



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 13, 2024 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 Reed, Precinct 4
Kimberly Benjamin, Deputy Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-125

1. Petitions or Requests from the Public.

Per Sheriff Brandes, Chief Deputy Richard Holloman (Sheriff's Department) retired. Introduced Matt Walls (Sheriff's Department) as new Chief Deputy effective May 2, 2024.

Per Kim Rinn (Tax Assessor-Collector), 1,328 voters participated in the recent City and School Elections. Monday, May 20, 2024, begins another voting session that includes Primary Runoff of two races: 1 Democrat and 1 Republican. This Runoff is open for Countywide voting.

Per Commissioner Lamp, Mill Creek Road near the Mill Creek Bridge is down to one lane for safety purposes. Signage was out to notify drivers. On Sunday, May 12th, signage was destroyed. Third time signage has been destroyed. Asking the public to notify County or Commissioners if they know or hear of anyone causing damage.

2. Update on EMS Building Projects and action as appropriate.

Per Daniel Sanchez (Shellback Construction), met with Project Manager and Superintendent to discuss any remaining repairs or work needing to take place at Industry EMS location. According to CBG (Christensen Building Group), completion date for building is June 26, 2024. Will move electrical for the dishwasher. Presented a chart of projects to be completed at

Bellville EMS location. Per CBG (Christensen Building Group), completion date is December 24, 2024 for Bellville EMS.

Daniel Sanchez (Shellback Construction) request review of Allowance Sheets to ensure content is accurate. Allowance Sheets contains Owner Allowance Usage, Change Orders and Contingency Use.

Daniel Sanchez (Shellback Construction) request payouts or change orders be reviewed by him before County issues payment. Will review with Jonathan Anderson (Burns Construction Company) to verify accuracy.

Per Judge Lapham, spoke with Kenneth Burns (Burns Architect) about pay up for Bellville location. Confirmed costs for doors and hardware is for materials only.

3. Open bids for Storm Water Mitigation CDBG-MIT Project #: 22-085-007-D235 and action as appropriate.

Per Shannon Hannath (Road and Bridge Administrative Assistant), three bids were received.

- 1st Bid – Environmental Allies, LLC
- 2nd Bid – Solid Bridge Construction, LLC
- 3rd Bid – RES

Will review bids and award on next court session. Judge Lapham, Commissioner Reed and Shannon Hannath will score bids.

4. Discussion regarding changes to 2023-2024 Compensation Order and action as appropriate.

Per Sergeant Donald Darracq (Sheriff's Department), requests to re-classify two positions (Chief Deputy and Jail Captain) as Non-Exempt based on the Fair Labor Law Standards (FSLA) 207 (k) – Law Enforcement Officers.

Per Judge Lapham, reviewed and changes are suitable.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-126

5. Discussion regarding county engineer position.

Commissioner Reed request to change Jonathan Hopko (County Engineer) from part-time to full-time and pay salary difference from Commissioners' budgets. Payment to cover 40-hour work week for remainder of current budget year (3-4 months). Estimate of total payment is \$16,000 to \$20,000 equivalent to \$4,000 - \$5,000 per Commissioner. Prefer not to adjust the Compensation Order.

Per Commissioner Lamp, wants Jonathan Hopko (County Engineer) to build Engineer Department. This will include staffing, tooling and essentials needed to perform required duties effectively.

Per Commissioner Rinn, very pleased with the service Jonathan Hopko (County Engineer) provides. Does not agree to make changes to the budget or Compensation Order before the end of budget year. Compensation Committee needs to review this topic at the start of the new budget year.

Per Jonathan Hopko (County Engineer), completed projects provided to him discussed in Executive Session. Ready for Full-time. Agreeable to wait until new budget year to become Full-time employee.

6. Discussion to solicit bids for metal building projects and action as appropriate.

Per Judge Lapham, had a discussion with Commissioner Lamp with regard to build two metal buildings. One will store Command Truck. Building size would be 40x60x16. Item will be addressed at next Commissioner's Court.

Per Commissioner Lamp, shop building for Precinct 1 was damaged in the hail storm. New metal building will eventually be used as a replacement for the shop building. Prefers a bolt together building. Buildings will be used for storage only. Would like to get others input before proceeding with plans for buildings.

Per Roy Mercer (Emergency Management), he and Sheriff's Department have a need for a new building. He would prefer to meet with Sheriff's Department to discuss metal buildings. Request to revisit topic after meeting.

7. Discussion to solicit bids for remodel of J.P. 2 Office and action as appropriate.

Jonathan Hopko (County Engineer), request permission to go out for bids and present packet. Deadline for Question Period on bids will be June 5, 2024. Bids due June 7, 2024. Opening bids on June 10, 2024.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0)
Order #24-127

8. Discussion regarding roof at 800 Wendt Street and connecting "breezeway" and action as appropriate.

Jonathan Hopko (County Engineer) presented two bids to repair main roof and breezeway on Wendt Street building. Request for review and approval to go out for bids.

Per Judge Lapham, should have another option for insulation on roofing bid. Request to have alternate options for closed cell spray foam insulation and vinyl back insulation.

Per Daniel Sanchez (Shellback Construction), there are other systems that could retrofit vinyl back insulation as another option. Options to use will be spray foam or vinyl. There are multiple options available. Installation of insulation padding underneath the roof would take up to two weeks.

Commissioner Reed recommends putting insulation under roof.

Per Jonathan Hopko (County Engineer), remove closed cell spray foam insulation from line item #2 on Roof bid and leave remainder of the line.

Per Judge Lapham, recommends changing line item #2 to state remove and replace the existing awnings on Breezeway bid.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0)
Order #24-128

9. Consideration and action to approve a new hire pay rate for a Pct. 3 employee that exceeds the maximum new hire rate in the compensation order.

Commissioner Cerny request approval of highly experienced new hire at \$23.00 per hour. Class A Entry Level pay is \$21.76 per hour.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0)
Order #24-129

- 10. 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 authorize interlocal agreement between Brazos ISO and Austin County Pct. 4**
 - b. Discussion and action to accept a \$57,552 grant, awarded by the Office of National Drug Control Policy (ONDCP), this grant supports (HIDTA) initiatives.**
 - c. Discussion and action to ratify temporary access agreement between Austin County, Pct. 2 and Derrick Jasek.**
 - d. Discussion and action to authorize temporary access agreement between Austin County, Pct. 2 and Scott Blezinger.**
 - e. Discussion and action to accept executed Road Use and Maintenance Agreement, and License/Permit Bond 7901172723 to cover repairs of damages on Scroggins Road, Pct. 4 road used by Sunland Construction, Inc.**
 - f. Consideration and action to accept executed resolution designating authorized signatures for the Community Development Block Grant-Mitigation Program (CDBG-MIT) program for GLO contract 24-065-031-E486.**
 - g. Consideration and action to accept executed resolution regarding civil rights which includes the following policies:**
 - i. Citizens participation plan and grievance procedures;**
 - ii. Section 3 policy;**
 - iii. Excessive force policy;**
 - iv. Limited English proficiency (LEP) standards plan;**
 - v. Section 504 Policy and Grievance Procedures**
 - vi. Code of conduct policy;**
 - vii. Fair house policy**
 - h. Consideration and action to approve Right-Of-Way installation by Industry Telephone on Richter Rd, Pct 2**

i. Consideration and action to accept special donations to the Austin County Library System per Local Government Code 81.032.:

i. Donations to Knox Library:

1. \$ 50
2. \$ 50
3. \$ 50
4. \$100
5. \$100
6. \$100
7. \$100
8. \$125
9. \$200
10. \$250

ii. Donations to West End Library:

1. \$200
2. \$200

*Motion to Approve: Commissioner Cerny, 2nd Commissioner Lamp, passed (4-0)
Order #24-130*

11. Budgetary and Financial Claims -action as appropriate.

a. Payment of Claims

Total = \$1,640,584.93

*Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0)
Order #24-131*

b. Fund Transfers

Total = \$1,106,834.61

*Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-132*

c. Budget Amendments

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0)
Order #24-133*

d. County Auditor's Review of finances

e. County Treasurer

i. Payroll and Escrow Report

1. 05.03.2024

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-134*

12. **Written end-of-the month reports submitted by County Offices.**
 - i. **JP, Pct. 3 and JP, Pct. 4 - April 2024**
 - ii. **Jail Population - April 2024**
 - iii. **Constable, Pct. 1 -March & April 2024**
 - iv. **Constable, Pct. 2 -April 2024**
 - v. **Constable, Pct. 4 -March & April 2024**
 - vi. **TxDMV - April 2024**
 - vii. **Agrilife -April 2024**

Motion to Accept: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0)
Order #24-135

Court recessed at 10:32 a.m.

13. EXECUTIVE SESSION

In accordance with Texas Local Government Code §551.071, §551.125 and §551.129, a closed meeting will be held concerning the following items:

- a. **Personnel Matter – VSO**
- b. **Personnel Matter – JP2**

Court reconvened at 12:17 p.m.

14. Action as appropriate on Executive Session

13a. – VSO

Approve Kyle Cox as new Austin County Veterans Service Officer.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-136

13b. – JP2

Appoint Todd Morris to Justice of Peace, Precinct 2 position.

Motion to Appoint: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0)
Order #24-137

15. Commissioners Court Inquiry.

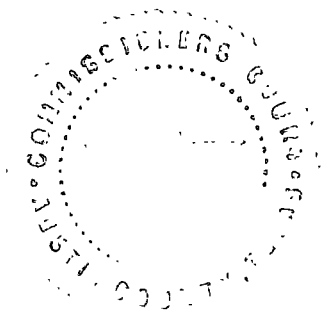
Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0).
Order #24-138

Court adjourned at 12:18 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 13, 2024.

Date: June 6, 2024
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Kimberly Benjamin
Kimberly Benjamin, Deputy Clerk



FILED

2024 JUN -6 AM 11:43

AUSTIN COUNTY CLERK