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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

September 25, 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

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 Rinn, passed (4-0).
Order #23-342

1. Presentation of the "I Voted" sticker contest winners.

Kim Rinn (Austin County Tax Assessor Collector) announced "I Voted" sticker contest winners.

Future Voter Category:

1st Luke Masson from West End Elementary
2nd Jones Garza from Faith Academy
3rd Kaelee Carr from Sealy Elementary School

I Voted Category:

1st Justin Ochoa from Brazos Middle School
2nd Lina Garcia from Bellville High School
3rd Lydia Huebner from Bellville High School

2. Petitions or Requests from the Public.

Commissioner Lamp thanked EMS for their help recently.

Rita Koches (County Relations Officer with Texas Association of Counties (TAC)) introduced herself to everyone and briefly explained how TAC functions.

3. Update on Jail Museum by Bruce Noviskie

Per Bruce Noviskie, there is now central air in the Jail Museum, heat will be next. Repaired doors, insulated the jail side of the attic and replaced plexiglass in the windows.

4. Consideration and action regarding OEM Command Vehicle.

a. Open bids

No bids received.

b. Award bids

Per Billy Doherty (County Auditor), a budget adjustment will be made to hold previously approved funds for vehicle.

5. Discussion and action to accept Conflicts Disclosure Statement between Matterhorn Express Pipeline LLC and:

- a. Judge Lapham**
- b. Commissioner Chip Reed**

*Motion to Accept: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-343*

Court recessed at 9:28 a.m.

6. EXECUTIVE SESSION

A closed meeting will be held concerning the following items

- a. Personnel Matter**

Court reconvened at 10:23 a.m.

Postponed Item #7-10 until September 26, 2023 at 10:00 a.m.

11. Discussion and action to regarding Austin County 911 Emergency Communication budget approval.

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (3-0).
Commissioner Reed opposed.
Order #23-344*

12. Discussion and action to regarding Austin County 911 Emergency Communication board member.

Per Commissioner Lamp, he resigns from the board.

Commissioner Cerny nominated Commissioner Rinn to be on the board.

Approve to appoint Commissioner Rinn to Austin County 911 Emergency Communication Board.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0).

Commissioner Rinn abstains.

Order #23-345

13. Discussion and action to accept Contract Services for Austin County Health Authority.

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

Order #23-346

14. Consideration and action to accept Donation deed of property located at 1211 Atchinson Street, Sealy.

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

Order #23-347

15. Consideration and action to approve F.Y. 2023-2024 Compensation Order.

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

Order #23-348

16. Discussion and action to approve purchase of 2023 Chevrolet Tahoe for EMS Supervisor.

Tahoe \$52,485.00, lights \$19,362.00, and graphics \$2,000 total= \$73,847.00.

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

Order #23-349

17. Discussion regarding AMENDED Order of Special Election and action as appropriate.

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

Order #23-350

18. Discussion and action to authorize intermediate certificate pay of \$600/yr. for 1 additional Dispatch personnel.

Motion to Authorize: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-351

19. Discussion and action to renew contract with Statewide Automates Victim Notification Services.

Motion to Renew: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-352

20. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 3-acre tract from a 6.68-acre tract on Lezak Road, Pct. 4.

Motion to Authorize: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-353

21. Consideration and action to approve and sign interlocal agreements for Fiscal Year 2023-2024, to serve Austin County Citizens:

- a. Colorado Valley Transit, Inc.
- b. Colorado Valley Transit, Inc. (JARC)
- c. Combined Community Action
- d. Emergency Medical Services / Industry
- e. Helping One Another / Meals on Wheels
- f. Library Services / Gordon Memorial Library
- g. Fire Fighters Association
- h. Focus Families
- i. USDA / Soil and Water Conservation Services
- j. Texana
- k. Youth and Family Services

Motion to Approve: Commissioner Cerny, 2nd Commissioner Lamp, passed (4-0).
Order #23-354

22. Consideration and action to approve and sign interlocal Law Enforcement Agreements for Fiscal Year 2023-2024.

- a. Bellville
- b. San Felipe
- c. Sealy
- d. Wallis
- e. Sealy I.S.D

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-355

- 23. Open Austin County Residential Property Demolition Contractor RFQ's and approve Scoring Committee consisting of Shannon Hanath, Billy Doherty, Leroy Cerny and Chip Reed.**

R & L Global Inc.
Sitek Omni Services LLC
JRB Services LLC
C4 Land Management
Albo, LLC
JWTC
dsw

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-356

- 24. Consideration and action to award Construction Contract for CDBG DR# 20-065-65-C184 for Roadway and Drainage Improvements to Fuqua Construction Company, Inc. in the amount of \$1,489,024.00.**

Award Construction Contract for CDBG DR# 20-065-65-C184 for Roadway and Drainage Improvements to Fuqua Construction Company, Inc. in the amount of \$1,489,024.00.

Motion to Award: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-357

- 25. Discussion regarding Road & Bridge bids and action as appropriate:**
- a. Road Material/Gravel**
 - b. Hauling/Road Material**
 - c. Asphalts, Liquid Asphalt, Emulsions & Dust Control**
 - d. Corrugated Culverts**
 - e. HDPE Culvert Pipe**
 - f. Concrete/Cement**
 - g. Fuel (Gasoline & Diesel)**
 - h. Surface Treatments, Asphalt Laydown & Asphalt Milling**

Pull Asphalt Laydown from h., will rebid. Listed in section 6 in supporting documents.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-358

- 26. Consideration and action to approve 2023-2024 timesheets.**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #23-359

27. Consideration and action to amend Section 1.13 of the Austin County Employee Policy Manual.

Amend to smoking is prohibited within 18 feet from any entrance doorway of any such building unless a designated area is provided and posted.

Motion to Amend: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-360

28. Consideration and action to approve an interlocal agreement between Washington County and Austin County in reference to a Tax Office Employee.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-361

29. 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 accept a \$1,500 special donation to Austin County Sheriff's Office per Local Government Code 81.032.**
- b. **Consideration and action to approve Required Schooling Application for Lisa Tobola, Felony Legal Assistant, to be held November 14-17, 2023 in Fort Worth, Texas.**
- c. **Consideration and action to approve Required Schooling Application for Travis Koehn, District Attorney, to be held November 28-December 1, 2023 in Frisco, Texas.**
- d. **Approval of Minutes:**
 - i. **August 23, 2023 Construction Workshop**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-362

30. Budgetary and Financial Claims – action as appropriate.

- a. **Payment of Claims**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-363

- b. **Fund Transfers**

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-364

- c. **Budget Amendments**

None.

d. County Auditor's review of finances

Per Billy Doherty (County Auditor), submit POs, almost out of time for this Fiscal Year.

e. County Treasurer's

i. Payroll and Escrow Report – 09.22.2023

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-365

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

- a. Statutory County Court – August 2023**
- b. TxDMV – August 2023**
- c. AgriLife – August 2023**
- d. Constable, Pct. 2 – August 2023**
- e. EMS – August 2023**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-366

32. Commissioners Court Inquiry.

Time to appoint new board member for some boards.

Per Shannon Hannath (Road & Bridge Administrative Assistant), Austin County Road and Bridge was recently awarded another grant.

Court recessed at 11:32 a.m.

Court reconvened at 10:10 a.m. on September 26, 2023.

County Judge Tim Lapham and Commissioner absent due to conflict of interest.

8. Consideration and action to appoint Jonathan Hopke as Project Coordinator, responsible for coordination and communication of the Matterhorn Express Pipeline, LLC as it pertains to the installation of a 42" natural gas pipeline, as it crosses Austin County.

Motion to Appoint: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-367

9. **Consideration and action to approve Road use Agreement with Matterhorn Express Pipeline, LLC pertaining to a 42" natural gas pipeline, to prevent degradation of County Roads in Austin County, Texas.**

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-668*

7. **Action as appropriate on Executive Session.**

Conditional approval of Matterhorn Pipeline LLC permits 0 through 28 and authorize the Austin County Engineer to approve and issue permits based on progress and obtaining a Commissioner's signature of concurrence.

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-669*

10. **Consideration and action regarding approval of a construction and performance bond to assure proper installation of a 42" natural gas pipeline and related infrastructure in Austin County, Texas.**

Conditional approval of the \$10,000,000 performance bond based on emailed received from Matterhorn. Matterhorn can start when the original bond is received.

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-670*

*Motion to Adjourn: Commissioner Lamp, 2nd Commissioner Cerny, passed (3-0).
Order #23-671*

Court adjourned 10:14 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 September 25, 2023.

Date: October 11, 2023
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

FILED

Rebecca Thomas
By: Rebecca Thomas, Deputy

2023 OCT 11 PM 2: 23

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, TEXAS

