



**CARRIE GREGOR**  
AUSTIN COUNTY CLERK

## **COMMISSIONERS COURT MINUTES**

On **January 24, 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 – 9:00 a.m.**

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

### **Consideration of Agenda**

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #11-21**

### **Action Agenda – 9:05 a.m.**

#### **1. Proclamations and Special Recognitions**

- a. National Mentoring Month**
- b. School Board Recognition Month**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-22**

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

Jill Wolfskill questioned mandates, regulations, budgets for replacement/repairs of windows in Commissioners Courtroom and longevity pay.

Venus Wilder requested to delay the \$34,000.00 longevity pay for county employees and questioned mandates for agenda item #16.

Nick Tirey commented on conflict of interest on agenda item #17, Emergency Service District #2. He feels the Commissioners Court had not given Sealy a lot of support. He suggests the court give Cliff Langton the opportunity to serve the City of Sealy.

**3. Presentation by Perdue, Brandon, Fielder, Collins & Mott regarding tax/fine/fee collections**

Mike Darlow reviewed charts of delinquent taxes collected for the county.

**4. Presentation by Texas AgriLife Extension regarding multi-county new land owner program**

Philip Shackelford discussed Multi-County New Landowner Program, which benefits landowners of usually 10 or more acres, who don't have an agriculture background.

**5. Consideration and possible action to adopt Consent Agenda Format**

*Motion to Adopt: Commissioner Ottmer,  
2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #11-23*

**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. Information concerning consent agenda items is available for public review.**

- a. Consideration and possible action to approve Right-of-Way installation by Industry Telephone Company on New Bremen Road in Precinct 2
- b. Consideration and possible action to approve Right-of-Way installation by Industry Telephone Company on Squirrel Road in Precinct 2
- c. Consideration and possible action to authorize agreement for temporary easement between Mark Waggoner and Austin County Precinct 2
- d. Consideration and possible action to authorize agreement for temporary easement between Mike Eagan and Austin County Precinct 2

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).  
Order #11-24*

**7. Discussion regarding cleaning or replacing duct work in Precinct 4 Annex, and action as appropriate**

*Motion to Approve: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-25**

**8. Discussion regarding roof repair at Precinct 4 Annex, and action as appropriate**

Boettcher-Hlavinka Company for \$5,335.69.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #11-26**

**9. Consideration and possible action to set and authorize longevity pay for time worked ending September 30, 2010**

The Court has budgeted \$12,181.31 for Road & Bridge and \$36,738.60 from General funds. This is to be issued in a separate check from payroll.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-27**

**10. Discussion regarding purchasing aerial view of county buildings in downtown Bellville including Courthouse, Jail Museum, Community Supervision and Texas Agrilife, and action as appropriate**

For damage claims to town roofs from storms. One aerial picture \$100.00.

*Motion to Approve: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-28**

**11. Consideration and possible action to authorize contract with Swanson Services for installation of a Cobra Cashier kiosks in jail lobby**

Cobra Cashier would be no cost to taxpayers and cut down money handling at the jail. Enables the public to add funds to inmate accounts electronically, issues receipts for visitors, jail, inmates and eliminates paperwork.

*Motion to Approve: Commissioner King, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-29**

**12. Consideration and possible action to authorize Planned Maintenance Generator Agreement proposal for Austin County Jail**

Cummins Southern Plains, 1 year contract \$2,084.00.

Captain Green discussed necessity of extra jailers, duties and returning of inmates.

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

**Order #11-30**

**13. Consideration and possible action to accept Tier 1 – Partial Exemption Racial Profiling Report from Austin County Sheriff's Office**

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

**Order #11-31**

**14. Consideration and possible action to authorize telephone account audit by Southwestern Tariff Analyst**

Initiate contract with Southwestern Tariff Analyst regarding telephone audit.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner King, passed (4-0).*

**Order #11-32**

**15. Consideration and possible action to clarify maximum vacation leave accrual pay in personnel policy**

After discussion with Debra Mergel the Court decided to add the following underlined wording: No payment is made in lieu of vacation or upon status change to part-time.

Payment for unused vacation leave upon separation will not be deleted until review by Debra Mergel.

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

**Order #11-33**

**16. Consideration and possible action to adopt resolution regarding a constitutional amendment banning unfunded mandates**

The County collects fines and fees, sends money to the State and yet continues to see expenses for Indigent Criminal Defense, visiting Judges, Adult Probation and DPS equipment. With the State's budget cuts we cannot take on anymore of their concerns without raising our taxes

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

**Order #11-34**

**17. Consideration and possible action to approve financial report for Austin County Emergency Services Districts 1 and 3**

*Motion to Approve: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-35**

Agenda items 18 & 19 to be conducted in Executive Session, as requested by Judge Bilski, to allow discussion of merits and make appointments.

**20. Consideration and possible action to authorize bid proposals for bridge construction in Precinct 2**

- a. **Williams Creek Road at Williams Creek**
- b. **Shupak road at Long Branch**
- c. **Henkhaus Road at Draw**
- d. **New Breman Road at Dry Creek**

Open bids on February 28, 2011.

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #11-36**

**21. Consideration and possible action to authorize Wakefield Bridge, Inc. to make emergency repairs to Steck Bottom Road bridge in Precinct 1**

Total amount is \$49,000.00.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-37**

**22. Consideration and possible action to authorize bids for recycled asphalt material for road and bridge precincts**

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-38**

**23. Consideration and possible action to designate David Ottmer, Commissioner Precinct 1 to preside and act in absence of County Judge**

*Motion to Accept: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-39**

**24. Consideration and possible action to authorize repairs/replacement of glass to Commissioners Courtroom**

*Motion to Postpone: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #11-40**

**25. Consideration and possible action to authorize upgrade of SAFE Software for On-Site Sewage Facility records, culverts, development permits, and annual maintenance contracts in the amount of \$300**

Annual Maintenance \$300.00.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-41**

**26. Consideration and possible action to purchase steel shelving for the Tax Office located at 804 E. Wendt Street**

Amount of \$1,349.19 for additional shelves.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #11-42**

**27. Consideration and possible action to renew interlocal agreement for Emergency Medical Services between the City of Sealy and Austin County**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-43**

**28. 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 #11-44**

**b. Budget Amendments**

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #11-45**

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

Auditor, Betty Jez, presented a memo stating she could not approve payment of a fire escape ladder from the Courthouse Security Fund.

**d. County Treasurer review of finances**

**i. Quarterly Report of Treasurer from October 2010 to December 2010**

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).  
Order #11-46*

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

- a. Texas Citizen Corps Quarterly Program Report
- b. Justice of The Peace, Precinct 4 – November 2010
- c. Continuing Education Certificate – County Clerk
- d. Monthly Fees and Commissions from Tax Assessor-Collector – December 2010
- e. Constable Precincts 2, 3, & 4 – December 2010
- f. Austin County Jail Population – December 2010

Court recessed at 10:50 a.m.

**EXECUTIVE SESSION**

**A closed meeting will be held concerning the following items:**

**Agenda items 18 and 19 moved to executive session**

Court reconvened at 11:55 a.m.

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

**18. Consideration and possible action to appoint commissioner to fill unexpired term for Emergency Services District 1**

Appoint Frank Johnson.

*Motion to Appoint: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #11-47*

**19. Consideration and possible action to appoint commissioner to fill unexpired term for Emergency Services District 2.**

Appoint Cliff Langton.

*Motion to Appoint: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (3-1).  
Commissioner Ottmer opposed.*  
**Order #11-48**

**1. Personnel Matters**

Changes to payroll or payroll deductions will go through the Treasurer's office before input into the system and/or backup of Human Resources in the Treasurer's absence. No other department is authorized to make changes to payroll.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-49**

Any administrative changes and interpretation of the Personnel Policy needs to come to court.

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #11-50**

**31. Commissioners Court Inquiry**

Commissioner Reichardt discussed fire calls in Sealy and Bellville Fire Departments. Suggested something should be front page in newspapers. Sealy and Bellville have requested reinstating Burn Ban.

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 January 24, 2011.

Date: April 25, 2011

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