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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

April 22, 2024 Austin County Commissioners Court met in the Basement Floor Conference Room 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 Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-106

1. **Proclamations and Special Recognitions:**
 - a. **Sexual Assault Awareness and Prevention Month**

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-107

2. Petitions or Requests from the Public.

Per Kim Rinn (Austin County Tax Assessor-Collector), Early Voting for City and School Elections began today. Austin County will run elections for 3 jurisdictions Bellville ISD, City of Sealy and City of Wallis. Early Voting locations are Wendt St. in Bellville, W.E. Hill Community Center in Sealy, and City of Wallis on Guylor Street. Locations for Election Day are the same as Early Voting, but will include Industry City Building.

3. Discussion and consideration regarding updates to Austin County Employee Policy Manual.

Per Tara Wise (Administrative Assistant Human Resources), TAC (Texas Association of County) provided recommendations on three of the current Austin County Policies (Funeral

Leave, Civil Leave, Military Leave). Change would bring policies up to date. New Policy will add, Breaks for Nursing Mothers.

Per Judge Lapham, documents provided during court is for review only. Will include on the next Court agenda.

4. Consideration and action to approve resolution in support of TxDOT Hwy 36 truck route study in Bellville area.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0).
Order #24-108

5. Consideration and action to accept Bond DUA001340 to replace Bond SUR0073301, in the amount of \$555,000 to cover repairs on Pct 2 roads used by Verdun Oil Company.

Motion to Accept: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #24-109

6. Consideration and action to accept Bond DUA001337 to replace Bond SUR0051754, in the amount of \$200,000 to cover repairs on Skull Creek Rd and Cut-off Rd., Pct 2 roads used by Verdun Oil Company.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0).
Order #24-110

7. Discussion regarding the purchase of a tactical vehicle for the regional SRT team and action as appropriate.

Per Sergeant Donald Darracq (Sheriff's Department), Special Response Team (SRT) needs a new tactical vehicle. The SRT currently uses an armor vehicle loaned to them. Vehicle has mechanical issues with possible recall. If recalled, SRT will not have armored transportation. Request approval to purchase Lenco BearCat.

Two proposals received from Lenco Armored Vehicles for Lenco BearCat. Will purchase with Senate Bill (SB) 22 Funds.

Proposal #1 = \$332,853.00 (includes Freight-Out Charge of \$8,900.00).

Proposal #2 = \$323,953.00 (requires Austin County to pick up vehicle from manufacturer or contract a commercial shipper after completion).

Per Judge Lapham, with regard to Proposal #1, to avoid Freight-Out Charge we can find a shipper to transport the vehicle prior to completion.

Per Commissioner Lamp, interested in current shared costs between Austin, Waller, Colorado and Fayette Counties, for the BearCat. Concerned that costs are not equally divided. Austin County may acquire future debt that could possibly impact tax payers.

Motion to purchase vehicle for \$323,953.00 from LENCO and utilize SB 22 funds.

Motion to Purchase: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-111

8. **Discussion and action to accept Road Use and Maintenance Agreement, and License/Permit Bond 7901172723 to cover repairs of damages on Scroggins Road, Pct. 4 road used by Sunland Construction, Inc.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-112

9. **Consideration and action to adopt resolution designating authorized signatures for the Community Development Block Grant-Mitigation Program (CDBG-MIT) program for GLO contract 24-065-031-E486.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-113

10. **Discussion regarding the purchase and financing of a John Deere 5100 E Cab Tractor for Pct. 4 and action as appropriate.**

Per Commissioner Reed, current John Deere Tractor needs replacing. Bid from Sourcewell is \$66,652.47. Proposed financing provided by Government Capital Corporation and Welch State Bank. Prefers to finance through Welch State Bank with 2 annual payments of \$36,374.61.

Purchase John Deere 5100 E Cab Tractor from Shoppa's at \$66,652.47.

Motion to Purchase: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #24-114

Finance purchase through Welch State Bank for 2 annual payments of \$36,374.61.

Motion to Finance: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #24-115

11. **Discussion and action regarding a Sheriff's Office Employee Promotion.**

Per Sergeant Donald Darracq (Sheriff's Department), requests a salary increase for Juventino Castro, a Patrol Deputy who was recently promoted.

Requests Commissioners Court to accept the PAF (Personnel Action Form) for Juventino Castro, as the Personnel Policy states.

Austin County Personnel Policy section 5.1, 5.8 and 4.2 have conflicting language.

Per Commissioner Lamp, employees have to wait 60 days before being based on the current Personnel Policy. Any discrepancies or revisions should be discussed and approved prior to making an exception.

Per Judge Lapham, agrees that Section 4.2 the (Introductory Period) of the Personnel Policy contains confusing context and needs revision.

Per Commissioner Reed, Personnel Policy needs to be reviewed. Any corrections needed should be made once discovered to prevent having to go against policy.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (3-1).

Commissioner Lamp opposed.

Order #24-116

- 12. 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 approve Right-Of-Way installation by Industry Telephone on Post Oak Point Rd, Pct 2**
 - b. Consideration and action to accept a \$20 special donation to Austin County EMS per Local Government Code 81.032.**
 - c. Consideration and action to accept special donations to Austin County S.O. per Local Government Code 81.032:**
 - i. \$100**
 - ii. \$1500**
 - d. Approval of Minutes**
 - i. March 25, 2024**
 - ii. March 25, 2024 Building/Construction Workshop**
 - iii. April 01, 2024 Special Meeting**
 - iv. April 03, 2024 CDGB-MIT Regional Mitigation Contract Kick Off Meeting.**
 - v. April 08, 2024**
 - e. Consideration and action to ratify Required Schooling Application for Rick Yancey, JP 1, to be held in Bee Cave, Texas, April 17-18, 2024**
 - f. Consideration and action to approve updated grant administration services contract between Austin County and GrantWorks, Inc. in reference to CDBG-MIT #24-065-031-E486.**
 - g. Consideration and action to adopt resolution regarding civil rights which includes the following policies:**
 - i. Citizens participation plan and grievance procedures;**
 - ii. Section 3 policy;**
 - iii. Excessive force policy;**
 - iv. Limited English proficiency (LEP) standards plan;**
 - v. Code of conduct policy**
 - vi. Fair house policy**
 - h. Consideration and action to approve proclamation designating April as Fair Housing Month.**
 - i. Consideration and action to authorize a one-time variance from Subdivision Regulation to subdivide a 6.685-acre tract into two 3.3425-acre tracts on Brewer Rd., Pct. 4**

- j. **Consideration and action to authorize a one-time variance from subdivision Regulation to subdivide a 53.539-acre tract into one 20.00-acre tract, one 13.585-acre tract, and one 19.954-acre tract on Track Rd, Pct. 2**
- k. **Consideration and action to accept executed Interlocal Cooperation Contract between TxDPS and Austin County.**

Per Judge Lapham, pull item 12 d.v. for discussion.

Motion to approve Item 12 a. – d.iv. and e. – k.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #24-117

Correction to April 8, 2024 Minutes, by adding the word “passed” to the motions on items 1-7 and 7c. – h.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-118

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

Total = \$1,150,917.66.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0).
Order #24-119

b. Fund Transfers

Total = \$752,455.93

Motion to Approve: Commissioner Rinn, 2nd Commissioner Lamp, passed (4-0).
Order #24-120

c. Budget Amendments

Per Liz Ferreria (Assistant County Auditor), Budget Amendments are contingencies for the Road & Bridge Department. Corrections have been made to the Journal Entry Register.

Per Judge Lapham, amendment applies to Budget Amendment number six.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0).
Order #24-121

d. County Auditor's Review of finances

- e. **County Treasurer**
 - i. **Payroll and Escrow Report**
 - 1. **04.19.2024**

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #24-122

- 14. **Written end-of-the month reports submitted by County Offices.**
 - i. **District Court – March 2024**
 - ii. **County Court – March 2024**
 - iii. **Constable, Pct. 2 – March 2024**
 - iv. **AgriLife – March 2024**
 - v. **Library - March 2024**
 - vi. **TxDMV - February & March 2024**

Motion to Accept: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0).
Order #24-123

Court recessed at 10:00 a.m.

15. EXECUTIVE SESSION

In accordance with Texas Local Government Code §551.071, §551.125 and §551.129, a closed meeting will be held concerning the following items:

- a. **Personnel Matter**
- b. **Real Estate Matter**

Court reconvened at 12:09 p.m.

16. Action as appropriate on Executive Session

No action.

17. Commissioners Court Inquiry.

Per Commissioner Lamp, would like to use a new recycling company for oil clean-up. Requests Shannon Hannath (Road and Bridge Administrative Assistant) to review and determine if it qualifies for the recycling program to obtain a waste order.

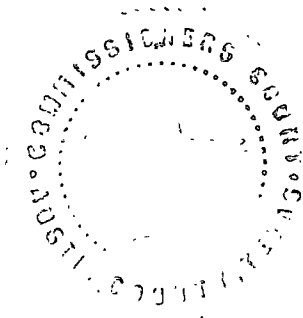
**Motion to Adjourn: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0).
Order #24-124**

Court adjourned at 12:11 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 April 22, 2024.**

Date: May 21, 2024
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Kimberly Benjamin
Kimberly Benjamin, Deputy Clerk



FILED

2024 MAY 21 PM 3:13

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY CLERK