



ANDREA CARDENAS
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

August 12, 2024 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

Tim Lapham, County Judge
Mark Lamp, Commissioner, Precinct 1
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner, Precinct 4
Adilene Juarez, Deputy Clerk

Commissioner Rinn absent.

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

Remove agenda item #20 and #24h.

Approve Amended Agenda.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-202

1. Petitions or Requests from the Public.

Per Commissioner Lamp, Pct. 1 has numerous projects going on. Requests public to contact Commissioners if they have any questions concerning right of way issues, or about grants being used for these projects.

2. Discussion to approve the Austin County 911 Emergency Communications FY 2024-2025 Budget and action as appropriate.

Roy Mercer (Emergency Management Coordinator), spoke in regards to Emergency District budget and missing fiber in Sheriff's Department for 911 Systems.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-203*

3. Budget discussion and action as appropriate.

Andrea Cardenas (County Clerk) request clarification County Clerk's budget will be reduced by \$1,000.00. Per Judge Lapham, yes, County Clerk's birth certificate line item is being reduced by \$1,000.00.

Andrea Cardenas (County Clerk) noted County Clerk's office generates about \$250,000.00 or more in revenue each fiscal year.

Commissioner Cerny spoke with regard to vehicle mileage for Constable Pct. 3. Per Ronnie Griffin (Constable Pct. 3), County vehicle is running fine and can wait another year to be replaced.

Per Commissioner Lamp, in order for County to get Constables new vehicles, County can possibly go through a lease program to obtain a basic unit. Can get new vehicles every couple of years if low mileage.

Per Commissioner Cerny, if it's time to replace vehicles, prefer to buy and have them set up properly.

Per Sergeant Donald Darracq (Sheriff's Department), reached out to a company for an estimate on a Police Package Tahoe Standard Black 4-wheel drive (not equipped), and received a tentative quote of \$50,000.00. Price varies on equipment packages, but generally between \$25,000 to \$27,000.00.

Per Sheriff Jack Brandes, highly recommends all police officers have a camera system in vehicles. Constables need proper transport cage enclosure for safety of officer and citizen.

Per Judge Lapham, when starting lease program, vehicles were being bought cheaper through Enterprise Lease than getting them through government pricing. After Covid, discounts were affected poorly and amount of profit was less.

Per Commissioner Cerny, consider budgeting for at least one new vehicle this year whether purchased or leased.

Judge Steinhauser (155th District Court) and Judge Leedy (County Court at Law), spoke in regard to adding a 4th Indigent Defense Lawyer.

Per Commissioner Lamp, budget for ambulance, if unit is needed funds can be taken out of reserves.

Per Billy Doherty (County Auditor), normally budget is set, unless of an emergency and need reserves to cover situation. Funding does not occur until January or February, so have to work with what is in account until funding is available.

Judge Lapham and Commissioners spoke in regards to proposed tax rate.

4. Discussion to set 2024-2025 proposed salaries for elected officials and action as appropriate.

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (2-1)
Commissioner Lamp Opposed.
Order #24-204*

5. Discussion regarding 2024-25 tax rate and action as appropriate.

Proposed Tax Rate

General (M&O) – 0.32705, F/M Lateral – 0.07500, R&B Special – 0.0770, Debt Requirement – 0.04095, Total = 0.5200

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-205*

Tax rate hearing set for September 9, 2024 at 9 A.M.

*Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)
Order #24-206*

6. Consideration and action to adopt Holiday Calendar for 2025.

No action.

7. Discussion and action to amend the 2023-2024 Compensation Order:

a. Move Assistant DA from part-time position to full-time position

*Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-207*

b. Security/Transport Position

Judge Lapham suggested moving transport position to overtime paid job for deputies to avoid understaffed security officers.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)
Order #24-208

Court Recessed at 11:05 a.m.

Court Reconvened at 11:16 a.m.

8. Discussion and action to approve Amended Final Plat for Saddleback Ranch Estates, adding roadway maintenance verbiage.

Per Jonathan Hopko (County Engineer), Saddleback Ranch's existing plat with restricting notes on plat did not meet new business model. Wants to modify and amend plat. Saddleback Ranch Plat will be first plat to have amended note about road policy explaining County has right to accept roads. Saddleback Ranch New Plat meets criteria to amend plat with correct verbiage on it.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (3-0)
Order #24-209

9. Consideration and action to authorize a one-time variance from Subdivision Regulations to allow a 45 ft wide access to property on Goeke Rd, Pct. 2.

Jonathan Hopko (County Engineer), request correction of an error on sold property that created a landlock situation.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-210

10. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 6.07 acre tract into a 1.329 acre tract, a 1.68 acre tract, a 1.051 acre tract, 1.051 acre tract and a .959 acre tract (drive way), on Wilma Lea Lane, Pct. 4. Contingent on executed letter of agreement.

Per Jonathan Hopko (County Engineer), correcting past problem to ensure property can be divided and maintain access. Although lot 4 is not in compliance, he suggests preliminary layout be approved to allow access and continue to work with County Judge on a solution.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-211

11. Consideration and action to approve request for bids for building for Emergency Management/Road & Bridge, Pct. 1.

Per Jonathan Hopko (County Engineer), building is going to house Roy Mercer's (Emergency Management Coordinator) emergency vehicle and vehicle storage on Commissioner Lamp's lot.

Per Judge Lapham, bids are due on September 20, at 12:00 p.m. and will be opened on September 23, 2024 Commissioners Court.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (3-0)

Order #24-212

12. Discussion regarding Kofile proposal and action as appropriate.

Andrea Cardenas (County Clerk), request to preserve original Probate documents to prevent further deterioration. Digital copies will be included to help conserve physical documents.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)

Order #24-213

13. Consideration, discussion, and action to approve Doucet's Amendment 1 for Additional Acquisition Survey Services for Austin County's Drainage Improvement Project associated with GLO-MIT contract Number 22-085-007-D235.

Per Commissioner Reed, more survey work needing to be done not originally planned, but is still being covered by grant.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (3-0)

Order #24-214

14. Discussion regarding Texas Department of Motor Vehicles Imposition of Optional Fees for Calendar Year 2025 and action as appropriate.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (3-0)

Order #24-215

15. Consideration and action to set 2025 Sheriff and Constable Fees effective January 1, 2025.

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)

Order #24-216

- 16. Discussion and action to approve Election Judges, Alternate Judges, Clerks and Central County Station Personnel for November 5, 2024 General Election.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-217

- 17. Discussion and action to approve Order of Election for November 5, 2024 General Election for County Officers.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)
Order #24-218

- 18. Consideration and action to approve Notice of General Election for November 5, 2024.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)
Order #24-219

- 19. Consideration and action to a preliminary plat to subdivide two 5-acre tracts from a 48.99 acre parent tract on North Loop Rd, Pct. 2.**

Motion to Approve: Commissioner Lamp, 2nd Commissioner Reed, passed (3-0)
Order #24-220

- 20. Discussion regarding Grazing Lease Agreement and action as appropriate.**

No action.

- 21. Discussion regarding Road & Bridge Uniforms and action as appropriate.**

No action.

- 22. 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. **Approval of Minutes:**
 - i. **July 10, 2024**
 - ii. **July 12, 2024**
- b. **Consideration and action to reappoint Leroy Cerny to Texana Center Board of Trustees for a two-year term.**
- c. **Consideration and action to accept special donation of \$3,500.00 to Austin County Sheriff's Office per Local Government Code 81.032**
- d. **Consideration and action to accept special donation(s) to Austin County EMS per Local Government Code 81.032**
 - i. **\$5,000.00**
 - ii. **\$3,000.00**

- e. Consideration and action to approve Right of Way installation by Industry Telephone Company on Pilcik Rd, Pct. 2
- f. Consideration and action to approve Right of Way installation of temporary waterline be Verdun Oil Company on
 - i. Wolfe Road, Pct. 2
 - ii. County Line Road, Pct. 2

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-221

23. Budgetary and Financial Claims - action as appropriate.

a. Payment of Claims

Total = \$2,372,663.81

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-222

b. Fund Transfers

No Fund Transfers.

c. Budget Amendments

No Budget Amendments.

d. County Auditor's Review of finances

No County Auditor's Review.

e. County Treasurer's

i. Payroll and Escrow Report

- 1. 07.26.2024
- 2. 08.09.2024

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (3-0)
Order #24-223

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

- a. Criminal Court – July 2024
- b. Civil Court – July 2024
- c. Family Court – July 2024
- d. Justice of the Peace, Pct. 2 - June and July 2024
- e. Justice of the Peace, Pct. 3 and Pct. 4 – July 2024
- f. Constable, Pct. 2 – July 2024
- g. Jail Population Report – July 2024
- h. OFFS – July 2024

- i. Library – July 2024
- j. TDMV – July 2024

*Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (3-0)
Order #24-224*

Court Recessed at 12:00 p.m.

Court Reconvened at 1:35 p.m.

Court Recessed at 1:35 p.m.

25. EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

- a. Real Estate Matter
- b. Legal Matter
- c. Legal Matter

Court Reconvened at 3:54 p.m.

26. Action as appropriate on Executive Session.

No action on 26a, 26b and 26c.

27. Commissioners Court Inquiry.

*Motion to Adjourn: Commissioner Reed, 2nd Commissioner Lamp, passed (3-0).
Order #24-225*

Court Adjourned at 3:55 p.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 August 12, 2024.**



Date: September 23, 2024
Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas
By: Adilene Juarez
Adilene Juarez, Deputy Clerk

FILED

2024 SEP 23 PM 4: 32

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, TEXAS