

COMMISSIONERS COURT MINUTES

Order #26-012

June 8, 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 Chip Reed, 2nd Commissioner Greg 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.)

Elizabeth Cubage presented two documents to the court. The first document was an ordinance to create unified road systems. The second document was a document to create decibel limits. She inquired about these both being put on the next agenda for discussion, consideration, and possible action.

Judge Lapham thanked her for this and gave insight into why the road ordinance would be a longer process than just an agenda item and a vote. He stated he would be willing to meet to discuss this after court.

Emily Guiffree addressed the court regarding the migratory bird treaty act of 1918 and how it protects the millions of birds that migrate across Texas. She stated that if the data centers were allowed to come here, the lights and noise would affect these birds.

Lisa Hicks stated she is only a short distance from the proposed data center and mentioned her concerns about the impact it will have on wildlife around her house.

2. Discussion and action regarding moratorium/order regarding BESS and Data Centers.

Judge Lapham addressed the court about the moratorium, and how, if this is something they would want to proceed with, a public hearing will need to be held on July 13, 2026.

Commissioner Rinn inquired if this public hearing could be held at 6:00 p.m.

Judge Lapham stated the public hearing would be held on July 13, 2026, at 6:00 p.m.

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

Judge Lapham also mentioned to the commissioners that he was meeting later in the day with the city of Bellville regarding the 391 agreement and had provided them with a packet to look over. He inquired if anyone from the public wanted to speak regarding what was done today.

Susan Gartmann addressed the court with her concerns about the negative impact these data centers will have on our water.

3. Consideration and action regarding Track Loader;

a. Open Bids

Dianna Grobe (Chief of staff) presented bids for opening to Billy Doherty (Austin County Auditor) for Track Loader.

Bids submitted were as followed:

Romco - \$149,965.00

John Deere King Ranch AG and Turf - \$103,000.00

Mustang cat - \$134,254.60

JCB - \$107,175.50

Develon - \$107,625.00

b. Award Contract

Commissioner Mikel requested time to review the bids and postpone any action until the next court date.

No Action.

4. Consideration and action to advertise for road easement abandonment of a portion of the Old Bellville - Nelsonville Rd Easement

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

5. Consideration and action to set Public Hearing regarding the proposed road easement abandonment

Commissioner Rinn motioned for a public hearing to be set on July 13, 2026, at 9:00 a.m. for the abandonment of a portion of the old Bellville - Nelsonville Rd easement.

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

6. Status update on third party audit.

Billy Doherty (Austin County Auditor) updated the court on the third party audit, stating that though this audit is taking longer than expected, the next two audits should go quicker due to everything being in Tyler. He mentioned that he is still working with Opengov to retrieve access to our old data. However, he thinks they will end up charging us for access to that data.

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. Discussion and action to approve Sunset Ridge Subdivision Preliminary Plat.
 - b. Discussion and action to authorize a one-time variance request from subdivision regulations to divide a 2-acre tract from a 8.71-acre parent tract on Waak Rd., Pct. 1.
 - c. Discussion and action to authorize a one-time variance request from subdivision regulations to divide a 6-acre tract from a 21.91-acre tract on FM 1094, Pct. 1.
 - d. Consideration and action to approve Right of Way installation by San Bernard Electric Co-op at Wietstruck Rd, Pct. 1.
 - e. Consideration and action to approve Right of Way installation by CenterPoint Energy on Lake Rd., Oil Field Rd., Remmert Rd., School Rd., and Ueckert Rd., Pct. 1.
 - f. Consideration and action to approve civil plans for Legacy Estates at Mill Creek on FM 331, Pct. 1.
 - g. Discussion and action to approve revised Tower Lease Agreement between Lower Colorado River Authority and Austin County, Bleiblerville Tower, Pct. 2 replacing the approved Agreement from 04.27.2026 Commissioners Court.
 - h. Consideration and action to accept Donation Deed on Newberg Rd. and Frantz Rd.
 - i. Consideration and action to accept special donation(s), per local government code 81.032:
 - i. EMS - \$500
 - ii. EMS - \$200
 - iii. Knox Memorial Library - \$1,000
 - iv. Knox Memorial Library - \$100
 - v. Knox Memorial Library - \$300
 - j. Consideration and action to approve Maintenance Service Contract between Austin County Courthouse and Nouveau Elevator Texas, LLC
 - k. Consideration and action to renew Austin County Electric Supply Provider Contract with Engie.
 - l. Consideration and action to declare the following office furniture items as salvage. 00214, 00445, 00655, 00660, 00659, 02208, 03117, 03285, 10561, 10745, 10770

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

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

a. Payment of Claims

Total \$1,340,222.78.

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

b. Fund Transfers

Total: \$988,416.74 (6/8/2026)

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

c. Budget Amendments

The Budget Amendment was provided to the court.

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

d. County Auditor's review of finances

e. County Treasurer's

i. Payroll and Escrow Reports

1.05.29.2026

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

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

a. Justice of the Peace, Pct. 3 - May 2026

b. Justice of the Peace, Pct. 4 - April 2026

c. Jail Population - May 2026

d. Constable Pct. 1 - May 2026

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

10. **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.)

Lieutenant Donald Darracq (Sheriff's Office) addressed the court about the recent desk review audit from the Attorney General's office on the savings grant. He stated all was well with the audit, other than the timeline for turning in the invoices for reimbursement. Moving forward, he would like to put an item on an upcoming agenda that would allow Billy Doherty (Austin County Auditor) to pay these bills as soon as he receives them.

Judge Lapham inquired what exactly this bill pays for.

Lieutenant Donald Darracq (Sheriff's Office) explained to the court that the Sheriff's office opted to use Vines, which is a victim notification system to update when the offender is released or has an upcoming

court date. The Sheriff's office pays this company directly, then they receive reimbursement from the Attorney General's office.

Judge Lapham agreed to put something on the agenda for consideration regarding how the bill gets paid.

Commissioner Cerny inquired about adding the words private road back onto the road signs.

Judge Lapham stated that in Waller county they actually use white signs for private roads.

Comissioner Cerny stated changing the sign colors could potentially work.

Judge Lapham stated that if the commissioners wanted to come up with something and bring it back to court, then they could make a decision.

Motion to Adjourn: Commissioner Chip Reed, 2nd Commissioner Leroy Cerny, passed Passed, (4-0).

Court adjourned at 10:03 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 June 8, 2026.

Date: 6-11-2026
Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

By: Kayla Whitley
Deputy Clerk



FILED

2026 JUN 11 PM 3:44

Diane Day
COUNTY CLERK
AUSTIN COUNTY, TEXAS