

COMMISSIONERS COURT MINUTES

Order # 26-005

February 23, 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
M. Laura Hernandez-Pena, Chief Deputy Clerk
Allison Mican, Deputy Clerk

CONSIDERATION/ADOPTION OF AGENDA

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

OPEN AGENDA ITEMS

1. 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.)

EJ Pritchard spoke on the concern about the traffic increase occurring on Woody Lane. The community has put a petition together requesting two three-way stop signs be placed to slow traffic and reinforce speed on Woody Lane. A petition was provided to the court.

2. Presentation of services by Houston Health Care AirLife

Brian Gallier (Houston Health Care AirLife) gave a presentation on what is offered through Houston Health Care AirLife. Bellville has a flight time of 7–8 minutes with an 8-minute liftoff time.

Commissioner Reed inquired if they would only fly to Bellville.

Brian Gallier (Houston Health Care AirLife) stated they will fly anywhere within a 150-mile radius and also have their own communications center.

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Houston Health Care AirLife currently has agreements with MidCoast Medical Center.

3. Claims data presentation by TAC

Isaac Garcia (TAC Risk Control Consultant) provided a presentation to the court on their losses over the past 5 years. The creation of a safety committee was recommended to the court.

Commissioner Reed inquired what losses other counties have.

Isaac Garcia (TAC Risk Control Consultant) stated other counties have more losses in passenger vehicles.

Commissioner Cerny inquired if the county's deductible went up.

Isaac Garcia (TAC Risk Control Consultant) explained that the deductible went up \$1,000.00 to \$2,000.00 directly related to physical damage. If funds are unable to be collected from claims, then it will stay on the record.

Commissioner Reed stated concerns about not being comfortable, because if the loss is not our fault, it is still getting hung on the county.

Isaac Garcia (TAC Risk Control Consultant) explained that the purpose of a safety committee is to prevent future incidents.

- 4. Consideration and action to impose an immediate moratorium on data centers, battery energy storage systems, and carbon capture projects.**

Judge Lapham advised there would be no action since the county is still awaiting more paperwork.

- 5. Discussion and action to approve preliminary plat for Legacy Estates at Mill Creek Development.**

Jonathan Hopko (County Engineer) explained this is a preliminary plat for Mill Creek north of Sealy off FM 331 just north of Peter San Felipe. The preliminary plat is in conformance with subdivision regulations and approval is requested. This is not a final plat.

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

- 6. Discussion regarding Austin County Depository Contract and action as appropriate.**

Bryan Haevischer (County Treasurer) requested postponing a decision.

No action.

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7. Discussion regarding the purchase of Binder Lift 2.0 Devices for EMS with Tobacco Funds and action as appropriate.

Chief Walter Morrow (Austin County EMS) found several times the county does not have the luxury of lift assistance from volunteer fire departments. It is requested the court approve the purchase of Binder Lift 2.0 Devices for EMS using Tobacco Funds. The device is a vest with leg straps creating 32 handles around the body to assist in lifting the body. This will be the most cost-effective thing for the job.

Judge Lapham emphasized that he thinks this is a great purchase.

Commissioner Reed stated he is good with using Tobacco Funds for this purchase.

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

8. **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 the executed contractual agreement with Wakefield Bridge, Inc.
 - b. Consideration and action to accept Commissioners Court Minutes:
 - i. January 12, 2026
 - c. Consideration and action to approve Required Schooling Request for Ben Nystrom, Assistant DA, to attend TDCAA Prosecuting Adult Sexual Assault & Homicide Conference, April 14-17, 2026, in Austin Texas.
 - d. Consideration and action to accept executed Statement(s) and Oath(s) of Office for EDS 1 Board members:
 - i. Ray Chislett
 - ii. Kim Silver
 - iii. Vivian Williams
 - e. Walters family trust property division and acceptance of right of way donation
 - i. Consideration and action to authorize a one-time variance from subdivision regulations to divide four 4+ acre tracts from the parent tract on Frantz Rd, in Pct. 3.
 - ii. Consideration and action to accept a donation of .928 acres along Frantz Rd., Pct. 3

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

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

- a. Payment of Claims

Total: \$2,337,890.63

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

- b. Fund transfers

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Total: \$326,916.18 (02/13/2026)

Total: \$644,793.24 (02/23/2026)

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

c. Budget Amendments

None.

d. County Auditor's Review of Finances

10. County Treasurer

a. Payroll and Escrow Report

i. 02.06.2026 Payroll

ii. 02.20.26

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

b. Monthly Report - January 2026

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

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

a. Justice of the Peace, Pct. 2 - January 2026

b. Justice of the Peace, Pct. 4 - January 2026

c. ESD District #1 2026 Proposed Budget

d. ESD District #1 Compiled Financial Statements - 2025

e. Constable Pct. 1 - December 2025 & January 2026

f. Constable Pct. 2- January 2026

g. Constable Pct. 4- January 2026

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

Court Recessed at 9:34 am.

12. **EXECUTIVE SESSION** - A closed meeting (in accordance with Texas Local Government Code, Section 551.087) will be held concerning the following items:

a. Economic Development Matter - BW

b. Economic Development Matter - BC

Court reconvened at 9:51 am.

13. Action as appropriate on executive session.

No action.

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14. Discussion regarding the Austin County Personnel Policy Manual and action as appropriate.

Tara Wise (HR Administrative Assistant) inquired if the court was ready to approve the policy update. Every section has been completed and corrected except section 17 on travel, which has no changes.

Judge Lapham stated it would be best to get this in place and the court can always make changes as needed.

Commissioner Reed motioned to approve Austin County Personnel Policy revised as of February 23, 2026.

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

15. **Commissioners' Court Inquiry.**

(Pursuant to Texas Government Code Section 551.042, the Commissioners Court may inquire about a subject not specifically listed 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 Cerny, passed (4-0)

Court adjourned at 10:31 am.

**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 23, 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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