



CARRIE GREGOR
AUSTIN COUNTY CLERK

COMMISSIONERS COURT MINUTES

On **March 11, 2013** Austin County Commissioners Court met in the Commissioners Courtroom at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge
Reese Turner, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Randy Reichardt, Commissioner, Precinct 3
Douglas King, Commissioner, Precinct 4
Deborah Stewart, Deputy County Clerk

Opening – 8:30 a.m.

Call to Order
Certification of Quorum
Consideration/Adoption of Agenda

Motion to Adopt: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #13-65

Court recessed at 8:32 a.m.

EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- 1. Consultation with attorney regarding litigation. (This is in accordance with the Texas Government Code Section 551.071).**
- 2. Personnel Matters regarding County Judge Staff. (This is in accordance with the Texas Government Code Section 551.074).**

Court reconvened at 9:05 a.m.

Invocation
Pledges of Allegiance

1. Action as appropriate from Executive Session.

No action.

2. Petitions or Requests from the Public

Johnny Griffin discussed the history of Allens Creek Project land originally taken by eminent domain for a nuclear power plant cooling lake, and that this property had not been taxed for thirty-five years. He asked about the possibility of water wells being drilled on this property for the municipalities of Fort Bend County and if there could be some kind of balance reached so that we would not lose both land and water.

Judge Bilski referred his concerns to tax professionals Carmen Ottmer and Mike Darlow, asking them to provide a detailed explanation at a future meeting.

Commissioner Turner read a "JOB WELL DONE" letter from Sheriff Brandes thanking Precinct 1 employees for removal of pine logs, stumps and debris from Sheriff's Office property. Foreman, Ricky Waak represented the employees and was thanked by Commissioner Turner.

Commissioner Turner also addressed the Court regarding the development of Kenneywood Subdivision and questioned Austin County's development specifications.

In addition Commissioner Turner expressed his concerns to Charles Kalkomey regarding the article in The Wallis News Review which reported that he was the engineer for the City of Rosenberg and represented them with regard to the water issue. According to Commissioner Turner, it appears that Kalkomey represents the people that want to take Austin County water.

Per Judge Bilski, Charles Kalkomey is a resident of Austin County and the Mayor of Brazos Country.

3. Transmittal of the minutes of the Court's meetings for February 4, 11 and 25, 2013.

Commissioner Reichardt brought a punctuation/typo in the minutes to the Court's attention.

*Motion to Transmit: Commissioner Reichardt, 2nd Commissioner King, passed (4-0).
Order #13-66*

4. Presentation by Perdue, Brandon, Fielder, Collins & Mott regarding property tax/fine/fee collections.

Mike Darlow gave an overview and explained their Collection Report to Austin County.

5. Consideration and possible action to approve final plat and construction plans on Kenneywood Subdivision located in Precinct 1.

Charles Kalkomey reported on and recommended approval of final plat. Road/drainage questions regarding subdivisions were discussed.

Motion to Approve: Commissioner Turner, 2nd Commissioner King, passed (4-0).
Order #13-67

6. Discussion regarding application to Bluebonnet Groundwater District, and action as appropriate.

Judge Bilski read draft of Resolution opposing approval of application and permits as submitted.

Motion to Adopt with Amendment: Commissioner Turner, 2nd Commissioner Rinn, passed (4-0).
Order #13-68

7. Discussion regarding County Indigent Health Care prohibited Prescription Drug list, and action as appropriate.

Judge Bilski explained request from Lilly Haddix, CIHC Program Manager, regarding adoption of Prohibited Prescription Drug list.

Motion to Adopt: Commissioner Reichardt, 2nd Commissioner Turner, passed (4-0).
Order #13-69

8. Consideration and possible action to accept Permanent Easement and Right-Of-Way Agreements to Austin County for bridge construction on Star Hill Road over Post Oak Point Creek in Precinct 2 from:

- a. **Max and Jeannette Wennenwaser**
- b. **Johnny and Stephanie Southerland**
- c. **Alfred and Joyce Krause**

Motion to Accept: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #13-70

9. Consideration and possible action to authorize request for bid proposals for bridge construction on Star Hill Road over Post Oak Point Creek in Precinct 2.

Motion to Authorize: Commissioner Rinn, 2nd Commissioner King, passed (4-0).
Order #13-71

10. Consideration and possible action to approve Certificate of Acceptance for Post Oak Point Road Bridge at Draw.

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

Order #13-72

Court recessed at 9:50 a.m.

Court reconvened at 10:00 a.m.

11. Consideration and possible action to add Tonya Mewis as Designated Representative for Austin County On-Site Sewage Facility inspections.

Motion to Add: Commissioner Rinn, 2nd Commissioner Reichardt, passed (4-0).

Order #13-73

12. Consideration and possible action to authorize purchase of 52" Toro Z Master Zero Turn Mower and Echo Edger with trade-in for Sheriff's Department not to exceed \$5,983.00.

After discussion and review the Court agreed on quote from B & M Repair. Purchase to be paid out of Capital Outlay Line Item 101-127-5757.

Motion to Authorize: Commissioner Turner, 2nd Commissioner Rinn, passed (4-0).

Order #13-74

13. Discussion regarding disposal of four vehicles from the Sheriff's Department, and action as appropriate.

Per Al Cordeiro only three vehicles available for disposal. Vehicles to be disposed of at Houston Auto Auction.

Motion to Dispose of Three Vehicles: Commissioner King, 2nd Commissioner Turner, passed (4-0).

Order #13-75

14. Discussion regarding House Bill 827 which would allow counties under 50,000 to contract with DPS for the issuing of renewal driver's license, election identification certificates and personal identification certificates, and action as appropriate.

Tax Assessor, Marcus Pena shared his opposition and concerns regarding House Bill 827, indicating that he would need additional staff and office space, and the \$1.00 per customer

fee received by the County would not fund this service. He would like the Court to adopt a resolution opposing the bill.

County Clerk, Carrie Gregor clarified and explained the language in both House Bill 827 and Senate Bill 1105. House Bill 827 refers to the County Clerk, while Senate Bill 1105 refers to the Tax Assessor/Collector. Both bills state "may" contract and not "shall" contract. She stated that she has no plans to contract with DPS.

Per Judge Bilski, because of concerns that the wording could change from "may" to "shall", the Court will prepare a resolution stating the bill would be costly to the County if enacted in any capacity.

Motion for Resolution: Commissioner King, 2nd Commissioner Rinn, passed (4-0).
Order #13-76

15. Consideration and possible action to approve Montgomery County contract amendments relating to the Prison Rape Elimination Act (PREA) standards for juvenile detention.

Motion to Approve: Commissioner Reichardt, 2nd Commissioner King, passed (4-0).
Order #13-77

16. Consideration and possible action to renew Cooperation Agreements between Austin County EMS and the following volunteer fire departments:

- a. New Ulm VFD
- b. Bleiberville VFD
- c. Cat Spring VFD

Motion to Renew: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #13-78

17. Budgetary and Financial claims – action as appropriate

- a. Payment of Claims

Motion to Authorize: Commissioner Reichardt, 2nd Commissioner Rinn, passed (4-0).
Order #13-79

- b. Budget Amendments

None

- c. County Auditor's and Treasurer's review of finances

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

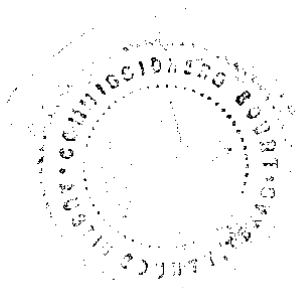
- a. Austin County Jail Population – February 2013
- b. Constable, Precincts 1, 2, 3 & 4 – February 2013

19. Commissioner Court Inquiry

Court adjourned at 10:40 a.m.

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

I, Carrie Gregor, Austin County Clerk, attest to the accuracy of the record of the Commissioners Court proceedings for March 11, 2013.



Date: March 21, 2013

Carrie Gregor

Carrie Gregor, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By Deborah Stewart, Deputy

FILED

13 MAY -2 AM 8:40

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS