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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

July 12, 2024 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 Reed, Precinct 4
Kimberly Benjamin, Deputy Clerk

9:00 A.M. OPENING
CALL TO ORDER
INVOCATION
PLEDGES OF ALLEGIANCE
ROLL CALL AND CERTIFICATION OF QUORUM

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-178

1. **Petitions or Requests from the Public.**
2. **Discussion and action to amend DA/SB22 section of 2023-2024 compensation order.**

Per Judge Lapham, two adjustments were made to change salaries back to original amounts for two positions within District Attorney's Office. This will allow SB-22 Funds to be disbursed and allocated to their demands.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0)
Order #24-179

3. **Discussion to authorize advertisement for re-bid proposal for the construction of a new Pct. 4 Building and action as appropriate.**

Per Commissioner Reed, request to go out for re-bids on barn for Precinct 4. Due to building within city limits, City has requirements that must be adhered to. Will get Johnathan Hopko (County Engineer) to prepare bid advertisement. Bids are to be submitted by August 23, 2024

at 12:00 p.m. in the Austin County Judge's Office. Opening of bids will be August 26, 2024 during Commissioner's Court.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-180

4. Discussion to authorize advertisement for bid proposal for concrete crushing and action as appropriate.

Per Shannon Hannath (Road and Bridge Administrative Assistant), request locations of concrete. Bid proposals will be due August 15, 2024 in the Road & Bridge Office by 4:00 p.m. All bids will be opened and read during Commissioner's Court at 9:00 a.m. on August 26, 2024.

Per Commissioner Lamp, concrete is located at Precinct 1 and Precinct 4.

Judge Lapham inquires on the demand for crushed concrete. Suggests in the future, that County makes use of crushed concrete by making it available to residents with culverts or other demands.

Per Commissioner Rinn, crushed concrete can be stored at yard in Precinct 2.

Commissioner Lamp expressed concern on how to allocate monies to pay for concrete crushing project. He is willing to cover cost from his budget to start project, but Commissioners will need to figure future payments.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0)
Order #24-181

5. Discussion and consideration regarding JP 1, JP2 and JP 4 clerks request to replace "Official Payments" with "Catalis Payment System" and actions as appropriate.

Per Hilda Gomez (Assistant Auditor), currently all Justice of the Peace Precinct locations are using ACI Payments, Inc. (Official Payments) for accepting credit cards payments within their offices. ACI has become problematic to staff, customers and auditors. Its programs are outdated and company has advised that there will not be any updates. Justice of the Peace Staff are all onboard for the new Catalis Payment System. Catalis will offer training on program and set up user-friendly system online.

Catalis Payment System accommodates modern technology, making it more convenient for customer's use. Program is a self-payment processing system allowing customers to handle their own credit cards. Cost of program is \$700 to cover two card readers. Company will provide two additional card readers for free per location. Cost is a one-time payment. Program has to be implemented within six-month period once court has approved.

Per Billy Doherty (Austin County Auditor), Commissioners have sole right to implement new system. He and Hilda spoke to Justice of the Peace Offices to confirm their interest in Catalis

Payment System, before bringing to court. He believes program would be of better use for all; and has more selections to offer public. Believes that Catalis Payment Systems allows for growth within County.

Per Commissioner Cerny, Justice of the Peace Precinct 3 is onboard with Catalis Payment System.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-182

6. Discussion and action to approve purchases of new computers for:
a. Constable, Pct. 1
b. JP4

Per Billy Doherty (County Auditor), requests to purchase desktop computer for Constable Lance Johnson (Sheriff's Office) and Bernice Berger (Justice of The Peace 4). Tech Funds for Justice of the Peace and Constables are negative. Will need to take funding from Fund 127-Computer Expense Line. Computer Expense Line currently has \$5,900 available.

Per Billy Doherty (County Auditor), negative Tech Fund accounts are due to lack of funding since Covid. Software payments to Tyler Technology taken from JP Tech Funds contributes a vast sum to negative balance. Traffic ticket payments generate funding for system and there has been a lack thereof. Currently waiting on grant funding. Tech Funds will increase once grant monies are received.

Cost of computers for Precinct 1 Constable Lance Johnson is \$2,154.94. Cost of computer for Precinct 4 Justice of the Peace Bernice Berger is \$1,914.96. Total = \$4,069.90.

Judge Lapham suggests splitting cost of computers. Bernice Berger's computer to be paid from JP Tech Fund and Constable Lance Johnson's computer to be paid from Fund 127-Computer Expense Line.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-183

7. Discussion and action to approve Temporary Construction Easement between Kate Hayner, Successor Trustee to the Richard Henshaw, Jr. Revocable Trust, and Austin County.

Original project was delayed. Bridge Contractor did not begin work in timely manner so project requires an extension. Owners are wanting to sell property. Contract was amended so that it transfers to property sale. Jesse Skinner (Assistant District Attorney) reviewed and approved accuracy of contract.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0)
Order #24-184

8. Discussion regarding F.Y. 2024-2025 Budget

Judge Lapham presented a draft of 2024-2025 Budget for review. Another meeting will be held to discuss Budget changes and include all budget requests.

Current Year Total = \$22,073,034

Proposed Year Total = \$23,064,523. Total is provided by Compensation Committee and includes salary items. Salary items amount is subject to change as all departments were not included.

Increased total from Current Year to Proposed Year is \$991,489.

Per Judge Lapham, there were no changes to Road and Bridge Budget. Suggests having in-depth discussion in regards to Budget at next Commissioner's Court. Set approval of salaries for Proposed Elected Officials will be discussed at that time for publishing in local newspapers. All departments submitting budget requests are encouraged to attend Commissioner's Court.

Commissioner Lamp inquired if vehicles leased for County use would be listed in budget lines for the individual departments or remain in General Fund. Per Judge Lapham, separating vehicles by department will create a significant amount of work for Auditor's Department and would be difficult to allocate a specific amount for budget.

Per Billy Doherty, met with Judge Steinhauser (Fayette County District Judge) and Cindy Havelka (Fayette County Auditor) to discuss salary increases for the Court Reporter and Court Coordinator. Currently waiting to receive the requested amounts from Fayette County to submit before the next Budget Meeting.

9. 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. **May 28, 2024**
 - ii. **June 10, 2024**
 - iii. **June 12, 2024**
 - iv. **June 24, 2024**
- b. **Consideration and action to authorize one-time variance from Subdivision Regulations to divide a 1.227-acre tract from a 10.64-acre parent tract and variance from 1 to 3 ratio requirement on County Line Rd., Pct. 4.**
- c. **Consideration and action to approve Required Schooling Application for Bryan Haevischer, Treasurer, to be held in Houston, Texas November 06-08, 2024.**

Per Billy Doherty (County Auditor), appreciates more detailed Commissioner Court Minutes. Outside auditors have expressed concerns of minutes being vague.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-185

10. Budgetary and Financial Claims - action as appropriate.

a. Payment of Claims

Billy Doherty (County Auditor), issued June 2024 Comdata Bill Expenditures Report for review.

Total = \$2,015,734.24

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-186

b. Fund Transfers

No Fund Transfer Report.

Per Billy Doherty (County Auditor), reference Fund Summary section on Page 22 of Expense Approval Report for Fund Transfers.

c. Budget Amendments

Per Billy Doherty (County Auditor), System automatically deleted Budget Adjustment number BA0000018 on Budget Adjustment Register Report due to having to go back to make corrections. Learned of deletion after correction was made.

Total = \$7,192,661.23

Approve Budget Amendment # BA0000017 and BA0000019 – BA0000027.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-187

d. County Auditor's Review of finances

Billy Doherty (County Auditor), issued Budget Report for review. Report indicates period ending as last day of month. Data consists of first day to current day report is pulled.

e. County Treasurer

i. Payroll and Escrow Report – 06.28.2024

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-188

11. **Written end-of-the month reports submitted by County Offices.**
 - a. **JP 3 and JP4 – June 2024**
 - b. **Jail Population – June 2024**
 - c. **Constable Pct. 4 – May and June 2024**
 - d. **OSSF – June 2024**

Motion to Accept: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-189

Court recessed at 10:20 a.m.

12. EXECUTIVE SESSION

In accordance with Texas Local Government Code §551.071, §551.125 and §551.129, a closed meeting will be held concerning the following items:

- a. **Real Legal Matter-Justice Center**

Court reconvened at 11:31 a.m.

13. Action as appropriate on Executive Session

No action.

14. Commissioners Court Inquiry.

Commissioner Lamp inquired if County will pursue property at Chamber of Commerce Office. He advised Chamber of Commerce Office that he would bring matter to court. Per Commissioner Lamp, he is interested in pursuing property. Jonathan Hopko (County Engineer) will draw a sketch of property. Commissioner's will meet with Chamber of Commerce for further discussion.

Commissioner Reed recommends Commissioner Lamp obtain paperwork and more detailed information for discussion at future Commissioner's Court.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-190

Court adjourned at 11:34 a.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 July 12, 2024.

Date: July 23, 2024
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Kimberly Benjamin
Kimberly Benjamin, Deputy Clerk



FILED

2024 JUL 23 PM 3:43

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY CLERK