



**CARRIE GREGOR**  
AUSTIN COUNTY CLERK

## **COMMISSIONERS COURT MINUTES**

On **November 21, 2011** 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  
Douglas King, Commissioner, Precinct 4  
Cyndi Gomez, Deputy County Clerk

### **Opening – 8:15 a.m.**

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

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

Move Executive Session after business items.

*Motion to Adopt: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-519**

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

None.

### **4. Consideration and possible action to authorize indigent defense contracts for a one year term for Stephen R. Longoria, Karli Kennell and Calvin Garvie**

*Motion to Postpone: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #11-520**

**5. Consideration and possible action to canvass returns and declare results of the November 8, 2011 Constitutional Amendment Election**

*Motion to Canvass: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-521**

**6. Consideration to nominate candidate to serve as County Representative on the Board of Directors of the Austin County Appraisal District and any related action necessary**

Re-elect David Hubenak as County Representative.

*Motion to Accept: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #11-522**

**7. Consideration and possible action to reappoint Milton Beckendorff and Sharon Brandes to the Bluebonnet Groundwater Conservation District for a four year term**

*Motion to Approve: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-523**

**8. Consideration and possible action to rescind Court Order 07-510 regarding variance request from subdivision platting for 3 tracts out of a 10.073 acre tract on Tomlinson Road in Precinct 4**

*Motion to Rescind: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-524**

**9. Consideration and possible action regarding variance request from subdivision platting for 2 tracts out of a 10.073 acre tract on Tomlinson Road in Precinct 4**

*Motion to Accept: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-525**

**10. Consideration and possible action to authorize agreement for temporary easement between James Read and Austin County Precinct 1**

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-526**

**11. Consideration and possible action to authorize the closure of FM 331 at Piney Creek in Precinct 1 during bridge construction, contract letting in October 2012**

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-527**

Court recessed at 8:25 a.m.

**EXECUTIVE SESSION**

**A CLOSED MEETING WILL BE HELD CONCERNING THE FOLLOWING ITEMS:**

1. **Consultation with attorney regarding litigation. (This is in accordance with the Texas Government Code Section 551.071).**
2. **Personnel Matters. (This is in accordance with the Texas Government Code Section 551.074).**
3. **Real Estate. (This is in accordance with the Texas Government Code Section 551.072).**

Court reconvened at 9:15 a.m.

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

Per Commissioner Ottmer, the Court agrees to pay Wayne Beyer Audit Firm \$10,713.00 out of contingencies for the audit of JP4. Payment for special audit services dated July 19, 2011, and July 20, 2011 through November 9, 2011.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-528**

Per Commissioner Reichardt, allow Judge Bilski to sign appropriate documents with attorneys, Mathews, Easley and Chaney.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #11-529**

Per Commissioner Reichardt, hire Gary Chaney, CPA. Judge Bilski to sign engagement letter for continued services.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-530**

No action on Personnel Matters.

Court recessed at 9:20 a.m.

Court reconvened at 9:22 a.m.

**2. Proclamations and Special Recognitions**

- a. **Home Care & Hospice Month**

**12. Budgetary and Financial Claims – action as appropriate**

**a. Payment of Claims**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-531**

**b. Budget Amendments**

None.

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

*Motion to Accept: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-532**

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

**a. Constable Precincts 1,2,3 & 4 – October 2011**

**b. Justice of The Peace, Precincts 1,2 & 3 – September 2011**

**14. Commissioners Court Inquiry**

Burn ban will expire on Wednesday at noon.

Court recessed at 10:12 a.m.

**EXECUTIVE SESSION (CONTINUED)**

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

**3. Real Estate**

Per Judge Bilski, authorize Debra Mergel as legal counsel to represent Austin County regarding any action needed on railroad property owned by the county, in reference to a capital fund grant dating back to 1993 and subsequent leases.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-533**

Court adjourned at 10:13 a.m.

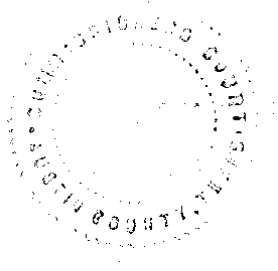
**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS  
PROVIDED BY COMMISSIONERS COURT**

I, Carrie Gregor, Austin County Clerk, attest to the accuracy of the record of the  
Commissioners Court proceedings for November 21, 2011.

Date: November 30, 2011

Carrie Gregor

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



FILED  
11 NOV 30 AM 8:38  
*Carrie Gregor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS