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COMMISSIONERS COURT MINUTES

On **September 8, 2014** 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
Rebecca Thomas, Deputy County Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

CONSIDERATION/ADOPTION OF AGENDA

Move Executive Session after Agenda Item #1.

Motion to Adopt: Commissioner Turner, 2nd Commissioner Rinn, passed (4-0).
Order #14-281

1. Petitions or Requests from the Public.

Travis Gonzales and Philip Shackelford presented Carolyn Bilski, County Judge with the Friend of 4-H Award.

Commissioner Turner discussed Department increases for the Proposed Budget.

Betty Jez, County Auditor and Dianna High requested to cease the EMS audit.

Court Adjourned 9:12 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1. Pending Litigation. (This is in accordance with the Texas Government Code Section 551.071).**

Court reconvened at 9:36 a.m.

15. Action as appropriate from Executive Session.

Austin County to pay wages due to former and current dispatchers from Salary Adjustment Budget Line Item. Total payment \$50,353.32, plus retirement and payroll taxes.

*Motion to Authorize: Commissioner Riechardt, 2nd Commissioner Rinn, passed (4-0).
Order #14-282*

- 2. Consideration and possible action regarding offer to purchase struck off tax delinquent property R17802 A025 H Heves located in Precinct 2.**

*Motion to Reject: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-283*

- 3. Consideration and possible action regarding offer to purchase struck off tax delinquent property R15140 Silliman H O Addition located in Precinct 3.**

County will submit a counter offer of \$5,000.

*Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Turner, passed (4-0).
Order #14-284*

- 4. Consideration and possible action to adopt Consent Agenda Format.**
- 5. 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:**
 - i. August 11, 2014**

Item #5(d): add per invoice

Item #6: add total cost of \$3,265

- ii. August 18, 2014**

- b. Consideration and possible action to ratify Right-of-Way installation by Industry Telephone Company on Texas Street in Precinct 2.**
- c. Consideration and possible action to authorize agreement for temporary access between Donnie Henske and Austin County Precinct 2 to clean ditch and improve drainage.**
- d. Consideration and possible action to authorize agreement between the Austin County Voter Registrar / Election Department and Austin County for polling place located in the Austin County Courthouse Basement Meeting Room.**
- e. Consideration and possible action to accept Report of Independent Auditor for Austin County Emergency Services District No. 2 for Year Ended 9/30/2013.**
- f. Consideration and possible action to authorize hardship variance for Sheriff employee to carry over 27 hours of unused vacation hours earned in Fiscal Year 2013-2014 through November 7, 2014.**
- g. Consideration and possible action to authorize purchase of a Fujitsu fi-6770 Flatbed Scanner for District Clerk for an amount not exceed \$5,746.88 out of Capital Outlay 101-127-5757.**

*Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #14-285*

6. Discussion regarding computers for Knox and West End Libraries and action as appropriate.

Purchase two computers for each library from donation fund.

*Motion to Authorize: Commissioner Turner, 2nd Commissioner Rinn, passed (4-0).
Order #14-286*

7. Consideration and possible action to authorize Pipeline Agreement by Enterprise Crude Pipeline L.L.C. for the purpose of constructing, maintaining, laying, operating, and/or repairing pipelines utilized for the transportation of liquids or gaseous materials along the right of ways and/or under Stockold Road located in Precinct 4.

*Motion to Authorize: Commissioner King, 2nd Commissioner Reichardt, passed (4-0).
Order #14-287*

8. **Consideration and possible action to authorize Pipeline Agreement by Enterprise Crude Pipeline L.L.C. for the purpose of constructing, maintaining, laying, operating, and/or repairing pipelines utilized for the transportation of liquids or gaseous materials along the right of ways and/or under Mlcak Road located in Precinct 4.**

Motion to Authorize: Commissioner King, 2nd Commissioner Reichardt, passed (4-0).
Order #14-288

9. **Consideration and possible action to authorize Pipeline Agreement by Enterprise Crude Pipeline L.L.C. for the purpose of constructing, maintaining, laying, operating, and/or repairing pipelines utilized for the transportation of liquids or gaseous materials along the right of ways and/or under Chew Road located in Precinct 4.**

Motion to Authorize: Commissioner King, 2nd Commissioner Reichardt, passed (4-0).
Order #14-289

10. **Consideration and possible action to authorize Pipeline Agreement by Enterprise Crude Pipeline L.L.C. for the purpose of constructing, maintaining, laying, operating, and/or repairing pipelines utilized for the transportation of liquids or gaseous materials along the right of ways and/or under Lezak Road located in Precinct 4.**

Motion to Authorize: Commissioner King, 2nd Commissioner Reichardt, passed (4-0).
Order #14-290

11. **Consideration and possible action for one-time variance from Subdivision Regulations for a 2 acre tract partition out of a 15 acre tract located at 320 W. Ueckert in Precinct 2.**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-291

12. **Discussion regarding Road and Bridge bids and action as appropriate.**

- a. **Road Gravel**

Pit Run Gravel – Texas Lumber & Construction, Zbranek Brothers, Prihoda Gravel for all Precincts.

Screened Post Oak – Texas Lumber & Construction, Zbranek Brothers, Prihoda Gravel for all Precincts.

Scrap Gravel – Primary Zbranek Brothers, Secondary Prihoda Gravel for all Precincts.

Gravel not the same from all vendors.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #14-292

¾" Screened Gravel Base Materials – Macat for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-293

Red Clay – Zbranek Brothers, Pihoda Gravel, Huebner for all Precincts based on job and location.

Motion to Award: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #14-294

¾" Washed Pea Gravel – No bid.

b. Road Materials

Crushed Sandstone – Rock Crushers for all Precincts.

Crushed Screening – Rock Crushers for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-295

Recycled Base – No bid.

Cover Stone PB-3 – Primary Quality Hot Mix, Secondary Vulcan for all Precincts based on availability.

Cover Stone PB-4 – Primary Quality Hot Mix, Secondary Vulcan for all Precincts based on availability.

Cover Stone PB-5 – Primary Quality Hot Mix, Secondary Vulcan for all Precincts based on availability.

Grade 3 Uncoated – Primary Quality Hot Mix, Secondary Martin Marietta or Cemex based on availability.

Grade 4 Uncoated – Primary Quality Hot Mix, Secondary Martin Marietta or Cemex based on availability.

Grade 5 Uncoated – Primary Quality Hot Mix, Secondary Martin Marietta or Cemex based on availability.

Motion to Award: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).

Order #14-296

Commissioner Turner stepped out of Court.

Flex Base Limestone

1½" #247 – Primary Quality Hot Mix, Secondary Zbranek Brothers, Vulcan, Cemex and Martin Marietta based on availability.

¾" Limestone – Primary Quality Hot Mix, Secondary Zbranek Brothers, Martin Marietta and Cemex based on availability.

Commercial Lime Stone – Primary Quality Hot Mix, Secondary Zbranek Brothers and Martin Marietta based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (3-0).

Order #14-297

Crushed Limestone Washed – No Bid.

Manufactured Sand – No Bid.

Flex Base Glidden TX – No Bid.

Road Mix With Flyash – No Bid.

Recycled Cement Stabilized Base – No Bid.

Cement Stabilized Sand – No Bid.

Crushed Concrete 1½" – Primary Century Asphalt, Secondary American Materials Durwood Green for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (3-0).

Order #14-298

Crushed Concrete ¾" – Century Asphalt for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (3-0).

Order #14-299

Asphalt Stabilized Base – Primary Century Asphalt, Secondary Tarmac for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (3-0).
Order #14-300

Hot Mix Hot Lay Asphalt Pavement – Primary Century Asphalt, Secondary Waller County Asphalt and Tarmac for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (3-0).
Order #14-301

Commissioner Turner returned.

Hot Mix Cold Lay Asphalt – Rebid as Item 330 and TXDOT Item #DMS 9202.

Motion to Rebid: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-302

Cold Mix Cold Lay Asphalt – Waller County Asphalt as proprietary for High Performance Blend for all Precincts. LRA Premix Type D TXDOT Item 330.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-303

Hot Mix Lay Down – Primary Sealy Paving, Secondary Cornerstone Paving and American Materials Durwood Green for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-304

Seal Coat – Primary Faltisek Paving, Secondary Cornerstone Paving for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-305

One Course Surface Treatment (no rock) – Primary Faltisek Paving, Secondary Cornerstone Paving based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #14-306

Two Course Surface Treatment (no rock) – Primary Cornerstone Paving, Secondary Faltisek Paving for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-307

One Course Surface Treatment (with rock) – Primary Cornerstone, Secondary Faltisek Paving for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-308

Two Course Surface Treatment (with rock) – Primary Cornerstone Paving, Secondary Faltisek Paving for all Precincts based on availability.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-309

Asphalt Milling – Cornerstone Paving and American Materials Durwood Green based on job.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-310

c. Asphalts, Oil & Emulsions

Asphalt Oils and Emulsions MC-30 – Cleveland Asphalt for all Precincts.

Asphalt Oils and Emulsions MC-800 – Cleveland Asphalt for all Precincts.

Asphalt Oils and Emulsions RC-250 – Cleveland Asphalt for all Precincts.

Can use someone else if needed, as long it stays under \$50,000 total.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-311

CRS – 2 Rapid Setting – Primary Cleveland Asphalt, Secondary Western Emulsions for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-312

AC – 5 – Cleveland Asphalt for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).

Order #14-313

AC – 10 – Cleveland Asphalt for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).

Order #14-314

AC10 – 2TR (chipseal) – No bid.

CRS – 2P – Primary Cleveland Asphalt, Secondary Western Emulsion for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).

Order #14-315

MIP – 65S – Cleveland Asphalts for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).

Order #14-316

CHFRS – 2P – Western Emulsion for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).

Order #14-317

SS – 1 – Cleveland Asphalt for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).

Order #14-318

i. Soil Stabilizer

j. Dust Control Material

Dust Control/Base Stabilizer – Cleveland Asphalt, P2 Emulsions Proprietary Blend and S & S Supply based on job and location.

Motion to Award: Commissioner Reichardt, 2nd Commissioner Turner, passed (4-0).

Order #14-319

d. Corrugated Culverts

2 ⅜" x ½" Corrugations – Wilson for all Precincts.

3" x 1" Corrugations – Wilson for all Precincts.

5" x 1" Corrugations – Wilson for all Precincts.

Arched 2 ⅔" x ½" Corrugations – Wilson for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #14-320

e. High Density Polyethylene Culvert Pipe

HPDE Culvert Pipe – Ads/Hancor for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-321

f. Concrete

4 Sack 2000 psi 376 lbs – Huebner Concrete for Precinct 2.

4½ Sack 2500 psi w/Flyash – Huebner Concrete for Precinct 2.

4½ Sack 2500 psi 423 lbs – Huebner Concrete for Precinct 2.

5 Sack 3000 psi w/Flyash – Huebner Concrete for Precinct 2.

5 Sack 3000 psi 470 lbs – Huebner Concrete for Precinct 2.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-322

4 Sack 2000 psi 376 lbs – Primary Huebner Concrete, Secondary Koy Concrete based on job and location for Precincts 1, 3 and 4.

4½ Sack 2500 psi w/Flyash – Primary Huebner Concrete, Secondary Koy Concrete based on job and location for Precincts 1, 3 and 4.

4½ Sack 2500 psi 423 lbs – Primary Huebner Concrete, Secondary Koy Concrete based on job and location for Precincts 1, 3 and 4.

5 Sack 3000 psi w/Flyash – Primary Huebner Concrete, Secondary Koy Concrete based on job and location for Precincts 1, 3 and 4.

5 Sack 3000 psi 470 lbs – Primary Huebner Concrete, Secondary Koy Concrete based on job and location for Precincts 1, 3 and 4.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #14-323

Cement Treatment (road mixed hydraulic cement) – Huebner Concrete for Precincts 1, 2 and 3. No bids for Precinct 4.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-324

g. Fuel (Gasoline & Diesel)

Fuel – Colorado County Oil for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #14-325

h. Hauling (Road Materials)

Cemex (New Braunfels) – Bernardo Trucking for all Precincts.

Colorado Materials (Hunter) – Bernardo Trucking for all Precincts.

Texas Lumber & Construction – Bernardo Trucking for all Precincts.

Inland Environmental (Garwood) – Bernardo Trucking for all Precincts.

Rock Crushers (Burton) – Bernardo Trucking for all Precincts.

Vulcan (Uvalde) – Bernardo Trucking for all Precincts.

Flyash Fayette Power Plant – Bernardo Trucking for all Precincts.

Headwaters/Crushed Concrete – Bernardo Trucking for all Precincts.

Hauling to stockpiles in yard.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-326

Hauling from quarry to road locations – Quality Hot Mix for all Precincts.

Motion to Award: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-327

Texas Lumber & Construction \$5.25 plus .20 per mile per ton to haul materials to location.

Prihoda Gravel .20 extra per ton per mile past stockpile.

Motion to Award: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).
Order #14-328

- 13. Budgetary and Financial Claims – action as appropriate.**
a. Payment of Claims
i. Final invoice from All American Floors

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-329

- b. Budget Amendments**

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Turner, passed (4-0).
Order #14-330

- c. County Auditor's review of finances**
d. County Treasurer review of finances
i. Payroll & Escrow Report

- 14. Written end-of-month reports submitted by County Offices.**
a. Constable, Precincts 2 & 3 – August 2014
b. Justice of The Peace, Precincts 1, 3 & 4 – August 2014
c. Austin County EMS – 2014 Call Volume
d. County Court Monthly – July 2014
e. Jail Population Report – August 2014
f. Austin County Library System – August 2014

- 16. Commissioners Court Inquiry.**

Court Adjourned at 12:05 p.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 8, 2014.



Date: September 24, 2014
Rebecca Thomas
Carrie Gregor, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Rebecca Thomas, Deputy