

## COMMISSIONERS COURT MINUTES

Order # 26-010

May 11, 2026 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

County Judge Tim Lapham  
Commissioner, Precinct 1 Greg Mikel  
Commissioner, Precinct 2 Bobby Rinn  
Commissioner, Precinct 3 Leroy Cerny  
Commissioner, Precinct 4 Chip Reed  
Deputy Clerk Kayla Whitley

OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

CONSIDERATION/ADOPTION OF AGENDA

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

OPEN AGENDA ITEMS

1. Petitions or Requests from the Public  
(In accordance with the Texas Attorney General's opinion, any public comment that is made on an item that is not on the posted final agenda will only be heard by the Commissioners Court. No formal action, discussion, deliberation, nor comment will be made by the Commissioners Court.)

Roy Mercer (Austin County Emergency Management Coordinator) publicly expressed appreciation to God, Austin County citizens, the Judges' Office, Commissioners Court, Austin County Auditors' Office, Austin County Treasurers Office, Austin County District Attorney's Office, and local first responders for their help with planning and working the Rock the Country event. He presented the following agencies with plaques for their exceptional job in helping with this event:

Austin County Emergency Medical Services  
Austin County Sheriff's Office  
Austin County Treasurer  
Bellville Fire Department  
Bellville Independent School District  
Bellville Police Department  
Sealy Fire Department  
Sealy Police Department  
Texas Department of Public Safety  
Texas Department of Transportation

Judge Lapham expressed gratitude to Roy Mercer and his department for all of their time and effort they

put in for this event and presented him with a plaque as well.

Commissioner Reed expressed appreciation to Walter Morrow (Emergency Medical Services Director) and crew for their help with his sick family member.

**2. Introduction of new Veteran Service Officer**

Judge Lapham introduced Steve Lackey as the new Veteran Service Officer.

Steve Lackey (Austin County Veterans Service Officer) expressed gratitude to the commissioners for this opportunity and stated that he is looking forward to this job.

**3. Introduction and discussion regarding CleanSpark.**

No Action.

**4. Consideration and action regarding order of Austin County, Texas battery energy storage systems and data centers health and safety review.**

Judge Lapham explained that there was a second order provided to the commissioners in their packets in which the legal team and engineers had reviewed. This would be an in-house order to not approve anything until they get more review and have better knowledge of what they are approving in the county.

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

Bruce White (Bellville Times Newspaper) inquired if Judge Lapham was stating what was in the order was not to approve anything until the county has additional information to know exactly what they are approving.

Judge Lapham stated that was correct.

**5. Consideration and action to approve resolution supporting state wide 9-1-1 service fee adjustment.**

Roy Mercer (Austin County Emergency Management Coordinator) spoke about how smaller counties are currently suffering the consequences of the amount of cell phone usage compared to previous use of landlines. He is asking the court to support the resolution to adjust the cell phone rates that are set by the state, as this will allow their board to grow and expand their office.

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

**6. Discussion and action to approve an existing Interlocal Agreement between Austin County, Fayette County, Lee County, Washington County and TX DPS**

Billy Doherty (Austin County Auditor) stated that we normally pay this fee once a year to move paperwork faster when it comes to lab testing for court cases, etc.

Commissioner Reed inquired if Billy had reviewed the fees and if they were all the same.

Billy Doherty (Austin County Auditor) stated that it appears that they had.

Judge Lapham clarified that this is for the DPS crime lab, and it is a group of counties that collectively pay

a fee to move to the front of the processing list.

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

**7. Consideration and action to solicit bids for a compact trackhoe for Pct. 1**

Commissioner Mikel stated that, due to the rain, he had noticed that there is some ditch drainage that requires attention. He motions to solicit bids for a compact excavator.

Judge Lapham inquired if Commissioner Mikel had any dates in mind for the due date.

Commissioner Mikel stated that he knows it's required to be posted for 14 days. Therefore, June 8, 2026 would be the requested date.

Judge Lapham stated bids would be due on June 5, 2026, and bids will open on June 8, 2026.

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

**8. Consideration and action to approve Civil Plans for Rosemary Subdivision, FM 1458 Pct. 4.**

Jonathan Hopko (Austin County Engineer) is seeking the court's approval for the roadway plans for section one of Rosemary subdivision.

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

**9. Consideration and action to amend approved maximum SO vehicle price dated January 28, 2026.**

Lieutenant Donald Darracq (Sheriff's Office) stated that on January 28, 2026, the commissioners court had approved the purchase of a vehicle and Commissioner Cerny understood that there would be some market fluctuations due to it being a factory-built truck. He had agreed to pass it with it not exceeding \$53,000. The sheriff's office took possession of the truck at \$53,675. Therefore, he is asking the court to increase the request to \$53,675.

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

**10. Status update on third party audit.**

Billy Doherty (Austin County Auditor) explained that since his office moved to Tyler Technologies, they have provided several reports to Tyler Technologies, and they have input everything as conversion data. Therefore, no details are provided, and he has been pulling from Opengov and Tyler to pull reports together to provide what the outside auditors are needing. He said another meeting would be held on Wednesday, May 13, 2026, to obtain status.

**11. CONSENT AGENDA**

**a. Approve Minutes:**

- i. February 9, 2026
- ii. February 23, 2026
- iii. March 9, 2026
- iv. March 23, 2026

- v. April 13, 2026
- b. Consideration and action to approve a temporary access agreement between James and Julie Perry and Austin County, Pct. 1, Lonesome Dove Ln.
- c. Consideration to accept a supplemental grant award from the Office of National Drug Control Policy for the Sheriffs Office and action as appropriate
- d. Consideration and action to authorize Fiber Right-Of-Way installation by Industry Communications, on the following Pct. 2 Roads:
  - i. Hall Rd.
  - ii. Hinkel Rd.
  - iii. Post Oak Point Rd.
  - iv. Thielemann Rd.
- e. Consideration and action to accept special donation(s), per local government code 81.032:
  - i. \$100 - Knox Memorial Library
  - ii. \$100 - Knox Memorial Library
  - iii. \$500 - Knox Memorial Library
  - iv. \$100 - Knox Memorial Library
  - v. \$100 - Knox Memorial Library
  - vi. \$100 - Knox Memorial Library
  - vii. \$100 - Knox Memorial Library
  - viii. \$100 - West End Library

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

**12. BUDGETARY AND FINANCIAL CLAIMS - action as appropriate**

- a. Payment of Claims

Total: \$1,140,739.27

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

- b. Fund Transfers

Total: \$771,276.06 (5/11/2026)

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

- c. Budget Amendments

None.

- d. County Auditor's Review of Finances

None.

- e. County Treasurer's

i. Payroll and Escrow Report

1.05.01.2026

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

13. Written end-of-the-month reports submitted by County Offices
  - a. Statutory Court - February 2026
  - b. Statutory Court - March 2026
  - c. Criminal Court - March 2026
  - d. Civil Court - March 2026
  - e. Family Court - March 2026
  - f. Jail Population Report - April 2026

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

Court Recessed at 9:40 a.m.

14. **EXECUTIVE SESSION** - A closed meeting (In accordance with Texas Local Government Code, Section 551.087) will be held concerning the following items:
  - a. Legal Matter - Contract
15. Action as appropriate on Executive Session

Court Reconvened at 10:29 a.m.

Commissioner Reed made a motion on entering into a contract with Southern Health Partners contingent on wording changes and issue of notice of cancellation on contract of the current jail correctional medical services provider.

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

16. **Commissioners' Court Inquiry**  
*(Pursuant to Texas Government Code Section 551.042, the Commissioners Court may inquire about a subject not specifically listed factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.)*

Judge Lapham addressed the court regarding the vehicle financing for a vehicle with the sheriff's office. He stated they wanted to go with Welch State Bank for two annual payments with a interest rate of 5.32 percent with the total cost being \$53,675, making the payments \$28,334.71.

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

Commissioner Reed inquired about adding stickers to our road signs. The stickers would be where the street names are located, and will read dead-end road. This would be an effort to avoid the issues of drivers turning onto these roads with trailers and being unable to turn around.

Judge Lapham stated the roads should already have signs stating they are dead-end roads.

Commissioner Reed stated that is correct, but they are further down the road, and the drivers don't see them until they have entered the road.

Commissioner Rinn inquired about another sign to add lower on the poles.

Judge Lapham stated stickers would be the cheapest and they could get them ordered.

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

Court Adjourned at 10:33 a.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 May 11, 2026.**

Date: 5-14-26

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

By: Kayla Whitley  
Deputy Clerk



FILED

2026 MAY 14 PM 3: 51

*Diane Day*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS