



**CARRIE GREGOR**  
AUSTIN COUNTY CLERK

## **COMMISSIONERS COURT MINUTES**

On **January 28, 2013** Austin County Commissioners Court met in the Commissioners Courtroom at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge  
Reese Turner, Commissioner, Precinct 1  
Robert "Bobby" Rinn, Commissioner, Precinct 2  
Randy Reichardt, Commissioner, Precinct 3  
Douglas King, Commissioner, Precinct 4  
Cyndi Gomez, Deputy County Clerk

### **Opening – 9:00 a.m.**

**Call to Order**  
**Invocation**  
**Pledges of Allegiance**  
**Certification of Quorum**

### **Consideration/Adoption of Agenda**

*Motion to Adopt: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-24**

#### **1. Petitions or Requests from the Public**

Commissioner Turner discussed the progress with reports on House Bill 3352. Jackie Stewart and Shannon Hanath, Deputy County Clerk's, were present for comments.

Dan Anderson discussed Hwy 36 improvements, the Animal Shelter and the Austin County Website.

#### **2. Consideration and possible action to adopt Consent Agenda Format**

See Agenda #3.

#### **3. CONSENT AGENDA – Items listed are of routine nature and may be acted on in a single motion unless requested otherwise by a member of Commissioners Court.**

- a. Transmittal of the minutes of the Court's meetings of December 10 and 21, 2012.
- b. Consideration and possible action to accept report by Austin County Sheriff's Office regarding Racial Profiling, Article 2.132 Texas Criminal and Vehicle Handbook.
- c. Consideration and possible action to accept report by Constable Precinct 2 regarding Racial Profiling, Article 2.132 Texas Criminal and Vehicle Handbook.
- d. Consideration and possible action to accept report by Constable Precinct 3 regarding Racial Profiling, Article 2.132 Texas Criminal and Vehicle Handbook.
- e. Consideration and possible action to accept report by Constable Precinct 4 regarding Racial Profiling, Article 3.132 Texas Criminal and Vehicle Handbook.
- f. Consideration and possible action to authorize purchase of official record binders and commissioners court binder out of Records Management 137-010-0000 in the amount of \$293.54.

*Motion to Adopt: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Turner, passed (4-0).  
Order #13-25*

#### **4. Report by Paul Frerich, TXDOT District Engineer.**

Review of current and future Hwy construction projects with predicted completion dates, traffic study around the Courthouse, and RR crossing intersections in Bellville.

Judge Bilski inquired about new technology for the backup, inconvenience and safety hazards with regard to the traffic light at Hwy 36 and Hacienda.

Mr. Frerich discussed the letter to Austin County for the project on Hwy 36 from Sealy to Bellville. The cost of right-of-way and utilities was estimated and the County is responsible for up to 10%. The estimated agreement for 2006 was \$548,000.00. The County agreed to pay \$100,000.00 each year, and has. Since then, there has been a utility adjustment and the difference was more than anticipated in 2006. The County's portion is \$745,861.00. The County owes TXDOT \$197,825.04, and can submit a proposal to amend the agreement for a payment plan.

Commissioner Turner mentioned \$100,000.00 a year was something they knew was coming and budgeted for. Last year they did not know about this and did not plan for it. Being unaware, there should be consideration for lower payments.

According to Mr. Frerich, he cannot make the decision to say the amount to pay; on the other hand Austin County signed an agreement to pay an amount within 30 days.

Per Judge Bilski, they should have been informed in order to budget for it. There was no communication thorough TXDOT's Department. They need to talk to the right person.

**5. Consideration and possible action to authorize portable scales and supporting equipment out of Traffic Fee account 110-010-0000 not to exceed \$9,435.00**

*Motion to Authorize: Commissioner King, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-26**

**6. Discussion regarding burn ban, and action as appropriate**

Commissioner Turner relayed comments received from taxpayers and property owners in regard to burning. He is not in favor of lifting the ban and suggests leaving the burn ban in effect.

*Motion to Approve: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-27**

Commissioner King has been asked by property owners with regard to a form Commissioners carried allowing burns during burn bans.

Per Commissioner Reichardt, there have been Agriculture Burns and more are scheduled. There are certain things that are good for the county and certain things that could cause problems. A minor portion of people in Austin County need to burn or have to burn, and could affect a great majority of people if it gets out of control.

Commissioner Rinn presented pictures to the Court showing dry conditions of pastures and fields in Precinct 2.

Judge Bilski read a letter from Eric Zapalac, Sealy Fire Department regarding the burn ban.

Per Commissioner's Turner and Reichardt, a contained and screen covered fire is permitted with a source of water available.

**7. Consideration and possible action to amend Salary Order for Jail – Department 114**

*Motion to Amend: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #13-28**

**8. Budgetary and Financial Claims – action as appropriate**

**a. Payment of Claims**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #13-29*

**b. Budget Amendments**

*Motion to Authorize: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #13-30*

**c. County Auditor's review of finances**

November 1, 2012 – November 30, 2012

**d. County Treasurer Reports**

**i. May 2012 – Amended**

**ii. June 2012 – Amended**

**iii. July 2012 – Amended**

**iv. August 2012 – Amended**

**v. September 2012 – Amended**

**vi. October 2012**

**vii. November 2012**

*Motion to Approve: Commissioner Turner, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).  
Order #13-31*

**viii. Quarterly Report – April-May-June 2012**

**ix. Quarterly Report – July-August-September Amended**

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #13-32*

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

**a. County Court – December 2012**

- b. Justice of The Peace, Precincts 1, 2, 3, & 4
- c. Constable – Precincts 1, 2, 3, & 4
- d. Environmental Enforcement – May – December 2012
- e. Certificate of Continuing Education for Carrie Gregor, County Clerk
- f. Certificate of Continuing Education for Sue Murphy, District Clerk

10. Commissioners Court Inquiry

- EMS Billing Companies
- Frydek Rd. property needs dividing fence
- Wallis Library repairs

Court adjourned at 10:45 a.m.

**ALL SUPPORTING DOCUMENTS ON FILE WITH COUNTY CLERK AS  
PROVIDED BY COMMISSIONERS COURT**

I, Carrie Gregor, Austin County Clerk, attest to the accuracy of the record of the Commissioners Court proceedings for January 28, 2013.



Date: February 19, 2013

Carrie Gregor

Carrie Gregor, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas  
By: Cyndi Gomez, Deputy

FILED

13 FEB 19 AM 11:16

Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS