



ANDREA CARDENAS
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

June 10, 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 Adopt: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-150

1. Petitions or Requests from the Public.

George Kostyrko (Federal Small Business Administration) addressed the Court with regard to disaster assistance available to residents of Austin County affected by recent disaster. Those with physical damage to property can apply online or at the Disaster Resource Center. Residents must be enrolled with FEMA to apply for loan with Small Business Administration (SBA). Deadline to apply for physical damage loan is July 16, 2024.

Roy Mercer (Emergency Management Coordinator) met with FEMA and will open a local Disaster Resource Center by the end of the week. Encourage citizens to seek necessary assistance from agencies located at Resource Center. Resource Center hours are: Monday thru Friday 7:00 a.m. – 7:00 p.m. Resource Center will operate for 60 days from start date. There will be a meeting on Wednesday, June 12, 2024 at 1:00 p.m. at San Bernard Electric for Government Agencies and non-profit businesses affected by disaster.

2. Consideration and action as appropriate to increase Austin County Homestead Exemption.

Judge Lapham and Commissioner Lamp have spoken with Chief Appraiser at the Appraisal District, with regard to Homestead Exemption and recent increase in property values. Chief Appraiser recommends 5% increase for first year and revisit results for a possible 10% increase.

Per Commissioner Lamp, recommends annual percentage increase on Homestead Exemptions to help alleviate offset.

Per Judge Lapham, will meet with Chief Appraiser for better clarification and will make a motion on next Commissioner's Court. Deadline is July 1, 2024.

3. Open bids and action as appropriate for the following projects:

- a. **Wendt Street Roof**
- b. **Wendt Street Breezeway**
- c. **Justice of the Peace, Pct. 2 Office**

Bids received are:

Shellback Construction bid on Wendt Street Roof.
Shellback Construction bid for Justice of the Peace, Precinct 2 Office.
Shellback Construction bid for Wendt Street Breezeway.
Hauser Roofing bid for Wendt Street Roof.
Hauser Roofing bid for Wendt Street Breezeway.
A-Lert Roof Systems bid for Wendt Street Roof and Breezeway.

Will come back.

4. Discussion to approve easement agreement between BNSF Railway Company and Austin County and action as appropriate.

Per Jonathan Hopko, agreement was previously approved. BNSF Railway Company requests County sign easement document for final approval.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-151

5. Open demolition bids for Austin County CDBG-DR Voluntary Buyout Program (CDBG-DR Project 20-066-002-B957) and action as appropriate.

Bids received are:

James W. Turner Construction (JWTC) for \$29,200.00 without abatement and \$31,600.00 with abatement

DSW bid for \$35,128.13 without abatement and \$41,378.13 with abatement.

Will come back.

6. **Consideration and action to approve a new hire pay rate for a County Clerk employee that exceeds the maximum new hire rate in the compensation order.**

Will come back.

7. **Consideration and action to approve Equipment Lease Purchase Agreement Contract between Welch State Bank and Austin County, for John Deere 5100E Cab Tractor for Pct. 4.**

Approve 2-year contract for \$36,374.61 each year.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-152

8. **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 ratify Right-Of-Way installation by Industry telephone on Hickory St., Pct 2**
 - b. **Consideration and action to authorize a temporary access agreement between Austin County and Pct. 1 and Joe Burson.**
 - c. **Consideration and action to approve Right-Of-Way installation @ by Air Canopy Internet Services, Inc. dba Rise Broadband.**
 - i. **Precinct 3 roads**
 1. **Brockstein Rd**
 2. **Samuel Ln**
 3. **Wiley Ln**
 4. **Hillboldt Rd**
 5. **Bernard Dr**
 6. **Cathy Ln**
 7. **Kenny Lane**
 8. **Odom Dr**
 9. **Settlers Cr Dr**
 10. **Settlement Dr**
 11. **Carlos Way Dr**
 12. **Settlers Way Dr**
 13. **Longhorn Trl**
 14. **Colony Dr**
 15. **Frontier Trl**
 16. **Wildflower Rd**
 17. **Dee's Circle**
 18. **Quail Circle**
 19. **Grace Ln**
 20. **Muegge Rd**

- 21. Sundown Dr
- 22. Arabia Ln
- 23. Pioneer Trl
- ii. Precinct 4 roads
 - 1. Gebhardt Rd (County portion only)
 - 2. Svinky Rd (County portion only)
- d. Consideration and action to approve minutes:
 - i. 05.13.2024
 - ii. 05.15.2024

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-153

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

Per Judge Lapham, concerned about payments made to Miller-Josey Mortuary and Schmidt Funeral Home in Department 117 under Autopsy & Inquest. County is usually not responsible for payments under these circumstances.

Commissioner Rinn request to have more information before paying funeral homes.

Approve Payment of Claims minus two payments to Miller-Josey Mortuary and Schmidt Funeral Home in Department 117 under Autopsy & Inquest.

Total = \$1,436,067.63

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-154

b. Fund Transfers

Total = \$949,606.78

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-155

- c. Budget Amendments
- d. County Auditor's Review of finances
- e. County Treasurer
 - i. Payroll and Escrow Report – 05.17.2024
 - ii. Payroll and Escrow Report – 05.31.2024

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0)
Order #24-156

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

- i. **JP, Pct. 3 and Pct. 4 – May 2024**
- ii. **Constable Pct. 1 & Pct. 2 – May 2024**
- iii. **Jail Population – May 2024**
- iv. **OSSF – May 2024**

Motion to Accept: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-157

Court recessed at 9:45 a.m.

Court reconvened at 10:15 a.m.

#3 continued.

Award Wendt Street Roof to Shellback Construction for \$405,969.00.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-158

Award Wendt Street Breezeway to Shellback Construction for \$17,788.00.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-159

Award Justice of the Peace, Pct. 2 Office to Shellback Construction for \$23,597.00.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0)
Order #24-160

#5 continued.

Award to James W. Turner Construction (JWTC) for \$31,600 with abatement.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-161

#6 continued.

Andrea Cardenas (Austin County Clerk) request approval to start new hire at a higher pay rate than specified in Compensation Order.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-162

11. Commissioners Court Inquiry.

*Motion to Adjourn: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-163*

Court adjourned at 10:21 a.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 June 10, 2024.**

Date: June 28, 2024
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Kimberly Benjamin
Kimberly Benjamin, Deputy Clerk



FILED

2024 JUN 28 PM 1:29

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK