

COMMISSIONERS COURT MINUTES

Order # 26-008

April 13, 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 Mican, Deputy Clerk
Kayla Whitley, Deputy Clerk

CONSIDERATION/ADOPTION OF AGENDA

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

OPEN AGENDA ITEMS

1. Proclamations and Special Recognitions
 - a. Child Abuse Awareness and Prevention Month

Proclamation read by Judge Lapham

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

- b. Sexual Assault Awareness and Prevention Month

Proclamation read by Judge Lapham

Hilda Martinez (Focusing Families) presented a packet of data on sexual assault awareness and prevention in Texas.

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

- c. Fair Housing Month

Proclamation read by Judge Lapham

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

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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. Discussion regarding Burn Ban and action as appropriate.

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

Judge Lapham asked that the public be cautious of weather conditions when burning.

4. Consideration and action to solicit bids for GLO CDBG-MIT Grant #22-085-007-D235 - Austin County, Storm Water Mitigation Project - Sector 3 construction

Johnathan Hopko (Austin County Engineer) gave dates for the storm water mitigation project.

First add to run: April 29, 2026

Second add to run: May 6, 2026

Pre-bid meeting: May 13, 2026

Bids due: May 22, 2026

Bids opening: May 26, 2026

Award bid: June 8, 2026

Tentative construction start date: July 1, 2026

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

5. Consideration and action to set public hearing regarding Giga Energy application for facility on FM 1093 W, Wallis, Texas.

Johnathan Hopko (County Engineer) introduced Chamile Foley (Giga Energy), who is requesting a public hearing on their proposed 20 megawatt data facility project in Wallis.

Commissioner Reed motioned to set a public hearing for May 26, 2026, at 9:00am.

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

6. Discussion and action to approve ACEMS application to the Workforce Recruitment and Retention grant program.

Walter Morrow (Austin County EMS Chief) proposed a 2022 grant program to provide funding for further higher licensing education for current EMS staff through the Texas workforce commission. Employees would be reimbursed by the Texas workforce commission.

Judge Lapham inquired if this was for current Austin County EMS employees only.

Walter Morrow (Austin County EMS Chief) explained that employees must be currently employed by Austin County EMS to participate in the grant program.

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

7. Consideration and action to approve Austin County Procurement Policy Addendums
 - a. Federal Compliance
 - b. Financial Management

Billy Doherty (Austin County Auditor) informed the court that the Austin County Procurement Policy Addendums had been updated.

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

8. Discussion to approve compensation rate above 2025-2026 Compensation Order Entry Level/ Introductory Level Rate for the Tax Office new hire and action as appropriate.

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

9. Discussion and action regarding PAF of current Tax Office Employee.

Kim Rinn (Austin County Tax Assessor and Collector) requested a pay increase for a current employee become effective March 29, 2026.

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

10. Discussion to approve compensation rate above 2025-2026 Compensation Order Entry Level/ Introductory Level Rate for Treasures Office new hire and action as appropriate.

Bryan Haevischer (Austin County Treasurer) introduced Katelyn Howard as the new employee, assisting with both the Treasurer's office and the Human Resources office. Approval was requested from the court for the compensation rate to be above the current entry level rate.

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

11. Discussion and action to authorize a one-time variance request from subdivision regulations to divide a 5-acre tract from a 30-acre tract on FM 1094, Pct. 3

Johnathan Hopko (Austin County Engineer) addressed issues with developers selling property using meets and bounds and not by the subdivision rules and regulations.

Commissioner Reed inquired if the property owner had told Johnathan about it.

Johnathan Hopko (Austin County Engineer) informed the court that the 911 Addressing office is the one who made him aware of this issue.

Commissioner Cerny motions to approve a one-time variance request from subdivision regulations to divide a 5-acre tract on FM 1094, Precinct 3.

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

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12. Discussion and action regarding Rosemary Subdivision Preliminary Plat Section 2
Johnathan Hopko (Austin County Engineer) requested approval for section 2 of Rosemary Subdivision.

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

13. Consideration and action to accept Drainage Impact Analysis for property at 2990 FM 3538, Sealy, Texas.

Johnathan Hopko (Austin County Engineer) updated the court on the drainage report for property at 2990 FM 3538, Sealy, Texas and requested approval.

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

14. Consideration and action to approve civil plans for Bellville Solar on Raccoon Bend Rd, Bellville, Texas

Johnathan Hopko (Austin County Engineer) stated that the drainage report had already been approved, and the plans meet the specifications he requested approval.

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

15. **CONSENT AGENDA**

- a. Consideration and action to Approve Minutes:
 - i. January 28, 2026
- b. Consideration and action to ratify Law Enforcement Certifications and Assurances Form
- c. Consideration and action to accept HID0925G0499-01 HIDTA Grant in the amount of \$60,000
- d. Consideration and action to approve a temporary access agreement on Rinn Rd, Austin County, Pct. 2, and Rob and Mary Price.
- e. Consideration and action to set a bond amount for \$5,000 for Fire Marshall Position
- f. Consideration and action to appoint James Marek to ESD #3 board
- g. Consideration and action to accept special donation(s), per local government code 81.032:
 - i. \$1,500 - Sheriff's Office
 - ii. \$100 - Knox Memorial Library
 - iii. \$300 - Knox Memorial Library
 - iv. \$100 - West End Library
 - v. \$100 - West End Library
 - vi. \$200 - West End Library
 - vii. \$100 - West End Library

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- viii. \$100 - West End Library
- ix. \$100 - West End Library
- x. \$100 - West End Library
- xi. \$100 - West End Library
- xii. \$200 - West End Library

Judge Lapham stated EMS had one more donation of \$200.00.

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

16. BUDGETARY AND FINANCIAL CLAIMS - action as appropriate

- a. Payment of Claims

Total: \$1,452,847.90

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

- b. Fund transfers

Total: \$300,000.00 (4/10/2026)

Total: \$737,826.45 (4/13/2026)

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

- c. Budget Amendments

None

- d. County Auditor's Review of Finances

None

- e. County Treasurer's

- i. Payroll and Escrow Report

1.04.03.2026

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

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

- a. Justice of the Peace, Pct. 2 - March 2026
- b. Justice of the Peace, Pct. 3 - March 2026
- c. Jail Population Report - March 2026
- d. Constable Pct. 2 - March 2026
- e. Criminal Court - February 2026
- f. Civil Court - February 2026
- g. Family Court - February 2026
- h. TxDMV - January 2026

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i. TxDMV - February 2026

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

Court Recessed at 9:59 am.

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

executive session started 9:59am

start 10:46am

- a. Economic Development Matter - BC
- b. Economic Development Matter - CleanSpark

Court reconvened at 10:46am.

19. Action as appropriate on executive session.

No Action.

20. **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.)

Commissioner Reed inquired if any of the other Commissioners had seen the pop-up dirt pits.

Jonathan Hopko (Austin County Engineer) recommended talking to officials and addressing that these actions can risk property owners ag exemptions.

Commissioner Reed stated he was just wanting to inform the court it was happening.

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

Court Adjourned at 10:49am.

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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 April 13, 2026.

Date: 4.27.26
Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

By: Kayla Whitley
Deputy Clerk



Diane Day
COUNTY CLERK
AUSTIN COUNTY, TEXAS

2026 APR 27 PM 3:47

FILED

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