



CARRIE GREGOR  
AUSTIN COUNTY CLERK

## COMMISSIONERS COURT MINUTES

On **September 24, 2012** Austin County Commissioners Court met in the Basement Meeting Room at the Austin County Courthouse with the following present:

Carolyn Bilski, County Judge  
David Ottmer, 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 – 4:00 p.m.

Call to Order  
Invocation  
Pledges of Allegiance  
Certification of Quorum

### Consideration/Adoption of Agenda

Delay agenda #2 and #3, awaiting phone call during meeting.

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #12-341**

### 1. Petitions or Requests from the Public

Philip Shackelford, AgriLife Agent discussed the confirmed cases of West Nile Virus in Austin County, the effects, and mosquito control for prevention.

### 4. Review bid proposals for paving of Educator Lane and Cougar Drive located in Precinct 4, and action as appropriate

Durwood Greene - \$113,373.00 and Huff & Mitchell - \$217,500.00.

Award Durwood Greene.

*Motion to Accept: Commissioner King, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #12-342**

**5. Consideration and possible action to authorize purchase of two radar units out of traffic safety funds not to exceed \$6,530**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #12-343**

**6. Discussion regarding paving of Stokes and Schluens Roads in Precinct 1, and action as appropriate**

*Motion to Approve: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #12-344**

**7. Consideration and possible action to authorize agreement for temporary access between Troy Tesch and Austin County Precinct 1 to clean ditch and control erosion caused by culverts**

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #12-345**

**8. Consideration and possible action to approve Right-of-Way installation by Industry Telephone Company on Tiemann Road in Precinct 2**

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #12-346**

**9. Consideration and possible action to review Chapter 59 Asset Forfeiture report form for Criminal District Attorney**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #12-347**

**10. Consideration and possible action to authorize County Judge to sign interlocal agreements as budgeted to serve Austin County citizens**

**a. Combined Community Action**

The County funds \$1,200.00.

**b. Austin County Soil and Water Conservation District**

The County funds \$1,313.00.

**c. Youth and Family Services**

The County funds \$1,300.00.

**d. Colorado Valley Transit, Inc.**

The County funds \$6,000.00 / Job access \$15,000.00.

**e. Helping one Another – Meals on Wheels**

The County funds \$8,750.00.

**f. The Virgil and Josephine Gordon Memorial Library**

The County funds \$15,000.00.

**g. Faith Mission**

The County funds \$500.00.

**h. Focusing Families**

The County funds \$2,500.00.

**i. Austin County Fire Fighters Association**

The Court funds \$5,500.00.

**j. Texana Center for behavioral healthcare & developmental disability services**

The County funds \$15,000.00.

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #12-348**

**11. Consideration and possible action to authorize County Judge to execute contract with William Farrell as Veterans Service Officer**

The sum of \$8,000.00.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).*  
**Order #12-349**

**12. Consideration and possible action to authorize County Judge to execute contract with Dr. Don R. Bosse as County Health Authority**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #12-350**

- 13. Consideration and possible action to authorize Resolution authorizing support for passage of State Legislation establishing refundable deposits on all aluminum, glass and plastic beverage containers sold in the State of Texas**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner King, passed (4-0).  
Order #12-351*

- 14. Consideration and possible action to accept appointment of replacement Alternate Judge for Precinct 101 to serve a two-year term which began September 1, 2012**

*Motion to Accept: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Reichardt, passed (4-0).  
Order #12-352*

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

- a. Justice of The Peace, Precincts 1, 2, 3, & 4 – August 2012
- b. Constable, Precincts 2, 3, & 4 – August 2012
- c. Austin County Library System – August 2012
- d. On-Site Sewage Facility (OSSF) Activity – August 2012
- e. 2012 Transportation Enhancement Program

Court recessed at 4:35 p.m.

Court reconvened at 5:17 p.m.

**5:15 P.M. PUBLIC HEARING REGARDING PROPOSED FISCAL YEAR 2012-2013 BUDGET**

No comments, nor questions from the public.

Hearing closed at 5:19 p.m.

A traditional letter was read by Judge Bilski, from herself and Betty Jez, County Auditor with regard to the 2012-2013 Proposed Budget.

- 15. Discussion regarding any necessary 2012-2013 budget changes/corrections, and action as appropriate**

Changes made to the General Fund, Expenditures: page 32 – item #5310, increased to \$150,000.00; item #5752, deleted \$29,500.00; page 33 – item #1999, increase to

\$260,000.00; page 14 – item #1114, increase \$1,222.00 and item #1115, increased to \$41,490.00; page 43 – item #3154, increase \$1,046.00.

Road and Bridge – 3% increase effective October 1, 2012, and a 2% increase in December 2012 as other elected officials requested.

The Court agreed on additions and changes as presented by the Auditor and the new convolutions and additions, with discussion regarding a 3% increase to take effect October 1, 2012.

*Motion to Adopt: Commissioner Ottmer, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #12-353**

**16. Consideration and possible action to adopt and approve final budget of Austin County Texas for Fiscal Year 2012-2013, and authorize publication of the notice of adoption**

*Motion to Adopt and Authorize Publication: Commissioner Rinn, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #12-354**

**17. Consideration and possible action to set property tax rate for 2012-2013 Fiscal Year Budget**

**a. General Maintenance**

\$.3480 on each \$100.00 valuation on all taxable property in Austin County.

**b. Special Road and Bridge Tax**

\$.0648 on each \$100.00 valuation on all taxable property in Austin County.

**c. Farm-To-Market and Lateral Roads Tax**

\$.0782 on each \$100.00 valuation on all taxable property in Austin County.

**d. Debt Service Tax**

\$.0367 on each \$100.00 valuation on all taxable property in Austin County.

*Motion to Approve: Commissioner Ottmer, 2<sup>nd</sup> Commissioner King, passed (4-0).*  
**Order #12-355**

Court recessed at 5:43 p.m.

Judge Bilski left to take phone call regarding meeting.

Court reconvened at 6:06 p.m.

Court will recess on items #2 and #3 during next meeting, September 25, 2012 at 10:15 a.m.

*Motion to Approve: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Ottmer, passed (4-0).*  
**Order #12-356**

Court recessed September 24, 2012 at 6:07 p.m.

Court reconvened September 25, 2012 at 9:40 a.m.

**3. Consideration and possible action to authorize completion agreement between New Ulm Water Supply Corporation, Lassen, Inc., BEFCO Engineering and Austin County to facilitate rehabilitation of Wastewater Treatment Plant**

Court to allow Judge Bilski to accept Completion Agreement and Change Order from the Department of Agriculture contingent upon knowing we still have access to the Surety if there are any other obstacles placed in front of us, and authorize a Certificate of Completion on behalf of Austin County, New Ulm Water Supply Corporation as Fiscal agent on the Community Development Grant.

*Motion to Authorize: Commissioner Ottmer, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #12-357**

**2. Consideration and possible action to authorize indemnification agreement between New Ulm Water Supply Corporation and Austin County regarding Texas Department of Agriculture Grant**

*Motion to Authorize: Commissioner Reichardt, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #12-358**

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 September 24, 2012.

Date: October 8, 2012

Carrie Gregor

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



FILED

12 OCT -8 PM 2: 20

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS