



**ANDREA CARDENAS**  
*AUSTIN COUNTY CLERK*

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**COMMISSIONERS COURT MINUTES**

**July 22, 2024** 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  
Mark Lamp, Commissioner, Precinct 1  
Robert "Bobby" Rinn, Commissioner, Precinct 2  
Leroy Cerny, Commissioner, Precinct 3  
Chip Reed, Commissioner, 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, 2<sup>nd</sup> Commissioner Rinn, passed (4-0)*  
**Order #24-191**

**1. Petitions or Requests from the Public.**

Per Roy Mercer (Emergency Management Coordinator), County is currently gathering numbers of disasters due to Hurricane Beryl. Depending on amount of damage, FEMA will remain at Bellville Police Department until September 12, 2024. There are two types of damages to qualify for FEMA assistance: public damage (such as infrastructures) and individual damage (households). Damage must be to the actual living areas (individual damage) majorly affected or completely destroyed. Will meet with FEMA on July 23, 2024 to discuss reimbursements and damage assessments for May 2024 disaster.

**2. Discussion to authorize the release of Aguado Subdivision Road Bond and action as appropriate.**

Per Jonathan Hopko (County Engineer), recommends to release bond for Aguado Subdivision.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Rinn, passed (4-0)*  
**Order #24-192**

Per Commissioner Lamp, County will not assume the responsibility of road maintenance. City was cooperative at start of project. There needs to be clarity of responsibility between Austin County and City of Sealy.

Grant Lischka (Lischka Engineering) expressed concern of future subdivision roads not being added to County's Road Maintenance Program even if they are built to meet County's specifications.

Per Commissioner Reed, taxpayers should not be responsible for a road in an undeveloped subdivision.

Per Rocio Olvera (Aguado Subdivision Owner), by complying with all County requirements for subdivision, assumed County would maintain the road. In previous meetings there was always a plan for County to take responsibility of road. Would not have built road to County's requirements had she been informed in the beginning County would not maintain road. Initial plans for subdivision were done with City. When meeting with County, she was advised City had nothing to do with project. County took over and they were instructed to follow County's Subdivision Regulations.

Per Jonathan Hopko (County Engineer), Aguado Subdivision Plat was signed by City, which conveys the land to City. Subdivision Owners are asking County to accept responsibility for a road that does not belong to County. Since City signed the plat having roadway right-of-way conveyed to them, he recommends City maintain the road.

Per Grant Lischka (Lischka Engineering), would like to have written documentation in advance County will not be responsible for roads until subdivisions are built. Developers working within County should be aware of information prior to starting projects. Information should be written in County's ordinance.

Per Jonathan Hopko (County Engineer), there are no County Regulations or State Law requiring County to presume responsibility of subdivision roads. It is the discretion of Commissioners to accept responsibility.

Per Commissioner Lamp, roads should be built to quality standards to benefit the people of that community.

### **3. Discussion and action regarding Austin County Subdivision Regulations.**

Per Commissioner Lamp, County needs to define areas in regard to roads they will assume responsibility for maintaining. There needs to be written documentation between County, City and ETJ (Extraterritorial Jurisdiction) to clarify who has management of these roads. This has been an on-going issue. Would like to put together a committee to discuss this matter.

Jonathan Hopko (County Engineer) recommends putting together a small committee to allow feedback in regard to subdivision regulations.

Subdivision Regulation Committee will consist of: Judge Lapham, Jonathan Hopko (County Engineer), Commissioner Rinn, Commissioner Lamp and Greg Mikel (Commissioner, Pct. 1 Elect).

**4. Open RFQ's for Acquisition Services for GLO CDBG-MIT Sector 2 and Sector 3 Projects.**

Received one bid from Texas Land and Right of Way Company, LLC. Bid proposal will be sent to Langford Management Services for review of accuracy and approval to proceed.

**5. Discussion and action to appoint Austin County Health Authority.**

Per Judge Lapham, appoints Dr. Don Bosse, MD of Mid-Coast Medical Center Bellville.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Cerny, passed (4-0)*  
**Order #24-193**

**6. Discussion and action to establish schedule of Commissioner's Court meetings for Fiscal Year 2024-2025.**

Per Judge Lapham, Court dates assigned on Tuesdays are due to holidays.

*Motion to Approve: Commissioner Cerny, 2<sup>nd</sup> Commissioner Reed, passed (4-0)*  
**Order #24-194**

- 7. 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 Knox Memorial Library per Local Government Code 81.032:**
    - i. **\$ 50.00**
  - b. **Approval of Minutes:**
    - i. **June 21, 2024**
    - ii. **June 24, 2024**
    - iii. **June 26, 2024**
  - c. **Consideration and action to accept Agreement for Temporary Access between Randy Haverlah and Austin County, Pct. 2**
  - d. **Consideration and action to accept Agreement for Temporary Access between Juan Garcia and Austin County, Pct. 2**
  - e. **Consideration and action to approve required schooling application for Brandy Robinson, Assistant District Attorney, to be held September 17-20, 2024, in Galveston, Texas**
  - f. **Consideration and action to ratify Right of Way installation by New Ulm Water Supply Corporation under Pecan Street, New Ulm, Pct. 2**
  - g. **Consideration and action to appoint members to the Austin County Historical Commission**

- h. **Consideration and action to approve required schooling application for Kim Rinn, Tax Assessor Collector, to be held August 11-14, 2024, in Austin, Texas**
- i. **Consideration and action to accept FY 2021-2022 and 2022-2023 Austin County Jail Commissary Inmate Trust Fund Audit**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0)*  
**Order #24-195**

**8. Consideration and action to set date for 2024-2025 Budget Hearing.**

Set 2024-2025 Budget hearing for September 9, 2024 at 9:00 a.m.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (4-0)*  
**Order #24-196**

**9. FY 2024-2025 Budget Discussion.**

Judge Lapham distributed 2024-2025 Budget documents for Commissioners to review. Per Judge Lapham, will discuss budget thoroughly at later date.

District Clerk's Office request a postage machine for the Justice Center. Per Judge Lapham, if approved, there would need to be someone in the Justice Center designated to be responsible for the care and operations of the postage machine. Commissioners will revisit this request at a later date.

Texas A&M AgriLife Extension Service request to add purchase of wireless internet modem. Commissioners agree to add wireless modem to Budget at \$500 per year.

Communications Department request for increase on designated line items for Harris County Maintenance (54555-131), Tower Utilities (54211-131) and Cell Phone/Data Card (54210-131). Per Judge Lapham, increases are unavoidable.

EMS (Chief Walter Morrow) request increase for peak time hours (10:00 a.m. – 10:00 p.m.) for ambulance staff (Sealy location), purchase of new ambulance, upgrade/replace cardiac monitors, purchase of ventilators and change manager/educator to a full-time position. Per Commissioner Reed, Commissioners will further review and discuss EMS request.

155<sup>th</sup> District Court request for additional Defense Attorney. Currently splitting Court Reporter and Court Coordinator with Fayette County. Per Judge Lapham, both positions will transfer from salary budget to non-salary budget. Will further review and discuss.

Road and Bridge (Precinct 1) request to hire full-time (32 hours) administrative personnel to help with Veoci program and administrative work. Will further review and discuss.

Colorado Youth and Family Services request for \$5,000 increase of annual contribution provided by County. Commissioner Lamp suggests to give \$1,000 increase. Per Judge Lapham, will further review and discuss.

Constable Precinct 3 (Ronnie Griffin) request a salary increase, purchase of new work vehicle and fax/printer/scanner machine. Per Judge Lapham, will have Ronnie Griffin and Constable, Precinct 2 to attend court to provide more information in regard to vehicles.

West End Public Library (Monika Foltz) request to replace Library Aid position with Assistant Librarian position offering 30 hours per week and medical insurance coverage. Per Judge Lapham, request is acceptable.

Constable Precinct 4 (James Clark) submitted quotes from Angel Armor and SAS Accessories & Installation. Per Sergeant Donald Darracq (Sheriff's Department), will check with Constable for reason of change of company for equipment request. Will revisit this request.

Per Judge Lapham, EMS Department submitted request to contract with WESCOM for Fire and EMS Dispatch. \$125,000 has been submitted for budget increase.

Per Judge Lapham, Sheriff's Office submitted request for two additional Control Deputies. Will shift two dispatcher pay positions to offset cost for Control Deputies.

Billy Doherty request to see Judge Steinhauser's request to confirm it does not exceed limits for District Judge and County Court at Law.

Court recessed at 11:25 a.m.

Court reconvened at 11:34 a.m.

**10. Budgetary and Financial Claims - action as appropriate.**

**a. Payment of Claims**

Total= \$500,181.97

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

**Order #24-197**

**b. Fund Transfers**

Per Billy Doherty (County Auditor), did not bring A/P Fund Transfers Report for July 12, 2024. Total amount of fund transfers on that report is \$1,279,373.77.

Total= \$326,206.50

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

**Order #24-198**

**c. Budget Amendments**

No Budget Amendments.

**d. County Auditor's Review of finances**

Billy Doherty (County Auditor), issued Budget Report for review. Report's data covers first day of month through current day. Per Billy, this is the full report for July.

**e. County Treasurer**

**i. Payroll and Escrow Report**

**1. 07.12.2024**

*Motion to Approve: Commissioner Cerny, 2<sup>nd</sup> Commissioner Reed, passed (4-0)*  
**Order #24-199**

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

- i. Statutory County Court - June 2024**
- ii. Constable, Pct. 1 & Pct. 2 - June 2024**
- iii. Agrilife - May & June 2024**
- iv. Library - June 2024**
- v. EMS - March, April, May, & June 2024**

*Motion to Accept: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0)*  
**Order #24-200**

**12. Commissioners Court Inquiry.**

*Motion to Adjourn: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #24-201**

Court adjourned at 11:41 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 July 22, 2024.**

Date: September 4, 2024  
Andrea Cardenas, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas  
By: Kimberly Benjamin  
Kimberly Benjamin, Deputy Clerk



**FILED**  
2024 SEP -4 AM 8: 24  
Andrea Cardenas  
COUNTY CLERK  
AUSTIN COUNTY, CLERK