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AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

August 26, 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
Robert "Bobby" Rinn, Commissioner, Precinct 2
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner, 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 Cerny, passed (4-0)
Order #24-226

1. Petitions or Requests from the Public.

Hilda Gomez (Assistant Auditor) request for Commissioners to review County Policy Manual with department staff. Grievances section is in need of changes. Commissioner's Court has to approve any revisions to policy manual. HR is aware of specific areas requiring review and changes.

Per Judge Lapham, will review policy manual after Budget has been completed.

2. FY 2024 – 2025 Budget Discussion.

Per Judge Lapham, Budget and Tax Rate hearing scheduled for September 9, 2024.

On review of Budget Increase Requests, Jonathan Hopko (County Engineer), submitted requests for equipment and programs needed in Engineering Department. Items needed immediately are Scanner/Plotter Machine, which can be leased through UBEO, AutoCad

Software, a Plan Review/Conference Station, and a Server. Purchase of ArcGis Software and Drone with Lidar can be made next year.

Per Commissioner Lamp, consider putting purchase of Server under Road and Bridge Budget. Cost will be split between 4 Commissioners at \$1,000 each.

Per Commissioner Reed, County has saved plenty of money by having Jonathan Hopko (County Engineer) on staff. Approves to add requested items to Budget for items needed this year.

Commissioners agree purchase of Server for \$4,000 can be taken equally from Commissioners Budgets.

Scanner/Plotter will be taken from Leased Purchase.

Per Jonathan Hopko (County Engineer), cost for AutoCad AEC software is an annual subscription. Per Judge Lapham, will need to create a line item for software purchase.

Plan Review/Conference Station will be added to Capital Outlay.

Per Judge Lapham, waiting on State's Comptroller Attorney to confirm wording on SB22 Grant before moving forward with Budget requests from District Attorney's Office. Grant contains conflicting information. Need clarification for use of SB22 funds.

Budget request for VEOCI program. Annual cost of \$36,000 will be split between Department 127 and Department 200. Commissioner Lamp suggests that Commissioners share cost of VEOCI program with Emergency Management since all Precincts use it as well.

Per Commissioner Rinn, Precincts 1 and 2 previously split cost with Emergency Management. Commissioner Reed (Precinct 3) and Commissioner Cerny (Precinct 4) agree to split cost.

3. Open bid proposals for PCT. 4 Building and action as appropriate.

Proposed bids:

- Vacha Services, LLC - \$149,068
- Simon Torres Welding & Repair (Pattison, TX) - \$88,110
- Fuqua Construction - \$247,000

Per Judge Lapham, will review and bring back to court at later date.

4. Discussion regarding Road Usage Agreement between Austin County and Blackfin Pipeline and action as appropriate.

Per Jonathan Hopko (County Engineer), Road Use Agreement is same. Request to conditionally approve permit and release as construction is ongoing.

Per Jonathan Hopko, compressor station is part of pipeline and crossings.

Per Commissioner Lamp, would like to have an environmental impact study on compressor.

Judge Lapham request to review additional road usage indicated on map. Per Judge Lapham, County needs to designate particular roads for travel of work trucks. Concerned about possible damage created to roads. Need Blackfin Pipeline to inform County of what city pipes will be stockpiled.

Per Blackfin Pipeline Representative, project is scheduled to begin September 15, 2024 and possibly complete in a year.

Approve the Road Use Agreement and conditionally approve 7 permits contingent upon Blackfin Pipeline submitting Environmental Impact Study to County.

*Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0)
Order #24-227*

5. Open bid proposals and action as appropriate for the following:

- a. **Road Material/Gravel**
- b. **Hauling (Road Material)**
- c. **Asphalts, Liquid Asphalt, Emulsion and Dust Control**
- d. **Corrugated Culverts**
- e. **HDPE Culvert Pipe**
- f. **Concrete/Cement**
- g. **Fuel (Gasoline & Diesel)**
- h. **Surface Treatments, Asphalt Laydown & Asphalt Milling**

Proposed Bids:

ACT Pipe and Supply
Bernardo Trucking LLC
Quality Hot Mix, Inc.
Cornerstone Paving & Construction LLC
Koy Concrete, Ltd.
Wilson Culverts, Inc.
Sealy Paving, Inc.
Ergon Asphalt & Emulsions, Inc.
Terra Pave International, Inc.

Gold Star Petroleum, Inc.
Prihoda Gravel Company
Martin Asphalt Company
Cleveland Asphalt Products, Inc.
A-1 Construction Services
A-1 Stripping & Paving Company
Key Performance Petroleum
P Squared Emulsions Plants, Inc.
Texas Materials (Giddings Terminal)
Vulcan Construction Materials, LLC
Waller County Asphalt, Inc.
Cemex
Heidelberg Materials South Texas Stabilized Sand, LLC (HM)
Colorado Materials, Ltd.
Arnold Oil Company Fuels, LLC
G.E. Huebner Concrete, Inc.
Zbranek Gravel, LLC
Tri-County Petroleum, Inc.
Preferred Pipe Distributors, LLC
3L Energy Solutions USA, LLC

Billy Doherty (County Auditor) will assist Shannon Hanath (Road and Bridge Administrative Assistant) with organizing bid proposals.

6. Open bid proposals for Concrete Crushing and action as appropriate:

Proposed Bids:

East Texas Crush Rock, LLC. - \$25,000 for Mobilization and Set-up
Fuqua Construction Company - \$53,750 for Mobilization and Set-up

Per Judge Lapham, will review bids and discuss.

7. Discussion regarding 2025 Holiday Calendar and action as appropriate.

Holiday Calendar Option 1 includes observing December 31, 2025 (New Year's Eve).
Holiday Calendar Option 2 includes observing October 9, 2025 and October 10, 2025 (County Fair Holidays).

Approve Option 1 for 2025 Holiday Calendar.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-228

- 8. Discussion regarding Austin County Investment Policy and action as appropriate.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0)
Order #24-229

- 9. Consideration and action to approve Resolution of Annual Review and Investment Policy of Austin County.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0)
Order #24-230

- 10. Discussion regarding Bellwood Oaks Subdivision and action as appropriate:**
- a. Release Construction Bond**
 - b. Begin 1 Year Maintenance Bond**

Per Jonathan Hopko (County Engineer), he and Commissioner Rinn visited the roads on Old Highway 36 with Grant Lischka (Lischka Engineering) and everything was good.

Approve Release Construction Bond and begin 1-year Maintenance Bond.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0)
Order #24-231

- 11. Consideration and action to authorize a one-time variance from Subdivision Regulations to divide a 6.33-acre tract from a 46.227 parent tract on State Highway 36, Pct. 2.**

Per Commissioner Rinn, he and Jonathan Hopko (County Engineer) reviewed Subdivision Regulations. Jonathan Hopko has no objections.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0)
Order #24-232

- 12. Discussion and action to approve 2024-2025 Time Sheet Calendar.**

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0)
Order #24-233

13. Discussion and action to declare the following Pct. 2 vehicles as surplus:
- a. 1996 Ford F250 – 1FTHE25H9TLB22080
 - b. 1996 Ford F250 – 1FTHE25H9TLB22079

Per Judge Lapham, hold vehicles 30 days until auction.

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-234

14. **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 Required Schooling Application for the following to attend, Key Personnel & Victim Assistance Coordinator Conference, to be held November 13-15, 2024 in Sugar Land, Texas:**
 - i. Lisa Tobola – Felony Legal Assistant
 - ii. Sylvia Herrera – Legal Assistant
 - iii. Maribel Cruz – Legal Office Administrator
 - b. **Discussion and action to accept executed County Health Authority documents:**
 - i. Statement of Elected/Appointed Officer
 - ii. Oath of Office
 - iii. Certificate of Appointment

Motion to Approve: Commissioner Cerny, 2nd Commissioner Reed, passed (4-0)
Order #24-235

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

Total = \$1,594,663.28

Approve Payment of Claims.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-236

- b. **Fund Transfers**

Total = \$912,816.28

Approve Fund Transfers.

Motion to Approve: Commissioner Lamp, 2nd Commissioner Rinn, passed (4-0)
Order #24-237

c. Budget Amendments

No Budget Amendments.

d. County Auditor's Review of finances

No County Auditor's Review of finances.

e. County Treasurer's

i. Payroll and Escrow Report – 08.23.2024

Motion to Approve: Commissioner Reed, 2nd Commissioner Lamp, passed (4-0)
Order #24-238

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

a. OSSF – July 2024

b. AgriLife Extension – July 2024

Motion to Accept: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #24-239

Court recessed at 10:32 a.m.

17. EXECUTIVE SESSION

A closed meeting will be held concerning the following items:

a. Real Estate Matter

b. Legal Matter

c. Legal Matter

d. Economic Development Matter

Court Reconvened at 12:41 p.m.

18. Action as appropriate on Executive Session.

Item 17a. – Motion to approve purchase of 1 acre on Highway 159 E.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-240

Item 17b. – Motion to approve contract with Bryant Consulting.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #24-241

No action on Item 17c. and 17d.

19. Commissioners Court Inquiry.

*Motion to Adjourn: Commissioner Lamp, 2nd Commissioner Reed, passed (4-0).
Order #24-242*

Court adjourned at 12:43 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 26, 2024.**



Date: September 27, 2024

Andrea Cardenas

**Andrea Cardenas, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas**

By: _____
Kimberly Benjamin, Deputy Clerk

FILED

2024 SEP 27 AM 9: 14

Andrea Cardenas
**COUNTY CLERK
AUSTIN COUNTY, CLERK**