



CARRIE GREGOR
AUSTIN COUNTY CLERK

COMMISSIONERS COURT MINUTES

On **November 8, 2010** Austin County Commissioners Court met in the Commissioners Courtroom at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge
David Ottmer, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Randy Reichardt, Commissioner, Precinct 3
David Hubenak, Commissioner, Precinct 4
Cyndi Gomez, Deputy County Clerk

Opening – 8:00 a.m.

Call to Order
Invocation
Pledges of Allegiance
Certification of Quorum

Consideration of Agenda

Motion to Adopt: Commissioner Hubenak, 2nd Commissioner Ottmer, passed (4-0).
Order #10-473

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

1. Contemplated or pending litigation

Court recessed at 8:26 a.m.
Court reconvened at 9:09 a.m.

1. Action as appropriate from Executive Session

Engage Gary W. Chaney, Attorney At Law as legal representative to help with IRS. Judge Bilski to sign contract.

Motion to Authorize: Commissioner Ottmer, 2nd Commissioner Hubenak, passed (4-0).
Order #10-474

Authorize payment of \$378,672.65 to the IRS.

Motion to Authorize: Commissioner Ottmer, 2nd Commissioner Hubenak, passed (4-0).
Order #10-475

Budget Amendments from miscellaneous contingency and salary adjustments of \$82,086.89.

Motion to Authorize: Commissioner Ottmer, 2nd Commissioner Hubenak, passed (4-0).
Order #10-476

Court recessed at 9:10 a.m.
Court reconvened at 9:15 a.m.

Amend agenda to move item #12 before item #5.

Motion to Authorize: Commissioner Hubenak, 2nd Commissioner Rinn, passed (4-0).
Order #10-477

2. Proclamations and Special Recognitions

a. Home Care & Hospice Month

Deanna Warmke and Sunny Langlinais of Hospice Brazos Valley discussed their program.

3. Petitions or Requests from the Public

Jill Wolfskill inquired about Bleiberville Tower, narrow banding and funds for these expenses.

4. Request for one-time variance from subdivision platting of 46.104 and 5.634 acre tracts out of 51.738 acre tract on Wagner Road, located in Precinct 2, and action as appropriate

Motion to Approve: Commissioner Rinn, 2nd Commissioner Hubenak, passed (4-0).
Order #10-478

5. Consideration and possible action to authorize agreement for temporary easement between Oscar Rodriguez and Austin County Precinct 2 to clean ditches that affect drainage of Austin County right-of-ways

Motion to Approve: Commissioner Rinn, 2nd Commissioner Hubenak, passed (4-0).
Order #10-479

FLEX BASE LIMESTONE

Colorado Materials

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Ottmer, passed (4-0).
Order #10-482

LIMESTONE BASE ¾ in

Cemex

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Rinn, passed (4-0).
Order #10-483

COARSE COMMERCIAL LIMESTONE BASE

Colorado Materials

Trucking fees from Colorado Materials is the best bid.

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-484

CORRUGATED CULVERTS

Wilson

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Reichardt, passed (4-0).
Order #10-485

BASE STABILIZER AND DUST CONTROL

Texas Dirt Glue Polymer; Envirotac II, Base Seal International, Cleveland Asphalt, PGA and Martin Companies

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Rinn, passed (4-0).
Order #10-486

COLD LAY ASPHALT AND ASPHALT OILS/EMULSIONS

STANDARD COLD LAY

Vulcan

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Reichardt, passed (4-0).
Order #10-487

HIGH PERFORMANCE COLD ASPHALT

Proline – single source

Motion to Accept: Commissioner Ottmer, 2nd Commissioner Hubenak, passed (4-0).
Order #10-488

MC-30

Cleveland Asphalt

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-489

MC-800

Martin Companies

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-490

RC-250; CRS-2; CSS-1

Cleveland Asphalt

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-491

AC-5; AC-10

Martin Companies

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Hubenak, passed (4-0).
Order #10-492

AES-300; CRS-2P

Cleveland Asphalt

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-493

12. Discussion regarding AT&T connectivity, and action as appropriate

Greg Henry of Xpernet and Brandon Hoff of IT Department discussed the challenge due to new technology. Odyssey is working, but there are inconsistencies.

Judge Bilski knew there was a serious problem. In 2007 the Sheriff's Department requested public safety avenues for law enforcement to stay in touch. The Sheriff's Department started this technology push. This is for our first responders with clerks doing record keeping.

According to Judge Bilski, departments expressing unhappiness can go back to paper and pencil for awhile. The cops are going to have the technology they need working with dispatchers. If someone dangerous is apprehended the officer knows the status, opposed to losing an officer. Our responders are given the best technology to protect and communicate with each department. Do we slowly hop along with the record keeping, or do we make the next step to give them the technology and advances they need?

Brandon Hoff advised the Sheriff's Department and Criminal Justice are running smoothly. Conversion problems with Clerks and JP's and numerous e-mails daily regarding issues. Odyssey is working towards corrections, while this is hindering our clerks getting their work done. If there is progress he suggests continuing, stating Odyssey is molding the system for our county.

Per Judge Bilski, this is a wave of the future, a lot of money and everybody is going to share the pain. Does not know when situations will be resolved. The bid for AT&T connectivity is good through December.

Commissioner Ottmer calculated about \$5,013.23 a month for AT&T.

Motion to Postpone: Commissioner Ottmer, 2nd Commissioner Hubenak, passed (4-0).
Order #10-480

6. Consideration and possible action to authorize agreement for temporary easement between Joe Franklin and Austin County Precinct 2 to clean ditches that affect drainage of Austin County right-of-ways

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Hubenak, passed (4-0).
Order #10-481

7. Discussion regarding bid proposals on asphalts, oils and emulsions, cold lay asphalt, flexible base limestone, corrugated steel culverts, polymers for dust control and soil stabilizer, and action as appropriate

HFRS-2P; SS-1H; RECLAMITE; ALTERNATE BASE STABILIZER

Cleveland Asphalt

Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-494

8. Consideration and possible action to renew contracts for representation of indigents in Austin County for Calvin Garvie, Karli G. Illich and Stephen Longoria

Motion to Authorize: Commissioner Hubenak, 2nd Commissioner Rinn, passed (4-0).
Order #10-495

9. Consideration and possible action to approve application for required schooling reimbursement for Cheryl B. Kollatschny, Justice of The Peace, Precinct 3 to be held March 27 – March 30, 2011 in Galveston, Texas

Motion to Approve: Commissioner Ottmer, 2nd Commissioner Rinn, passed (4-0).
Order #10-496

Cheryl Kollatschny has issued an old application which shows reimbursement of meals. The Court deleted meals from the budget last year. Meals will not be reimbursed and application will be amended.

Motion to Amend: Commissioner Ottmer, 2nd Commissioner Reichardt, passed (4-0).
Order #10-497

10. Consideration and possible action to authorize payment for Southwest Solutions Group Preventive Maintenance & Service Program for the Spacesaver SYSTEM in County Clerk's office, out of Records Management Fee/County Clerk

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Hubenak, passed (4-0).
Order #10-498

11. Consideration and possible action to accept forfeiture account audits

Court recessed at 10:08 a.m.
Court reconvened at 10:16 a.m.

13. Budgetary and Financial Claims – action as appropriate

a. Payment of Claims

Motion to Approve: Commissioner Ottmer, 2nd Commissioner Reichardt, passed (4-0).
Order #10-499

**11. Consideration and possible action to accept forfeiture account audits –
CONTINUED**

*Motion to Accept: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #10-500*

13. Budgetary and Financial Claims – action as appropriate

b. Budget Amendments

None.

c. County Auditor's and Treasurer's review of finances

None.

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

a. Environmental Enforcement – August and September 2010

b. Austin County Library System

Court recessed at 10:30 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

1. Contemplated or pending litigation

Court reconvened at 11:20 a.m.

15. Action as appropriate from Executive Session

Proceed with additional surveys to identify 3 cul-de-sacs on parcels of land from John Elick and Assurastate, and methods to close a portion of Oilfield Rd.

*Motion to Authorize: Commissioner Hubenak, 2nd Commissioner Ottmer, passed (4-0).
Order #10-501*

Not to exceed \$200,000.00, necessary expenditures out of 2009 Bond funding, in compliance from money set aside for road construction.

*Motion to Approve: Commissioner Hubenak, 2nd Commissioner Rinn, passed (4-0).
Order #10-502*

16. Commissioners Court Inquiry

Confirmed Executive Session for next meeting with Judge Beck at 1:00 p.m.

Court adjourned at 11:25 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 November 8, 2010.

Date: March 10, 2011

Carrie Gregor

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



FILED

11 MAR 10 PM 4:05

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS