



**DIANE DAY**  
*AUSTIN COUNTY CLERK*

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**COMMISSIONERS COURT MINUTES**

**February 3, 2025** Austin County Commissioners Court met in the 2<sup>nd</sup> floor Courtroom at the Austin County Courthouse with the following present:

Tim Lapham, County Judge  
Greg Mikel, Commissioner, Precinct 1  
Robert "Bobby" Rinn, Commissioner, Precinct 2  
Leroy Cerny, Commissioner, Precinct 3  
Chip Reed, Commissioner Reed, Precinct 4  
Kimberly Benjamin, Deputy Clerk

**10:00 A.M. OPENING**

**CALL TO ORDER**

**ROLL CALL AND CERTIFICATION OF QUORUM**

**CONSIDERATION/ADOPTION OF AGENDA**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Mikel (4-0)*

**Order #25-36**

**1. Discussion and action regarding inclement weather policy.**

Policy of Emergency Closing from Kenny County was distributed for Court to review as an example.

Per Commissioner Reed, County needs resolution on how to handle inclement weather days. Current policy is not fair for all staff.

Per Commissioner Rinn, essential workers are not compensated with current policy. Essential workers are Road & Bridge, Sheriff Office and EMS.

Commissioner Cerny inquired if Road & Bridge Staff are considered essential workers or only during emergency situations. Per Commissioner Rinn, he considers every employee essential.

Per Billy Doherty (County Auditor), EMS and Sheriff Department are always essential workers. Road & Bridge becomes essential when called out to handle matters outside of normal duties. Clerical staff (Payroll) should be compensated for working during inclement weather days.

Commissioner Rinn inquired on how to allocate time in Budget for inclement weather days. TAC (Texas Association of Counties) advised that other counties give bank time, but not paid out. TAC Representative recommended to give employees 8 hours for weather days, with period of time to use, but specify in policy that it is not paid out if they retire or leave.

Commissioner Reed inquired if inclement weather days could be added to payroll system. Per Brian Haevischer (County Treasurer), there is currently a pay code set up for inclement weather days, but not for employees to bank time.

Brian Haevischer (County Treasurer), suggests creating a straight comp bucket that would pay straight time only. Per Commissioner Rinn, inclement weather days would need a separate line for payroll. It cannot be put together with straight comp time.

Per Judge Lapham, creating changes to current payroll system may be an expensive and timely project for supplier to do.

Per Billy Doherty (County Auditor), does not agree with County using straight comp time. Believes that employees will use time for other reasons and it will eventually turn into a payable line.

Lieutenant Donald Darracq (Sheriff Office) suggests issuing a floating holiday in place of inclement weather day, and give employees a period to use. Per Lieutenant Darracq, employees become essential when the Elected Official request staff to come in to work in special conditions.

Per Judge Lapham, nature of the job determines which positions are essential and non-essential. Positions where you are required to be there through all conditions (Sheriff Department, EMS), are automatically considered essential. Therefore, there should not be extra compensation for coming in to work. Lieutenant Darracq, agrees with Judge. Suggests employees that are not considered essential workers could be given a floating holiday.

Per Judge Lapham, giving a floating holiday to staff that came in to work during inclement weather days, would only make the matter even, but does not make it fair.

Per Commissioner Rinn, TAC (Texas Association of Counties) suggested to give 8 hours of time to all employees that worked on inclement weather day, and allow them to use any time. Other Elected Counties are using that method.

Commissioner Rinn recommends adding straight comp time to the system. Believes it would eliminate many mistakes on time sheets. Commissioner Reed agrees with the idea.

Per Roy Mercer (Emergency Management Coordinator), TAC (Texas Association of Counties) advised to keep payroll-coding simple so staff is not confused about their time and pay.

Per Karen Gust (Treasurer Department), agrees with the idea of using "other time". However, it will require the Treasurer Department to catch each one individually.

Commissioner Reed prefers to have straight comp time and inclement weather selections added to the payroll system. Suggests Treasurer Department to check if it could be added.

Judge Lapham inquired what pay code does Administrative Leave come from. Per Brian Haevischer (County Treasurer), system has a code called LWP (Leave with Pay), which is used with authorization from Elected Officials. LWP is only accessible to Elected Officials.

Per Billy Doherty (County Auditor), Administrative Leave should only be used to make employee's time whole.

Commissioner Rinn would like to find out what other Counties are doing for inclement weather days, since they bank time and not pay out. Other Counties are not having issues with this matter.

Per Commissioner Cerny, Department Heads should help push employees to use banked time by year-end.

Commissioner Reed request Treasurer Office to check with Tyler Technology to see if new codes can be added to system.

Judge Lapham read sample policy out loud for Court to discuss.

Judge Lapham and Commissioners agree that sample policy requires revisions to suit County.

Per Judge Lapham, Court needs to come up with resolution for current inclement weather day. Per Brian Haevischer (County Treasurer), majority of the Elected Officials/Department Heads already submitted payroll and gave their staff 2 days Administrative Leave with pay (8 hours each day).

Commissioner Cerny inquired if Elected Officials are submitting PAF's (Personnel Action Form) for giving staff Administrative Leave. Per Brian Haevischer (County Treasurer), PAF is not required due to using inclement weather day pay code.

Per Billy Doherty (County Doherty), Commissioners are not required to approve Administrative Leave with Pay. Commissioners have the right to overturn the decision.

Judge Lapham recommends that all departments are made aware of how to submit payroll so that everyone takes the same actions and it's fair for all staff.

Commissioner Reed suggests to revise policy and bring back to court for further discussion.

**2. Commissioners' Court inquiry**

*Motion to Adjourn: Commissioner Cerny, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #25-37*

Court adjourned at 12:09 p.m.

**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 3, 2025.

Date: March 4, 2025  
Diane Day, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas

By: Kimberly Benjamin  
Kimberly Benjamin, Deputy



**FILED**

2025 MAR -4 AM 9:39

*Diane Day*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS