

LLANO COUNTY COMMISSIONERS COURT
SPECIAL MEETING NOVEMBER 28, 2022 9:00 A.M.

STATE OF TEXAS

COUNTY OF LLANO

9:00 A.M., November 28, 2022 the Llano County Commissioner's Court met. Members present were: Judge Ron Cunningham, Peter Jones, Linda Raschke, Mike Sandoval, Jerry Don Moss; Commissioners of Precincts 1, 2, 3, 4; Auditor; Kelly Eckhardt; County Clerk; Marci Haderl. Estimated Attendance: 17

AGENDA ITEM #1:

Announce To Call For Public Participation Signup

AGENDA ITEM #2:

Consent Agenda:

- a. Commissioners Court Minutes – Regular Meeting 11-14-2022 & Special Called Meeting 11-14-2022 HOT Grant
- b. Call For Bids/Discussions Of Bids/Approval And Or Awarding Of Bid/Bids/Contracts– Kelly Eckhardt, Auditor
- c. Budget /Transfers - Accounts Payable/Financial Reports – Kelly Eckhardt, Auditor
- d. Interlocal/Agreements – Dwain Rogers & Matt Rienstra
- e. 1st CC Of Month – Treasurer/Investment Report – Teresa Kassell, Treasurer (No Report)
1st CC Of Month – Leave Balance Report – Lisa Otto, HR Department (No Report)
1st CC Of Month – Payroll Certification – Lisa Otto, HR Department
- f. Monthly Reports:
 1. District Clerk

MOTION: Jones; Second Moss; **UNANIMOUS. MOTION PASSED.**
Approved Consent Agenda Items A, B, C, D, E & F With Exception To Change In Interlocal Agreement With Sunrise Beach To State Amount Of ARP Funding Not To Exceed \$302,000.00.

AGENDA ITEM #3:

Public Service Announcements

AGENDA ITEM #4:

Discussion/Action: Prohibiting Or Restricting Outdoor Burning In Llano County.

MOTION: Raschke; Second Moss: **UNANIMOUS. MOTION PASSED.**
Table Agenda Item #4.

AGENDA ITEM #5:

Public Participation

No Public Sign Up

AGENDA ITEM #6:

Public Hearings/Discussion/Approval Of Plats/Replats/Vacating Of Lot/ Lots

6a. Variance Request: Variance Request For Encroachments Of Existing Structures More Than 50% Into Building Setbacks On Lots 93 & 100, Granite Ridge At Packsaddle & A 0.011 Acre Tract Of Land.

MOTION: Sandoval; Second Raschke; **MOTION PASSED.**

AYE: Judge Cunningham, Jones, Raschke, Sandoval

NAY: Moss

Approved Variance Request For Encroachments Of Existing Structures More Than 50% Into Building Setbacks On Lots 93 & 100, Granite Ridge At Packsaddle & A 0.011 Acre Tract Of Land.

6b. Discussion/Action: Replat Of Lots 93 & 100, Granite Ridge At Packsaddle, A Llano County Subdivision As Shown On Volume 15, Page 8 Of The Plat Records Of Llano County, Texas, Being Further Described In Volume 1312, Page 963 & Instrument No. 21-08745 Of The Official Public Records Of Llano County, Texas, And A 0.011 Acre Tract Of Land Described In Document To Bobby L. Williams And Patti S. Williams, Recorded In Instrument No. 22-07406 Of The Official Public Records Of Llano County, Texas, "Lot 93-A Granite Ridge At Packsaddle.

MOTION: Sandoval; Second Raschke; **UNANIMOUS. MOTION PASSED.**

Approved Replat Of Lots 93 & 100, Granite Ridge At Packsaddle, A Llano County Subdivision As Shown On Volume 15, Page 8 Of The Plat Records Of Llano County, Texas, Being Further Described In Volume 1312, Page 963 & Instrument No. 21-08745 Of The Official Public Records Of Llano County, Texas, And A 0.011 Acre Tract Of Land Described In Document To Bobby L. Williams And Patti S. Williams, Recorded In Instrument No. 22-07406 Of The Official Public Records Of Llano County, Texas, "Lot 93-A Granite Ridge At Packsaddle.

6c. Public Hearing: Concerning The Replat Of Lots 42 & 43 Granite Shoals Lake Shores, A Llano County Subdivision As Shown On Plat Recorded In Volume 86, Page 15 Of The Deed Records Of Llano County, Texas, Being Further Described In General Warranty Deed With Vendor's Lien To John Engert And Lynn Engert Recorded In Instrument No. 21-08200 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 42A, Granite Shoals Lake Shores.

6d. Discussion/Action: Replat Of Lots 42 & 43 Granite Shoals Lake Shores, A Llano County Subdivision As Shown On Plat Recorded In Volume 86, Page 15 Of The Deed Records Of Llano County, Texas, Being Further Described In General Warranty Deed With Vendor's Lien To John Engert And Lynn Engert Recorded In Instrument No. 21-08200 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 42A, Granite Shoals Lake Shores.

MOTION: Sandoval; Second Raschke; **UNANIMOUS. MOTION PASSED.**

Approved Replat Of Lots 42 & 43 Granite Shoals Lake Shores, To Be Known As Lot 42A, Granite Shoals Lake Shores.

AGENDA ITEM #7:

Discussion/Action: Making A Llano County Sexual Assault Response Team (SART) Part Of A Joint County Response Team That Includes Burnet And Possible Blanco Counties.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**

I Make A Motion To Make Llano County Adult Sexual Assault Response Team (SART) Part Of A Joint County Response Team That Includes Burnet And Possible Blanco Counties.

AGENDA ITEM #8:

Discussion/Action: Accept Resignation Of Randy Rives From Capital Area Regional Transportation Planning Organization (CARTPO); Appoint Dwight King To CARTPO Board.

MOTION: Raschke; Second Moss; **UNANIMOUS. MOTION PASSED.**

Accepted Resignation Of Randy Rives From Capital Area Regional Transportation Planning Organization (CARTPO); And Approved Appointment Of Dwight King To CARTPO Board.

AGENDA ITEM #9:

Discussion/Action: Add The K-9 Module To Our Current Sheriff's Office Athena RMS (Records Management System). The Module Is Being Provided At No Cost To The Sheriff's

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Office Except For The Yearly Maintenance Fee Of \$1000.00. The First Bill Would Be Due October 1, 2023 And The Fee Will Come Out Of Budget Item #010-560-452, General Repair & Maintenance.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Motion To Approve Adding The K-9 Module To Our Current Sheriff's Office Athena RMS.
(Records Management System)

AGENDA ITEM #10:

Discussion/Action: Order The Creation Of Emergency District #5 Pursuant To Health & Safety Code 775.034 Effective November 28, 2022 Due To The Majority Vote In Favor Of The Creation Of Such District On The November 8, 2022 Election Ballot. This Emergency Service District #5 Is To Provide Fire Protection Services To Voting Precinct 108 Residents Which Includes The City Of Sunrise Beach Village And The Communities Of Bridgepoint, Lakewood Forest 1 And Comanche Rancherias.

MOTION: Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Approve The Order Creating Emergency District #5 Pursuant To Health & Safety Code 775.034 Effective November 28, 2022 Due To The Majority Vote In Favor Of The Creation Of Such District On The November 8, 2022 Election Ballot.

AGENDA ITEM #11:

Discussion/Action: Approve The Appointment Of The Newly Created Emergency Service District #5 Commissioners As Follows: Jean Glass, Karl J. Wolfe And Michael Thomas For A Two-Year Term Starting January 1, 2023 And Mike Von Wupperfeld And Andrew Spencer For A One-Year Term Starting January 1, 2023.

MOTION: Jones; Second Sandoval; **UNANIMOUS. MOTION PASSED.**
Approved The Appointment Of The Newly Created Emergency Service District #5 Commissioners As Follows: Jean Glass, Karl J. Wolfe And Michael Thomas For A Two-Year Term Starting January 1, 2023 And Mike Von Wupperfeld And Andrew Spencer For A One-Year Term Starting January 1, 2023.

AGENDA ITEM #12:

Discussion/Action: Approval For Llano County Application To TDEM For Project 4485DR Emergency Protective Measures Application For Reimbursement Of Up To \$159,181.18 For Expenses Incurred Responding To COVID.

MOTION: Moss; Second Jones; **UNANIMOUS. MOTION PASSED.**
Approved Llano County Application To TDEM For Project 4485DR Emergency Protective Measures Application For Reimbursement Of Up To \$159,181.18 For Expenses Incurred Responding To COVID.

AGENDA ITEM #13:

Discussion/Action: Consideration And Possible Approval Of VOIP And Internet Service Provider Based On RSP Responses Received.

MOTION: Jones; Second Moss; **UNANIMOUS. MOTION PASSED.**
Approved VOIP And Internet Service Provider Based On RSP Responses Received.

AGENDA ITEM #14:

Discussion/Action: Approval Of Price Increase On 1 Pre-Ordered Building And Maintenance Vehicle And 1 Pre-Ordered IT Vehicle From The Fleet Management Allocated Funds.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Approved The Price Increase On 1 Pre-Ordered Building And Maintenance Vehicle And 1 Pre-Ordered IT Vehicle From The Fleet Management Allocated Funds.

AGENDA ITEM #15:

Discussion/Action: Approval To Allocate Additional Fleet Management Funds To Purchase Previously Approved Second Vehicle For Development Services And All Other County Departments As Needed.

MOTION: Jones; Second Moss; **UNANIMOUS. MOTION PASSED.**

Approved To Allocate Additional Fleet Management Funds To Purchase Previously Approved Second Vehicle For Development Services And To Share Vehicle With Other County Departments.

AGENDA ITEM #16:

Discussion/Action: Declare A 2018 Chevy Tahoe Salvage (Total Loss) Two Offers From Texas Association Of Counties (TAC):

- a. Actual Cash Value = \$31,507.33, Minus Initial Payment Issued \$16,434.70, Less Deductible \$1,000, Offer = \$14,072.63. TAC Will Pick Up Vehicle And Salvage
- b. Actual Cash Value = \$31,507.33, Minus Initial Payment Issued \$16,434.70, Less Deductible \$1,000, Offer = \$8,072.63. Sheriff's Department To Retain Vehicle.

MOTION: Moss; Second Jones; **UNANIMOUS. MOTION PASSED.**

Approve Agenda Item #16 (b)

AGENDA ITEM #17:

Discussion/Action: Approval Of Changes To Law Enforcement Work Period Schedule With 13 Pay Periods Per The Fair Labor Standards Act (FLSA).

MOTION: Raschke; Second Moss; **UNANIMOUS. MOTION PASSED.**

Motion To Adopt A Law Enforcement Work Period Schedule For Deputies, Jailers And Investigators With A 13th Pay Period Per The Fair Labor Standards Act.

AGENDA ITEM #18:

Executive/Closed Session: To Receive Legal Advice Regarding Pending Or Contemplated Litigation Or Settlement Offers, Or Other Legal Advice, Pursuant To §551.071 (1) & (2), Regarding Purchases, Exchanges, Leases Or Value Of Real Property Pursuant To §551.072, Or Security Devices Or Security Audits Pursuant To §551.076 Of The Texas Government Code, Including But Not Limited To The Following Items:

Llano County Sheriff's Office Including The Jail, Audit, And Current Inmate Census
Hutchings v. Llano County, Et Al; United States District Court (Austin)
Marshall, Et Al v. Llano County, Et Al; United States District Court (Austin)
Little, et. al v Llano County, et. al; United States District Court (Austin)

Legal Advice Regarding The Texas Local Government Code, The Open Meetings Act, The Public Information Act, Llano Jail, Employment And Personnel Law, Utility Law, Llano Local Health Authority, Procurement And Contract Law, Evidentiary And Procedural Law, Road And Bridge Law, Ethics Law And General Government Law And Any Additional Federal Or State Law Regarding Any Item On This Open Or Executive/Closed Session Meeting Agenda.

AGENDA ITEM #19:

Return To Open Session: Further Discussion And Possible Action On Any Matter Posted For Discussion In Executive Session. Any Matter Posted In Executive Session Also May Be Subject Of Discussion And/Or Action In Open Session Prior To Executive Session.

Return From Executive Session. Action Taken On Agenda Item #17.

Meeting Adjourned By Judge Ron Cunningham, Presiding Officer

Attest: Marci Haderler Marci Haderler, County Clerk