



DIANE DAY
AUSTIN COUNTY CLERK

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COMMISSIONERS COURT MINUTES

January 13, 2025 Austin County Commissioners Court met in the 2nd floor Courtroom at the Austin County Courthouse with the following present:

Tim Lapham, County Judge
Greg Mikel, Commissioner, Precinct 1
Robert "Bobby" Rinn, Commissioner, Precinct 2
Leroy Cerny, Commissioner, Precinct 3
Chip Reed, Commissioner Reed, Precinct 4
Kimberly Benjamin, Deputy Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

CONSIDERATION/ADOPTION OF AGENDA

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)
Order #25-4

1. Presentation/update on Austin County Jail Museum by Bruce Noviskie.

Bruce Noviskie (President – Austin County Jail Museum), issued a hand-out to Court explaining the Completed 2024 Projects and 2024 Carry-over Projects for Jail Museum. In 2024, there were 2,258 registered visitors of the museum. This was an increase of 384 from 2023.

Judge Lapham expressed appreciation to Bruce Noviskie and his staff for their dedication and diligence in maintaining the upkeep and providing services at Jail Museum.

Bruce Noviskie expressed his appreciation to Judge Lapham and Austin County for their support. Per Bruce Noviskie, social media has been a significant help with advertising for tours.

2. Petitions or Requests from the Public.

Chief Walter Morrow (EMS Department) introduced Justin Ward as new Clinical Manager for Austin County EMS. Shared his background experiences and accolades with Court. Role with County is Quality Assurance.

Per Commissioner Reed, was informed by TXDOT of closure on Chew Road starting January 20, 2025. Repairs will be done to bridge located near FM-1458. Predicting 3-4 months for completion. Project is part of the Bridge Replacement Program. No cost to County.

3. Discussion to accept countywide polling place resolution and action as appropriate.

Per Kim Rinn (County Tax Assessor-Collector), Senator Bob Hall introduced a Bill to legislature to review for upcoming year to disband Countywide Voting. Other Counties that participate in Countywide Voting has been asked to present a resolution to their Senators and District Representatives supporting Countywide Voting. Currently there are ninety-nine participating counties across the State. Countywide Voting has been good for Austin County.

Judge Lapham inquired how many of the ninety-nine participating counties are rural/urban. Per Kim Rinn (County Tax Assessor-Collector), rural surrounding counties are Burleson, Wharton, Grimes, Fort Bend, Milam and Lee County. Per Judge Lapham, reason for inquiry is that in some cases these issues turn from Republican versus Democrat to Rural versus Urban.

Per Kim Rinn (County Tax Assessor-Collector), Senator Hall introduced same Bill two years ago. Bill passed through Senate but not House of Representatives. There is a strong possibility that Bill will pass this year. Bill also speaks of eliminating some of the tools that aids with voting.

Judge Lapham clarifies Resolution presented by Kim Rinn. Resolution is opposing Countywide Voting. Resolution is not a supporting document. Resolution is to oppose the Bill.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Mikel (4-0)

Order #25-5

4. Discussion regarding the purchase of a new vehicle for Precinct 2 Constable and action as appropriate.

Per Judge Lapham, spoke with Constable Schulz (Justice of the Peace, Precinct 2) and Constable Griffin (Justice of the Peace, Precinct 3), in regards to vehicle purchases. Money was previously put in Budget during summer for purchases.

Per Judge Lapham, motion to go out for 2 bids for SUV and 2 bids for pick-up truck with intent of buying only two vehicles.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)

Order #25-6

Bids are due on February 7, 2025 by 12:00 p.m., in Judge Lapham's Office. Open bids during Commissioner's Court on February 10, 2025. Per Judge Lapham, will present Finance Plan at that time.

5. Discussion regarding Precinct 2 Road and Bridge uniforms and action as appropriate.

Per Commissioner Rinn, recommends Cintas as provider for uniforms. Contract with Cintas is for 3-yrs. Will check to see if they will do a 1-yr. contract instead. Requesting to go with quote for Class III Hi-VIS Reflective Work Shirt (10) at 0.45 each.

Motion to go with Cintas contingent at 1-yr. Contract. If not, will bring matter back to Court.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed (4-0)
Order #25-7

6. Discussion regarding the purchase of the following Medical Equipment for EMS and action as appropriate:

- a. **Z-Vent**
- b. **Stryker Lifepak 35 Monitor/Defibrillators**
- c. **Monitor Mounts**

Per Chief Walter Morrow (EMS Department), sent ventilators for servicing and cost to repair was as much as making a new purchase. Monitors need to be increased by three. Cost of Preventive Maintenance Program on current monitors is about \$1,700 per year for service contract per monitor. Devices are beginning to age out. FDA will no longer honor monitor as front-line equipment.

Per Chief Walter Morrow (EMS Department), there will be a Tahoe left at EMS Industry location that will require a better monitor for first responders use. Captain Martin will need a way to assess people if he arrives to the scene first.

Chief Walter Morrow requests to purchase seven new ventilators and replace thirteen monitors with three additional. Replacements will be in the following: each ambulance, Supervisor's vehicle, Chief's vehicle, Captain Martin's vehicle, Tahoe and vehicle used by Sealy Fire Department. Request to use Opioid funds to make purchases.

Per Chief Walter Morrow (EMS Department), new monitors offer robust quality assurance program, capabilities and advanced features. EMS crewmembers approve of monitors.

Chief Walter Morrow request to use 2023-2024 Opioid Funds to make purchases. There is around \$28,000 available to apply to total equipment costs of \$142,145.97. Plan is set as 5-years purchase with 0% interest.

Judge Lapham believes there is more Opioid Funds available for use. Per Judge Lapham, State has approved use of Opioid money for this expense.

Commissioner Reed inquired on age of current equipment. Per Chief Walter Morrow, ventilators are at least 10 years old. Current model is no longer manufactured. Average lifespan for medical equipment is 7-10 years.

Per Judge Lapham, this is best opportunity to use Opioid Funds. If not used in this matter, there is possibility funds may not be used.

Approve purchase with 5-years payments of \$142,145.97 total.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)

Order #25-8

Per Chief Walter Morrow (EMS Department), Tahoe's placed at Industry EMS will be equipped with ALS equipment, monitors, basic medications, etc. In the event ambulance is not in Industry area at time of calls, there are several volunteers living in that area who can pick up the vehicle from station and respond to call. This will provide faster care to citizens in West End area.

Per Judge Lapham, additional truck stationed in Industry is to better assist with covering the community.

7. Discussion and action regarding Precinct 4 Barn and action as appropriate.

Layout of Barn was distributed for review.

Per Commissioner Reed, Barn located at Precinct 4 is completed. Office needs to be added to Barn. Not allowed to build office with County Road and Bridge funds. Road and Bridge staff suggested to add shower to building.

Per Jonathan Hopko (County Engineer), shower can be added based on review of layout.

Commissioner Cerny suggests adding an eyewash sink.

Judge Lapham suggests flipping the entrance of Crew Meeting Room to make an easier access for workers. Per Commissioner Reed, open for suggestions on Barn design.

Judge Lapham recommends further review of layout, to make mark-ups, changes and suggestions. Will discuss at later date.

No action.

8. Discussion to approve an interlocal Cooperation Agreement between The City of Weimer and Austin County and action as appropriate.

Lieutenant Donald Darracq (Sheriff's Department), request to discuss items #8, #9 and #10 after Executive Session. Per Judge Lapham, will revisit after Executive Session.

9. **Discussion to accept HIDTA Grant (G23HN0026A) increase and action as appropriate.**

Discussion moved to after Executive Session.

10. **Discussion regarding State of Texas Operation Lone Star Interlocal Cooperation Agreement and action as appropriate.**

Discussion moved to after Executive Session.

11. **Discussion to approve WhiteWater Midstream/Blackfin Pipeline Burleigh Compressor Station Site Plan and action as appropriate.**

Jonathan Hopko (County Engineer) request to approve plan to allow project to move forward.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)
Order #25-9

12. **Consideration to modify Precinct 1 Road and Bridge portion of the 2024-2025 Compensation Order and action as appropriate.**

Per Commissioner Mikel, in September 2024 a Clerk's position was created for Precinct 1 Road and Bridge. Former Commissioner Lamp changed to Operator's position. Request to change it back to Clerk's position. There are currently eleven spots in Precinct 1. Once VEOCI is integrated, Clerk will be needed. Clerk will work 32 hours. Starting salary requested at \$17- \$18 per hour.

Commissioner Reed suggests to start salary at \$18/PH with option to increase to \$20/PH. Commissioner Mikel can bring matter to court if there is an issue with salary.

Per Judge Lapham, starting pay for Clerical positions is \$15 - \$15.50 per hour.

Motion to move one Operator position to administrative position with 32 hours per week at \$20 per hour maximum pay.

Motion to Approve: Commissioner Mikel, 2nd Commissioner Reed (4-0)
Order #25-10

13. **Consideration and action to approve the clinical contract between Health Shield Educational Services for EMT and AEMT and Austin County EMS.**

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)
Order #25-11

14. Discussion regarding repairs to the Industry VFD Living Quarters and action as appropriate.

Per Commissioner Rinn, Industry Fire Department allowed Austin County EMS to utilize their facility for 18 years with no charge to County. Would like to make any necessary repairs and retouches to facility now that EMS staff has moved out. Work to facility will include: painting, cabinet repairs, flooring (stripped and rewaxed).

Video was presented to Court to show repairs needed.

Per Judge Lapham, new building was built with Federal money received. Crews were living in a one bedroom, one bathroom, kitchen and lounge area. New building is a big upgrade for crewmembers. Appreciates Industry Fire Department for allowing EMS staff to reside at their facility.

Daniel Sanchez (Shellback Construction), provided update on progress of repairs to facility. Flooring is well-worn. Majority of building is in good shape. No major damage, only retouching.

Commissioner Reed inquired on cost of repairs. Per Daniel Sanchez (Shellback Construction), estimate cost at \$8,000. Price includes flooring work, repainting cabinets and walls.

Judge Lapham inquired on cost to have flooring work done to other area of building. Per Daniel Sanchez (Shellback Construction), estimate an additional \$2,500.

Per Daniel Sanchez (Shellback Construction), repairs can begin this week.

Approve repairs to Industry Fire Department not to exceed \$12,000.

Motion to Approve: Commissioner Rinn, 2nd Commissioner Mikel (4-0)
Order #25-12

15. Consideration and action to approve the Commercial Development Plan for WCTractor-Sealy.

Jonathan Hopko (County Engineer) request to have Commercial Plan approved.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny (4-0)
Order #25-13

16. CONSENT AGENDA - Items listed are of routine nature and may be acted on in a single motion unless requested otherwise by members of Commissioners Court.

- a. **Consideration and action to accept 2024 Racial Profiling Report from Constable Lance Johnson.**
- b. **Consideration and action to approve Required Schooling Application for Wesley Peschel, Justice of the Peace, Pct. 2, in Bee Cave, Texas to be held.**
 - i. **December 8-12, 2024**

- ii. January 26-30, 2025
- c. Consideration and action to accept the executed service agreement between Bellville Urgent Care and Austin County.
- d. Consideration and action to approve Required Schooling Application for Bryan Haevischer, County Treasurer, to be held June 16-18, 2025, in Corpus Christi, Texas
- e. Consideration and action to approve Required Schooling Application for Bernice Berger, Justice of the Peace, Precinct 4, to be held March 23-26, 2025, in Grapevine, Texas
- f. Consideration and action to approve Required Schooling Application for Bryan Haevischer County Treasurer, to be held April 21-24, 2025, in San Marcos, Texas
- g. Consideration and action to approve Required Schooling Application for Diane Day, County Clerk, to be held February 03-06, 2025 in Denton, Texas
- h. Consideration and action to reappoint Leroy Cerny to the Combined Community Action Board of Directors.
- i. Consideration and action to appoint the following to The Austin County Historical Commission:
 - i. Don Allphin
 - ii. Kenneth Blezinger
 - iii. Ruth Brooks
 - iv. Joan Buenger
 - v. Dr. Sarah Chesney
 - vi. Don Conrad
 - vii. Dianna Grobe
 - viii. William "Bill" Hardt
 - ix. James Hering
 - x. Linda Jurecka
 - xi. Edward Kveton
 - xii. Bryan McAuley
 - xiii. Ruby Miller
 - xiv. Melvin Pechacek
 - xv. Sharon Speiss
 - xvi. Mike Vance
 - xvii. Carolyn Zaskoda

Request to add Hurst Barbee to list of Austin County Historical Commission.

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn (4-0)
Order #25-14

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

Total = \$2,279,570.11

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #25-15

b. Fund Transfers

Total = \$8,597.00 (December 26, 2024)
Total = \$821,800.00 (January 10, 2025)
Total = \$79,204.50 (January 10, 2025)
Total = \$395,042.80 (January 13, 2025)

Motion to Approve: Commissioner Rinn, 2nd Commissioner Cerny, passed (4-0)
Order #25-16

c. Budget Amendments

No Budget Amendments.

d. County Auditor's Review of finances

Budget Report (Account Summary) issued for review.

e. County Treasurer's

i. Payroll and Escrow Report(s)

1. 12.27.2024
2. 01.10.2025

Motion to Approve: Commissioner Reed, 2nd Commissioner Rinn, passed (4-0)
Order #25-17

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

a. Court – November and December

- i. Criminal
- ii. Civil
- iii. Family

b. Justice of the Peace Court, Pct. 3 & 4 – December 2024

c. Constable, Pct. 1 – December 2024

d. Jail Population – December 2024

- e. Texas DMV – December 2024
- f. Library – December 2024
- g. OSSF – December 2024

Motion to Accept: Commissioner Cerny, 2nd Commissioner Mikel, passed (4-0)
Order #25-18

Court recessed at 10:20 a.m.

19. EXECUTIVE SESSION

In accordance with Texas Local Government Code §551.071, §551.125 and §551.129, a closed meeting will be held concerning the following items:

- a. Legal Matter – SO
- b. Legal Matter – SO
- c. Legal Matter – Building Projects
- d. Personnel – Pct. 1 R&B

Court Reconvened at 11:26 a.m.

20. Action as appropriate on Executive Session.

Continue agenda Item #8

Motion to Approve: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0)
Order #25-19

Continue agenda Item #9. Accept increase of \$20,000.

Motion to Approve: Commissioner Reed, 2nd Commissioner Cerny, passed (4-0)
Order #25-20

Continue agenda Item #10

Motion to Approve: Commissioner Rinn, 2nd Commissioner Reed, passed (4-0)
Order #25-21

21. Commissioners Court Inquiry.

Motion to Adjourn: Commissioner Cerny, 2nd Commissioner Rinn, passed (4-0).
Order #25-22

Court adjourned at 11:28 a.m.

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

I, Diane Day, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for January 13, 2025.

Date: February 12, 2025
Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

By: Kimberly Benjamin
Kimberly Benjamin, Deputy



FILED

2025 FEB 12 PM 4:13

Diane Day
COUNTY CLERK
AUSTIN COUNTY, TEXAS