



CARRIE GREGOR
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

September 26, 2022 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, 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

Remove item #11.

Motion to Adopt: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-385

1. Proclamations/Distinguished Awards - Austin County Historical Commission

Grace Holtkamp presented with Austin County Historical Commission Award.

2. Petitions or Requests from the Public.

Marc Young spoke with regard to Community Rating System for residents to receive a discount on flood insurance.

3. Consideration and action regarding funding request by San Felipe de Austin Museum and Historical Site

Frank Monk (President of San Felipe de Austin Historical Site, Museum and Villa) requested funding from County for Museum.

Fund museum with \$5,000 from 128 fund.

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

Order #22-386

4. Discussion and action as appropriate regarding building projects and financing.

Per Judge Lapham, broke ground on EMS stations.

Per Commissioner Reed will meet with Christensen Building Group on Wednesday.

Per Commissioners Reed and Rinn, will begin on concrete this week at Wendt Street building. ADA compliant door is complete.

5. Discussion and action as appropriate regarding road construction projects.

Per Commissioner Reed, continuing with routine maintenance.

Per Commissioner Cerny, continuing with routine maintenance.

Per Commissioner Rinn, continuing with routine maintenance. Spoke with Wakefield, has two projects before they can begin Emshoff and Shelby Road bridges. Anticipated to begin the first of the year.

Per Commissioner Lamp, Steckbottom and Grubbs Roads are open. FM 331 is closed at Mill Creek, from Hwy 36 to FM 529 for bridge replacement. Doing routine maintenance. Ask the public to respect workers when signs are up.

6. Discussion and action to accept proposed lease agreement at 856 West Main Street, Bellville, Texas.

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

Order #22-387

7. Discussion to change certificate pay level for one S.O. Employee from Advanced Peace Officer to Master Peace Officer pay and action as appropriate.

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

Order #22-388

8. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 1 acre tract from a 3 acre tract on Hoff Rd, Precinct 1.

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

Order #22-389

9. **Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 2 acre tract from a 6.7 acre tract on Orange Hill Rd, Precinct 4**

Motion to Authorize: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-390

10. **Consideration and action to authorize a one-time variance from Subdivision Regulations to divide an 11 acre tract, a 3.554 tract, 3.680 tract, and a .23 acre tract from a 71.086 acre tract on Republic Rd, Precinct 4.**

Motion to Authorize: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-391

11. **Consideration and action to accept Donation Deed of Property from Eric and Jessica Tanner, on or near Republic Road, Pct. 4**
12. **Discussion regarding the purchase of a printer/fax for Austin County Veterans Service Officer and action as appropriate.**

Motion to Purchase: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0).
Order #22-392

Can move fax line from County Judge's office to Veterans office. Fax isn't used much in County Judge's office. Per Judge Lapham, pay from capital outlay.

13. **Discussion regarding fees for hauling loose livestock and action as appropriate.**

Increase fee for livestock transportation from \$75 to \$150 per trip.

Motion to Increase: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0).
Order #22-393

14. **Consideration and action to accept check in the amount of \$74,900.00 from Verdun Oil & Gas, LLC for damages to Skull Creek Road and Cutoff Road, Pct. 2**

Check to repair roads.

Motion to Accept: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #22-394

- 15. Discussion regarding Austin County Buyout Program offer for 2965 River Bend and action as appropriate.**

Will use FEMA funds.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-395

- 16. Consideration and action to approve purchase and financing of a 926M Wheel Loader Fusion QC, Forks and Bucket for Pct. 4.**

Will finance purchase through Government Capital for 4 years at an interest rate of 4.57% with one payment each year of \$62,754.94 for a total of \$224,766.72.

Motion to Purchase: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-396

- 17. Consideration and action to approve and sign interlocal agreements as budgeted for Fiscal Year 2022 - 2023, to serve Austin County Citizens:**
- a. Colorado Valley Transit, Inc.
 - b. Colorado Valley Transit, Inc. (JARC)
 - c. Combined Community Action
 - d. Emergency Medical Services I Industry
 - e. Helping One Another I Meals on Wheels
 - f. Library Services I Gordon Memorial Library
 - g. Fire Fighters Association
 - h. Focusing Families
 - i. USDA Soil/Water Conservation Service
 - j. Texana
 - k. Youth and Family Services

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-397

- 18. Consideration and action to approve and sign interlocal Law Enforcement Agreements for Fiscal Year 2022-2023**
- a. Bellville
 - b. San Felipe
 - c. Sealy
 - d. Wallis
 - e. Sealy I.S.D

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-398

- 19. Consideration and action to approve transfer of funds from salary lines in 113 and 114 to 101- 55757-127 for the purchase of 2 Tahoes, 1 truck, 1 mower approved 09.12.22**

Move funds forward to next fiscal year for 2 Tahoes.

Caldwell Country will have 2 Tahoes, but not until October.

Pay after October 1.

*Motion to Pay: Commissioner Lamp, motion dies for lack of a second.
Motion fails.*

*Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #22-399*

- 20. Consideration and action to approve purchase of computers from capital outlay**

Purchase computers not to exceed \$6,000 by the end of the fiscal year.

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #22-400*

- 21. 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. **Approval of Minutes**
 - i. **September 12, 2022**
- b. **Consideration and action to accept special donations per Local Government Code 81.032:**
 - i. **\$750 to Sheriff's Office from American Legion Post 442, Sealy**
 - ii. **\$750 to EMS from American from Legion Post 442, Sealy**
 - iii. **\$75,000 to Austin County from the Estate of Isabel Frizzell**

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #22-401*

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

Total = \$750,699.81

*Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #22-402*

b. Fund Transfers

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #22-403

c. Budget Amendments

#85-#116 (see supporting documents)

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-404

d. County Auditor's Review of finances

Will send email to County Officials and Department Heads informing all offices October 6th is the last day for PO's for the current fiscal year.

e. County Treasurer

i. Payroll and Escrow Report Payroll & Escrow Report -09.23.2022

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-404

ii. Monthly Treasurer Report - August 2022

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #22-405

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

- i. Criminal Court - August 2022**
- ii. Civil Court - August 2022**
- iii. Family Court -August 2022**
- iv. Agrilife - August 2022**

Motion to Accept: Commissioner Cerny, 2nd Commissioner Lamp, passed (4-0).
Order #22-406

Court recessed at 10:15 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1 Personnel Matter**
- 2 Legal Matter**

Court reconvened at 12:31 p.m.

24. Action as appropriate on Executive Session.

2. Approve Retainer Agreement with Allison, Bass & McGee in regards to White Water Midstream Matterhorn.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #22-407

1. No action.

25. Commissioners Court Inquiry.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #22-408

Court adjourned at 12:32 p.m.

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

I, Carrie Gregor, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for September 26, 2022.



Date: September 29, 2022

Carrie Gregor

**Carrie Gregor, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Andrea Cardenas, Deputy**

FILED

2022 SEP 29 AM 10:16

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS