



ANDREA CARDENAS
AUSTIN COUNTY CLERK

265 N. CHESLEY ST., STE. 7
BELLVILLE, TEXAS 77418

PH: 979-227-3144
FAX: 979-865-0336

COMMISSIONERS COURT MINUTES

May 22, 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
Andrea Cardenas, County Clerk
John Michalik, Chief Deputy Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

Amend item #6. a. is EMS b. and c. is Precinct #4 and d. is Emergency Management. Per Judge Lapham, at the end of the meeting will not adjourn. Will recess until 1:00 p.m. instead.

Adopt amended agenda.

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

Order #23-164

1. Petitions or Requests from the Public.

Commissioner Lamp spoke with regard to roads being damaged due to rain. Requested public be respectful to employees working on roads.

2. Discussion regarding the purchase of Microsoft Surface Pro 9 out of 101-55754-127 and action as appropriate.

Per Roy Mercer (Emergency Management), personal iPad being used currently. Battery is worn down. Request is for emergency management.

Approve purchase of Microsoft Surface Pro 9 out of 101-55754-127 not to exceed \$3,337.45.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-165

3. **Discussion and action to approve a new hire pay rate for an employee in the District Attorney's Office that exceeds the maximum new hire rate in the compensation order.**

Per Brandy Robinson (Assistant District Attorney), hired Maribel Cruz as Legal Assistant in the District Attorney's Office. Has experience in field. Requested to pay \$17 per hour and that pay would be retroactive to start date which is May 15, 2023.

Approve \$17 per hour to start on May 15, 2023.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-166

4. **Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 6 acre tract from a 17.25 acre parent tract on Lesikar Road, Pct. 2.**

Authorize a one-time variance from Subdivision Regulations to divide a 6-acre tract from a 17.25-acre parent tract on Lesikar Road in Precinct 2.

Motion to Authorize: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #23-167

5. **Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a three (3) 2 acre tracts from a 50.61 acre parent tract on Meier Road, Pct. 3.**

Motion to Authorize: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-168

6. **Consideration and action to declare the following equipment as surplus:**
 - a. **Frazier Ambulance Body**
 - b. **Chevy 3500 Diesel Truck (Pct. 1)**
 - c. **ABC Utility Flatbed (Pct. 1)**
 - d. **Carry-on trailer (Pct. 1)**

Per Judge Lapham, will take to Switzer for disposal.

Motion to Declare: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-169

7. Consideration and action to add Rustic Hills Lane as a new private road to 911 road map, Pct. 1

Approve Rustic Hills Lane.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #23-170

8. Consideration and action to add Chic Lane as a new private road to 911 map, Pct. 4

Motion to Add: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-171

9. Discussion and action to accept a Special Warranty Deed from William and Karen Barnes for 1.07 Acres on Mill Creek Road, Pct. 1.

Motion to Accept: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-172

10. Discussion and action as appropriate regarding correction to August 22, 2022 minutes.

There is a typo in the minutes. Agenda item 17.b. amount should be is \$1,352.82 instead of \$13,052.82.

Approve correction to the August 22, 2022 minutes agenda item 17b.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #23-173

11. Discussion regarding copier contract for Adult Probation Department and action as appropriate.

New contract with UBEO. Old copier will be returned.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #23-174

12. Consideration and action to award Depository Contract.

Award depository contract to First National Bank of Bellville for July 2023 – May 2027 with a 2-year extension.

Motion to Award: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-175

13. **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 following Donation(s) to West End Library for summer reading program.
 - i. \$100.00-Check#17475
 - ii. \$100.00 - Check# 1079903
 - iii. \$100.00 -Check# 75722
 - iv. \$100.00-Check# 2967
 - v. \$500.00 -Check# 4684
 - vi. \$ 25.00 -Check# 991
 - vii. \$400.00 -Check# 2311
 - viii. \$200.00 -Check# 1323
 - ix. \$ 25.00 -Check# 3497
 - x. \$ 25.00-Check# 56229
 - b. Consideration and action to approve Right-of-Way installation by San Bernard Electric Co-op on Korthauer Road, Pct. 1
 - c. Approval of minutes:
 - i. March 13, 2023
 - ii. April 24, 2023
 - iii. April 24, 2023 EMS Station Construction Workshop

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-176

14. **Budgetary and Financial Claims** -action as appropriate.
- a. **Payment of Claims**

Total = \$431,661.95.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-177

Per Billy Doherty (County Auditor), add Haley & Olsen, PC – \$3,248.50, Montgomery County Hospital – \$300 (General Fund), WC Tractor – \$81.98 (300 fund Pct. 3), Brown Tire – \$25 (300 fund Pct. 3), and Transunion – \$75 = \$3,730.88.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-178

- b. **Fund Transfers**

Late energy bills - \$1,362.50, Jury pay – \$5,000, Payment of Claims – \$431,661.95, extra bills – \$3,655.48, and Transuion – \$75.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #23-179

- c. **Budget Amendments**
- d. **County Auditor's Review of finances**

Per Billy Doherty (County Auditor), Juvenile Probation will drain everything from the State. Chances are probably for the first time drain everything that might be in the General Fund. If anything happens between now and August, might have to come ask for more funds.

- e. **County Treasurer**
 - i. **Payroll and Escrow Report**
 - 1. **05.19.2023**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #23-180

- 15. **Written end-of-the month reports submitted by County Offices.**
 - i. **Constable Dave Schulz, Pct. 2 -April 2023**
 - ii. **Constable James Clark, Pct. 4 -April 2023**
 - iii. **Agrilife Extension Office -March and April 2023**
 - iv. **OSSF -April 2023**
 - v. **Library -April 2023**

Motion to Accept: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #23-181

Court recessed at 9:46 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:
1 Personnel Matter – County Engineer

Court reconvened at 10:41 a.m.

- 16. **Action as appropriate on Executive Session.**

Amend Compensation Order in Department 155 Account 75501 to the rate of \$84.15 with maximum of 30 hours per week.

Motion to Amend: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #23-182

- 17. **Commissioners Court Inquiry.**

Court recessed at 10:42 a.m.

Court re-convened at 1:01 p.m.

E.M.S. Station Construction Workshop.

Report from Christensen Building Group, Austin Shaw

Schedules:

Bellville:

- Still waiting on drainage report and new elevations for entire site. Supposed to have report by Friday. Per Billy Doherty (County Auditor), three months of delays for Bellville permit are unacceptable. Per Kenneth Burns (Burns Architecture), hold up is on civil engineer. Supposed to have updated drainage report, not permit, this Friday. Per Commissioner Lamp, need to have a schedule for each building laid out before next update meeting.
- Cost of site work is \$107,870.00. Per Commissioner Lamp, on last two jobs county provided trucks to haul dirt, need to ensure that county receives credit for hauling. County can provide trucks for Bellville and Industry sites; cost of hauling should be removed from quote.

Wallis:

- Main steel structure is complete.
- Roof should be complete by end of week.
- Structure framing and waterproofing should begin by end of week.
- Paving should begin in the next two weeks.
- Per Kenneth Burns (Burns Architecture), after site visit, insulation is installed correctly, just different than other buildings due to changes in energy code.

Industry:

- Slab scheduled to pour tomorrow then rough grade paving area by end of week.
- Utilities to start next week.
- Building erection to start within next two weeks.
- Per Commissioner Lamp, water meter box that feeds 911 office will now be in the middle of driveway and needs to be relocated.
- Paving apron along one side needs to be extended at site to provide enough turning area for emergency equipment.

Fire alarms:

- Look into running alarms through the sheriff's department for E.M.S. stations to save on third-party monitoring fees.

Update on Justice Center issues:

- Per Kenneth Burns (Burns Architecture), quote of \$12,865.00 from R.E.C. Industries to correct various water issues at Justice Center; does not fall under warranty because they did what they were supposed to do during construction, correcting the water issues would be changes to that. Per Commissioner Reed, having a real struggle paying \$12,000.00 more to fix something he believes was designed wrong and did not work on either building. Per Commissioner Lamp, original jail had no water issues before construction of new building addition and Justice Center. Per Kenneth Burns (Burns Architecture), some issues could be because of recent code changes.
- Commissioner Reed questioned completion/correction of roof leak issues. Per Ronnie Thrasher (Maintenance Coordinator), still have leaks in both court rooms and adult probation, insulation in leaking areas will need to be pulled out and replaced. Per Kenneth Burns (Burns Architecture), not positive if anyone had shown up to look at issues; he will look into current status.
- Commissioner Reed questioned floor tile issues related to county seal on floor at main entrance. Burns Architecture does not know current location of the boxes of extra floor tiles, but will try to locate them.
- Per Kenneth Burns (Burns Architecture), need to look into issues with the matting in the detention pond and how to control erosion issues. Per Commissioner Lamp, matting should not have been installed when it was; dirt work was not ready. Erosion is too bad now to mow and maintain pond slopes.
- Per Commissioner Reed, it is completely unacceptable that project manager (Burns Architecture) is being paid to oversee the projects, but does not know what to do to solve issues and asks the commissioners what they want him to do. The architect needs to be on site given how many problems there have been with the Justice Center and the new E.M.S. stations. Per Kenneth Burns (Burns Architecture), he will have Eddy Morgan and R.E.C. at next meeting along with dirt contractor, roofer, plumber and civil engineer on May 30 at 9:00 a.m.

**Motion to Adjourn: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #23-183**

Court adjourned at 2:22 p.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 May 22, 2023.**



Date: June 30, 2023

Andrea Cardenas

**Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas**

FILED

2023 JUN 30 PM 2: 23

Andrea Cardenas
**COUNTY CLERK
AUSTIN COUNTY, CLERK**