.11.2023

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-295*

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

- a. Justice of the Peace, Pct. 2, 3, and 4 – July 2023**
- b. Constable Lance Johnson, Pct. 1 – July 2023**
- c. Constable Dave Schulz, Pct. 2 – July 2023**
- d. Jail Population Report – July 2023**
- e. OFFS – June & July 2023**
- f. Library – July 2023**
- g. TDMV – July 2023**
- h. Agrilife Extension – July 2023**

Agenda item 26e. should be OSSF instead of OFFS.

*Motion to Accept: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-296*

28. Commissioners Court Inquiry.

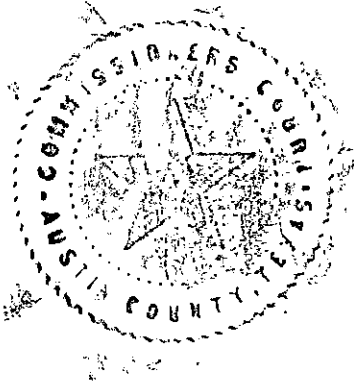
Per Judge Lapham, county fire departments received a grant to buy brand new air packs. The grant is for \$964,772. There is a 10% match which estimates over \$90,000. Would like for the County to help pay the 10% match from Opioid funds.

*Motion to Adjourn: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-297*

Court adjourned at 3:03 p.m.

**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS PROVIDED BY
COMMISSIONERS COURT**

I, Andrea Cardenas, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for August 14, 2023.



Date: August 25, 2023
Andrea Cardenas

**Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas**

FILED

2023 AUG 25 AM 11:44

Andrea Cardenas
**COUNTY CLERK
AUSTIN COUNTY, CLERK**