



DIANE DAY
AUSTIN COUNTY CLERK

265 N. CHESLEY ST., STE. 7
BELLVILLE, TEXAS 77418

PH: 979-227-3144
FAX: 979-865-0336

COMMISSIONERS COURT MINUTES

Order #25-175

September 8, 2025 Austin County Commissioners Court met in the 2nd 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, Precinct 4
Allison Gerik, 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 Mikel, passed (4-0)

- 1. 9:00 AM – PUBLIC HEARING**
 - a. Public Hearing on FY 2025-2026 Budget**
 - b. Public Hearing on FY 2025-2026 Tax Rate**

Per Billy Doherty (County Auditor), employees have come to him requesting bilingual pay. Employees have stated they feel misused and would like reimbursement for being bilingual.

Commissioner Reed inquired if other counties provide bilingual pay.

Billy Doherty (County Auditor) emphasized it is too late for this budget year but could possibly explore it for future budget years.

- 2. Petitions or Requests from the Public.**

None.

3. FY 2025-2026 Budget Discussion

Judge Lapham and Commissioner Reed discussed the new fire marshal position and believe the new position would serve as code enforcement and fire marshal.

Commissioner Reed explained as the county continues to grow, we will see an increase in problems where this new fire marshal position could help avoid.

Commissioner Rinn expressed that he agrees with Commissioner Reed about the need for a fire marshal with the growing population of Austin County.

Judge Lapham inquired with the court on what the budget number should be for this fire marshal position.

Commissioner Reed stated he did some research and the average appears to be \$80,000.00.

Commissioner Rinn inquired if the number should be \$70,000.00.

Judge Lapham suggested meeting in the middle at \$75,000.00.

Commissioner Cerny explained that once the fire marshal starts the realization will show that the position handles more than we thought.

Jonathan Hopko (County Engineer) explained to the court that if they decide to go with the creation of a fire marshal position a lot of office and state paperwork would need to be completed and the position should go under planning and development.

Commissioner Cerny inquired with Jonathan Hopko (County Engineer) if \$75,00.00 is a reasonable amount.

Jonathan Hopko (County Engineer) stated it also depends when the new hire would start. However, he agrees with Commissioner Reed on budgeting \$80,000.00.

Commissioner Rinn inquired if this will be an hourly or salary position.

Commissioner Reed expressed that if a department head, should be a salary position. However, hourly or salary will cause concern when it comes to call out on weekends.

Judge Lapham stated looking at the budget number being \$80,000.00. Commissioner Reed stated that will be roughly \$38.46/hr.

Per Judge Lapham, will prorate \$80,000.00 with a start date of January 1, 2026. Position will be added to compensation order and approved another day.

4. FY 2025-2026 Tax Rate Discussion

Judge Lapham presented amounts to court.

5. Consideration and action to adopt FY 2025-2026 Budget

Per Judge Lapham, will vote after public hearing this evening.

Commissioner Reed motion to approve 2025-2026 Budget with amendment made today.

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

6. Consideration and action to set salaries and allowances for county officials.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Mikel, passed (4-0)

7. Consideration and action to approve FY 2025-2026 clothing allowance for S.O. plain clothed personnel.

Removed.

8. Consideration and action to approve FY 2025-2026 meal reimbursement for S.O. transport personnel.

Sheriff Brandes request amounts remain the same as last year.

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

9. Discussion regarding the purpose of FLOC Cameras and action as appropriate.

Lt. Donald Darracq presented an amount of \$99,387.50 for 13 cameras for 24 months from Flock Safety. A subscription fee will be due every 24 months and the company will handle all maintenance. This will also provide access to wide range of cameras.

Motion to approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)

10. Discussion regarding Employee Supplemental Insurance and action as appropriate.

Per Tara Wise (HR Administrative Assistant), information was sent out via email to county employees with majority responding back stating they do not have Aflac but would consider NFC due to receiving more coverage for cheaper. Waller County has used NFC for years and had no issues. Plans with NFC would take effect January 1, 2026. Currently our cafeteria plans are through Aflac.

Motion to Approve: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)

11. Discussion regarding outside audit and action as appropriate.

Per Billy Doherty (County Auditor), hope to receive final copy and present at next court.

12. Discussion regarding onsite construction representative and action as appropriate.

Judge Lapham explained that many building projects have been taking place throughout the county. Would like to contract Daniel Sanchez with Shellback Construction as an onsite construction representative. It has been felt that Daniel Sanchez (Shellback Construction) is doing more than we should rely on him to do without an agreement in writing.

Daniel Sanchez (Shellback Construction) presented handouts to the court. He explained he wants to provide service to the county with predictable dollars so it is known where money is going. He plans to break everything down into stages. If spending more hours it is believed that dollars should go farther. The agreement will include everything needed and break it down into detail. Currently this same service is in effect for College Station and VA.

Judge Lapham stated will review agreement with legal and place on next court.

13. CONSENT AGENDA

a. Consideration and action to reappoint Commissioner Bobby Rinn to the 911 Communications District Board.

b. Consideration and action to accept easement from Ronnie Hein and Leann Hein on Rexville Rd., Pct. 4

c. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 1.5-acre tract from a 58.933-acre parent tract on Ives Creek, Pct. 1

Motion to Approve: Commissioner Reed, 2nd Commissioner Mikel, passed 4-0

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

Total: \$915,573.42

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

b. Fund Transfers

Total: \$526,416.40

Motion to Approve: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)

c. Budget Amendments
d. County Auditor's review of finances

Still in budgetary constraints.

e. County Treasurer's
i. Payroll and Escrow Report- 09.05.2025

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

15. Written end-of-the month reports submitted by County Offices.
a. Constable, Pct. 4 – July & August 2025
b. Jail Report- August 2025

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

Recessed at 10:12 am.

16. EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

a. Legal Matter- CBG
b. Economic Development - Sika

Motion to Approve: Commissioner Cerny, 2nd Commissioner Mikel, passed (4-0)

17. Action as appropriate on Executive Session

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

Reconvened at 12:03 pm.

18. Commissioners Court Inquiry

Recessed at 12:15pm.

Reconvened at 1:30pm.

Recessed at 1:30 pm.

19. EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- a. Economic Development**
- b. Economic Development**
- c. Economic Development**

Reconvened at 4:53pm

20. Discussion and action regarding The Grove Subdivision (Frazier at FM 1094, Pct. 1)

No action.

21. Discussion and action regarding Brentwood Subdivision (Beckendorf at I-10, Pct. 3)

No action.

22. Discussion and action regarding High Ten Subdivision (FM 3538 at FM 3013, Pct. 4)

No action.

Recessed at 4:54 pm.

Reconvened at 6:04 pm

6:00PM Public Hearing

23. Public Hearing regarding GoodPeak Holdings, LLC. – Wallis Site, Pct. 4

Judge Lapham thanked all attendees for being present and GoodPeak Holdings, LLC for their attendance.

Representing GoodPeak Holdings, LLC were Hayden Stanley, Greg Carter, Zack Andrews, and Larry Clay.

Hayden Stanley spoke on plans with the battery storage facility. GoodPeak Holdings, LLC is enhancing the capacity of the energy grid at a tech level. It was explained that if batteries do not get installed there will be more transmission. By preventing transmission, we can mitigate the need for utility upgrades. This will have little to no burden on local tax.

An area picture of the site was presented. Location is approximately 1.5 acres. Tier 1 equipment will be used with impeccable safety measures.

Judge Lapham inquired on the fire safety plans.

Larry Clay explained that everything is in safety compliance with NFPA Standards that are required.

Commissioner Reed inquired what the plan is when fire does occur. If a fire occurs what is the step-by-step layout.

Hayden Stanley explained the step-by-step layout in the event of a fire occurring. First 911 will be notified and area will be cleared and all personnel on property accounted for. An alarm will sound notifying of the location of the emergency. Personnel will proceed to their designated points. If heavy smoke is encountered everyone is advised to stay low and assist anyone in need. Coordinators will communicate with the appropriate responders. Site will be contained and then implementation will occur responders. All communication will go through the state communication center. Containers are built to withstand the high heat and will cool themselves down.

Judge Lapham asked what kind of training is required for first responders and what first responders would need to respond.

Per Hayden Stanley, the site conditions determine who responds and what equipment needs to be brought.

Greg Carter stated one fire truck would be needed at the max to monitor the situation and how much water is needed to maintain cooling the system.

Hayden Stanley emphasized that the batteries are not to go beyond their working area.

Commissioner Reed inquired how to know if grid goes down.

Hayden Stanley stated the batteries deploy daily. Market signals are followed to determine when energy is needed to dispatch. Typically, demand spikes around 6pm and solar production goes down. Multiple people monitor throughout the day.

Commissioner Reed inquired on who benefits from the battery energy storage system.

Per Hayden Stanley, the closer you are to the grid the more you will benefit from it. When you start losing power it puts a material impact on how people live their lives. The objective is to balance power in the grid.

Judge Lapham inquired if the facility is within 1500 ft of businesses, schools, and homes and what is the size of the affected area if something were to happen.

Per Hayden Stanley, the protocol is to maintain distance.

Judge Lapham inquired if the batteries are designed to vent gas or contain it.

Per Hayden Stanley, they have built in ventilation systems and will be blast proof. If too much pressure builds up the doors will open and vent any gases to prevent fire event from taking place.

Commissioner Rinn inquired if GoodPeak LLC is licensed with state.

Hayden Stanley stated they have a few licenses in process.

Commissioner Rinn inquired if they are part of GoodPeak in California.

Per Hayden Stanley, GoodPeak LLC is stationed in the Woodlands here in Texas. GoodPeak LLC is not aware of the California entity.

Commissioner Cerny inquired on who builds the sites.

Per Hayden Stanley, EPC will build the site. Currently have multiple projects based around Houston.

Judge Lapham inquired where will someone come from if called out.

Per Hayden Stanley, response will be from the Houston area. Routine checks will occur regularly to keep up with Sungrow routine maintenance.

Commissioner Reed inquired about the duration of the contract.

Hayden Stanley advised it is a 20-year contract for 8 containers.

Commissioner Rinn inquired on if property is owned or leased.

Per Hayden Stanley, property is tenant owned.

Commissioner Mikel inquired if this would lower cost of local energy cost.

Per Hayden Stanley, the market likes volatility but adding capacity will help mitigate that.

Commissioner Reed expressed he is having a hard time grasping how this will benefit local companies.

Hayden Stanley advised the amount of power usage is doubling the amount of power required but generation is not doubling. This gives Texas a chance to remain dominant and provide additional resources to help those company's balance. GoodPeak cares for the community and doesn't want community members alarmed or nervous around this asset and is willing to talk with anyone further on the matter that would like to.

Judge Lapham wrapped up the public hearing thanking GoodPeak and the public for attending and stated this will be brought back to court September 22, 2025.

Court Recessed at 7:15 pm.

Court Reconvened at 7:32 pm.

24. Public Hearing on FY 2025-2026 Tax Rate

Per Judge Lapham, FY 2025-2026 Tax Rate will not be voted on at this court.

Court adjourned at 7:33 pm.

Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Mikel, passed (4-0)

**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 September 8, 2025.

Date: October 7, 2025

Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

By: Allison Gerik
Allison Gerik, Deputy Clerk



FILED

2025 OCT -7 PM 3:47

Diane Day
COUNTY CLERK
AUSTIN COUNTY, TEXAS