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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

November 13, 2023 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
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

Motion to Adopt: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-704

1. Petitions or Requests from the Public.

Frank Johnston and Henry Mlcak spoke with regard to replacing some of the Emergency Services District # 1 Board. They recommended Raymond Froebel for consideration.

2. Presentation of Collection Report by Leslie Schkade with Perdue, Brandon, Felder, Collins & Mott

3. Discussion and action as appropriate regarding renewal of:
a. UMR

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-705

b. Tokyo Marine Stop Loss

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-706

c. MetLife

Approve Metlife and allow Scott Wallace to negotiate fees on behalf of the County.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-707

d. Smith Rx

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-708

Court recessed at 9:54 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1. Personnel Matter**
- 2. Personnel Matter**
- 3. Legal Matter**

Court reconvened at 1:30 p.m.

4. Action as appropriate on Executive Session.

1. Add a Court Administrator position to the Compensation Order for Justice of the Peace, Precinct 2 not to exceed 29.75 hours with same pay as other JP court administrators.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-709

2. Enter into a payment agreement with a County employee.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-710

3. No action.

5. Discussion and action regarding non-exempt/exempt status of Court Reporter position.

Approve County Court-at-law Court Reporter position as non-exempt salary position.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-711

6. Discussion and action regarding VEOCI Software for OEM.

Will come back.

7. Discussion and action regarding Repeater for OEM.

Approve cost of \$5,142.50 to make the repeater portable. This includes 2 antennas, a suitcase and plug cables.

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

Order #23-712

8. Discussion regarding Wendt Street Building and action as appropriate.

Bids for Wendt Street Building repairs are due Wednesday, November 22, 2023 by noon to County Judge's Office.

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

Order #23-713

9. Health Insurance Presentation by TAC.

Continue with #6.

The VEOCI software to be paid from 128 Maintenance Agreements.

The Road & Bridge section of VEOCI is an additional cost of \$16,070.00. Precincts 1 and 2 will split cost. Precincts 3 and 4 have decided not to use at this time. Can decide later to use program and split cost.

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

Order #23-714

10. Discussion and action to approve Matterhorn Pipeline permit(s).

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (3-0-1).

Commissioner Reed abstained.

Order #23-715

11. Discussion and action regarding mandatory Cybersecurity Course Enrollment.

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

Order #23-716

12. Discussion and action regarding 2023-2024 Compensation Order.

No action.

- 13. Discussion and action as appropriate regarding change in Personal Action Form (Distribution).**

No action.

- 14. Discussion and action regarding The Estates at Pecan Hill, Pct. 2:**
a. Authorize one-time variance from Subdivision Regulations on lot dimensions specific to Lot 1

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-717

- b. Approve Preliminary Plat**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-718

- 15. Discussion and action to authorize one-time variance from Subdivision Regulations to subdivide a 10+- acre tract from an 18.87-acre tract on Trenckmann Road, Pct. 1**

Motion to Authorize: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-719

- 16. Discussion and action regarding commercial development site drainage plans (Correa) at S 9221 Loop 497 W, Pct. 2.**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-720

- 17. Discussion and action to approve preliminary plat for Creekmore Meadows, Phase II.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-721

- 18. Discussion regarding compensating a dispatcher for lost wages during the 09.03.23 – 09.16.23 and 09.17.23 – 09.30.23 pay periods and action as appropriate.**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-722

19. Discussion and action to canvass and declare results of the November 7, 2023 election.

*Motion to Canvass & Declare: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-723*

20. Discussion regarding the purchase of Express Vote Ballot Marketing Devices and action as appropriate.

Per Kim Rinn (County Tax Assessor and Collector), the total for all 5 of the devices is \$7,500.00.

A new device cost about \$3,750.00 each. These cost \$1,500.00 each.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-724*

**21. Consideration and action regarding Road and Bridge Materials (Asphalt & Laydown, and River Rock:
a. Open Bids**

Asphalt & Laydown: Sealy Paving Inc and Cornerstone Paving & Construction LLC.
River Rock: Heidelberg Materials (HM South Texas Stabilized Sand LLC) and Texas Sand & Gravel.

b. Award Bids

Award all bids.

*Motion to Award: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-725*

22. Open demolition bids for Austin County CDBG-DR Voluntary Buyout Program (CDBG-DR Project 20-066-002-B957) and action as appropriate.

JWTC, DSW and Sitek Omni

Award to JWTC bid:

2965 Riverbend Lane Sealy: Without abatement \$18,280.00/With abatement \$22,760.00.
2394 Lazy River Dr Sealy: Without abatement \$17,720.00/With abatement \$21,640.00.

*Motion to Award: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-726*

23. **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. Consideration and action to approve temporary access Agreements between Austin County, Pct. 2 and Jeff Bintliff
 - b. Consideration and action to approve temporary access easement agreements between Austin County, Pct. 1 and:
 - i. Ben Mayberry
 - ii. Merrill and Diana Kies
 - c. Consideration and action to approve required schooling application for Lance Johnson, Constable, Pct 1, for TCOLE 1415 Civil Process, to be held February 12 - 15, 2024. Virtual.
 - d. Consideration and action to accept special donation of \$17,118.05 per Local Government Code 81.032 to Austin County.
 - e. Consideration and action to re-appoint current Bluebonnet GCD Board members for four-year term:
 - i. Philip Fairchild - Industrial Interests
 - ii. Milton Beckendorff - Agricultural Interests
 - f. Consideration and action to accept Austin County Library System 2022-2023 Annual Report.
 - g. Consideration and action to approve Minutes:
 - i. September 25, 2023
 - ii. October 23, 2023
 - iii. November 01, 2023
 - h. Consideration and action to accept executed lease agreement, amendment 2 between Austin County and Texas Department of Transportation.
 - i. Consideration and action to approve submission of TxDOT "Selective Traffic Enforcement Program" Grant Application by Austin County S.O., 20% match requirement.
 - j. Consideration and action to accept Texas Office of the Governor Grant awarded to A.C.S.O. in the amount of \$105,285, with a 20% match requirement, to be used on body camera update program.
 - k. Consideration and action to accept Texas Office of the Governor Grant awarded to A.C.S.O. in the amount of \$35,625, with no match requirement, to be used on equipment for Regional Special Response Team.
 - l. Consideration and action to accept limited compliance review of Austin County Jail.

Pull m.

Approve a – l.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-727*

- m. **Consideration and action to approve hiring an operator for R&B Pct. 3 at a rate above the respective introductory rate.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-728

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

Early Bills = \$34,507.70. Regular Bills = \$589,705.44.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #23-729

- b. **Fund Transfers**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-730

- c. **Budget Amendments**

None.

- d. **County Auditor's Review of Finances**

Per Billy Doherty (County Auditor), it is a new year and everything is good.

- e. **County Treasurer**
 - i. **Payroll and Escrow Reports**
 - 1. **11.03.23**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-731

- 25. **Written end-of-the month reports submitted by County Offices.**
 - a. **Justice of the Peace, Precinct 2 - October 2023**
 - b. **Justice of the Peace, Precinct 3 - October 2023**
 - c. **Justice of the Peace, Precinct 4 - October 2023**
 - d. **Constable Precinct 1 - October 2023**
 - e. **Constable Precinct 2 - October 2023**
 - f. **Constable Precinct 4 - September & October 2023**
 - g. **Library Report - October 2023**
 - h. **Jail Population - October 2023**
 - i. **OSSF - October 2023**

Motion to Accept: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-732

26. Commissioners Court Inquiry.

None.

*Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-733*

Court adjourned at 4:17 p.m.

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

**I, Andrea Cardenas, Austin County Clerk, attest to the minutes of the Commissioners
Court proceedings for November 13, 2023.**

Date: November 27, 2023

Rebecca Thomas

**Rebecca Thomas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas**

FILED

2023 NOV 27 PM 1:00

Andrea Cardenas
COUNTY CLERK,
AUSTIN COUNTY, CLERK

