

## COMMISSIONERS COURT MINUTES

Order # 26-004

February 9, 2026 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

### OPENING

### CALL TO ORDER

### INVOCATION

### PLEDGES OF ALLEGIANCE

### ROLL CALL AND CERTIFICATION OF QUORUM

Tim Lapham, County Judge

Greg Mikel, Commissioner, Precinct 1

Robert "Bobby" Rinn, Commissioner, Precinct 2

Leroy Cerny, Commissioner, Precinct 3

Chip Reed, Commissioner, Precinct 4

Allison Gerik, Deputy Clerk

Stephanie Kovar, Deputy Clerk

### CONSIDERATION/ADOPTION OF AGENDA

Item 13 will occur after lunch.

Addendum will occur before recessing for lunch.

Item 9c is for library system donations.

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

### OPEN AGENDA ITEMS

#### 1. Proclamations and Special Recognitions

None.

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

(In accordance with the Texas Attorney General's opinion, any public comment that is made on an item that is not on the posted final agenda will only be heard by the Commissioners Court. No formal action, discussion, deliberation, nor comment will be made by the Commissioners Court.)

None.

#### 3. Open Depository bids and action as appropriate

Bryan Haevischer (County Treasurer) opened a bid from Austin County State Bank. The bid will be reviewed and brought back to court.

#### 4. Discussion and action to approve funding of a part-time deputy out of the 101-71329-113 and supplement this position with Chapter 59 forfeiture funds.

Sheriff Brandes stated this deputy's commission has been picked up by the Austin County Sheriff's office and brings extraordinary experience in bomb training and will be highly beneficial to the upcoming growth in Austin County.

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Lt. Donald Darracq (Sheriff's Office) emphasized the deputy's extraordinary experience he is bringing to Austin County. After discussing with Billy Doherty (County Auditor), it would be better to use SB 22 funding. However, SB22 funding cannot be used for paying taxes.

Billy Doherty (County Auditor) stated the budget would cover the tax part.

Judge Lapham inquired about how much was anticipated.

Lt. Donald Darracq (Sheriff's Office) stated \$7,000.00 to \$8,000.00 is anticipated, and the budget will be monitored to ensure he doesn't exceed that amount. The reason we came to court is that the original plan had to have commissioner court approval. However, SB 22 does not need court approval, but we want to be open with the court about what is happening.

Judge Lapham inquired how much of SB 22 funds had been allocated.

Lt. Donald Darracq (Sheriff's Office) stated all but \$7,500.00 had been allocated.

Billy Doherty (County Auditor) will link to the SB22 funding report.

Commissioner Cerny motioned to approve funding of a part-time deputy out of SB22 funding.

*Motion to Approve: Commissioner Cerny, 2nd Commissioner Mikel, passed (4-0)*

## **5. Discussion and action to approve the Brentwood Development Drainage Impact Analysis.**

Jonathan Hopko (County Engineer) described this development as being located north of IH10 and bounded by Beckendorff Road and Old Columbus Road on Crooked Creek, which will help with flow downstream. Approval from the court is requested.

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

## **6. Presentation of 2025 Human Resources Annual Report.**

Departmental report for 2025.

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

## **7. Discussion regarding financing to refurbish Pct 4 CAT 140H maintainer and action as appropriate.**

Commissioner Reed has been doing research into what CAT offers. Buying a new maintainer is not something we want to do. CAT will take our current 1998 model maintainer and rebuild it. This process will be cheaper than buying a new maintainer.

Billy Doherty (County Auditor) spoke with Government Capital, who stated this is an option under a specific code section and could make it happen. Documentation has been provided.

Judge Lapham stated the big advantage is this machine doesn't have the issues the newer ones have been having.

Commissioner Reed expressed that he would rather put this machine we currently have and know on the road versus a new one.

Judge Lapham inquired if it would come with warranty.

Commissioner Reed stated it comes with 3 years or 5,000 hours of warranty coverage.

Commissioner Reed motioned to approve financing of repair with Government Capital for 4 payments of \$73,791.93.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)*

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8. Consideration and action to amend 2025-2026 compensation order to change job title in development office.

Jonathan Hopko (County Engineer) requested to have a Junior Engineering Technician.

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

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. Consideration and action to approve Right-Of-Way Permit request for installation of utilities by Industry Communications on Skalak Rd and Hoppe Sister Rd, Pct. 2
- b. Consideration and action to approve Right-Of-Way Permit request for installation of utilities by Industry Communications on Beeler Rd, Pct. 2
- c. Consideration and action to accept special donation(s), per local government code 81.032:
  - i. \$50
  - ii. \$100
  - iii. \$30
  - iv. \$20
  - v. \$260
  - vi. \$50
  - vii. \$50
  - viii. \$40
- d. Consideration and action to accept executed development agreement with One Windy Hill Development, LLC.
- e. Consideration and action to accept Temporary Access Agreement(s) for Garlin Rd project between Austin County, Pct. 2:
  - i. John Spiess
  - ii. Lana Spiess Schwenke
  - iii. Clyde Vierus
- f. Consideration and action to accept executed Interlocal Agreement between Austin County and Austin County Emergency Communications District for local addressing and GIS Services.

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

10. **BUDGETARY AND FINANCIAL CLAIMS** - action as appropriate

- a. Payment of Claims

Total: \$3,601,452.19

*Motion to Approve: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)*

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**b. Fund transfers**

Total: \$484,848.06 (02.05.2026)

Total: \$2,462,488.39 (02.09.2026)

*Motion to Approve: Commissioner Rinn, 2nd Commissioner Mikel, passed (4-0)*

**c. Budget Amendments**

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

**11. County Treasurer**

**a. Payroll and Escrow Report**

i. 01.26.26

ii. 01.30.26

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

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

**a. TCEQ/OSSF - January 2026**

**b. Jail Population Report - January 2026**

*Motion to Approve: Commissioner Rinn, 2nd Commissioner Mikel, passed (4-0)*

Court Recessed at 9:59 am.

Court Reconvened at 1:30 pm.

**13. Discussion regarding testing services with Driving Safety Services, LLC (DSS).**

Processes and requirements for testing were discussed with the court.

David Creemans (Driving Safety Services, LLC) emphasized that Austin County has done all they can do to provide safety for the work environment and citizens.

**14. COMMISSIONERS' COURT INQUIRY - (Pursuant to Texas Government Code Section 551.042, the Commissioners' Court may inquire about a subject not specifically listed on this agenda. Responses are limited to a recitation of existing policy, or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.)**

*Motion to Adjourn: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)*

Court adjourned at 2:38 pm.

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

**I, Diane Day, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for  
February 9, 2026.**

Date: 4-21-2026  
Diane Day, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas

By: Kayla Whitley  
Deputy Clerk



**FILED**

**APR 21 2026**

*Diane Day*  
County Clerk, Austin County, Texas

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