



**CARRIE GREGOR**  
*AUSTIN COUNTY CLERK*

265 N. CHESLEY STREET, SUITE 7  
BELLVILLE, TEXAS 77418

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**COMMISSIONERS COURT MINUTES**

**February 13, 2023** Austin County Commissioners Court met in the 2<sup>nd</sup> 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  
Andrea Cardenas, Deputy County Clerk

**9:00 A.M. OPENING**  
**CALL TO ORDER**  
**INVOCATION**  
**PLEDGES OF ALLEGIANCE**  
**ROLL CALL AND CERTIFICATION OF QUORUM**

Agenda item #16ci should be Dave Schultz and #16d should be Geistmann.

Adopt amended agenda.

*Motion to Adopt: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-43**

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

Christie Whitesides (County Clerk's Office), spoke with regard to the County Clerk position vacancy. Ms. Whitesides thank the Court for their confidence in the County Clerk's Office.

**2. Discussion and action as appropriate regarding building projects and financing.**

Approve Wendt Flooring for \$13,238.97 to install flooring for Road and Bridge Administrative Assistant's office Auditor's office and Treasurer's office.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-44**

**a. EMS Stations**

Per Commissioner Reed, Wallis EMS station will deliver structure at the end of February.

Per Commissioner Rinn, material should be coming soon for Industry EMS station.

Per Commissioner Lamp, set back has been done. Dirt work should be starting soon.

Per Judge Lapham, there is a construction meeting on February 27, 2023.

**b. Wendt Street Annex**

2" line broke due to tree roots are too deep. Plumber putting in new line. Pine trees were planted over the line. Greeley Tree Service will remove two Pine trees at the corner of Tax Office.

**c. Road & Bridge facilities**

Per Commissioner Lamp, does have pricing and will call two builders to get quotes.

Per Commissioner Reed, has one quote to construct building. Will call more builders to get quotes. Has structure, needs someone to erect it and put tin on it. Wants a 50' X 125' building. 25' x 25' would be an office then the rest of the building would be for storage.

Per Commissioner Lamp, need an engineer to plan out office space. Builders recommend building needs to be engineered for insurance purposes. Need structures to protect new equipment.

Per Commissioner Reed, will speak with TAC legal about what needs to be done. Will get quotes.

**3. Discussion regarding District Office Lease Agreement with State of Texas Representative Kitzman and action as appropriate.**

Approve District Office Lease Agreement.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #23-45**

**4. Discussion and action as appropriate regarding Subdivision and Special District Opioid Settlement Participation Form(s):**

- a. Allergan Settlement**
- b. Walgreens Settlement**
- c. Walmart Settlement**

**d. CVS Settlement**

Participation agreement to include with State.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-46**

**5. Consideration and action to approve Lease Agreement with Austin County Republican Party.**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #23-47**

**6. Consideration and action to approve grant submittal to the Office of the Governor for SRT Tactical Equipment.**

There is no match requirement.

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-48**

**7. Discussion regarding Library System Policy Manual and action as appropriate.**

Approve Library System Policy Manual.

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-49**

**8. Consideration and action to approve changes to 2022-2023 Compensation Order.**

Under 2022 – 2023 Compensation Order, change 130 EMS Lt./FTO and under PT add /FTO.

*Motion to Approve: Commissioner Lamp, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #23-50**

**9. Discussion and action to authorize a one-time variance from Subdivision Regulations to subdivide a 32.843 parent tract into a 6.8 acre tract and an 8.5 acre tract, the remaining 17.543 acres would be added to tract 12, making tract 12 a 98.973 acre tract on FM 949, Pct. 1**

Per Commissioner Lamp, State is still reviewing variance. When State approves, Court will approve.

No action.

**10. Consideration and action to accept E.S.D. 1 2021-2022 Compilation.**

*Motion to Accept: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #23-51**

**11. Discussion and action to authorize an interlocal agreement for street maintenance with the City of South Frydek.**

*Motion to Authorize: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #23-52**

**12. Consideration and action to declare a 2003 Ford F350 as surplus.**

Declare 2003 Ford F350 as surplus. Cab and chassis to go to Switzer Auction.

*Motion to Declare: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*  
**Order #23-53**

**13. Discussion and action regarding the following pipeline utility documents:**

- a. **Roadway Use and Maintenance Agreement**
- b. **Permit Procedure**
- c. **Road Bore Permit**
- d. **Regulations and order authorizing permits for construction within the public road right of way.**
- e. **Administrative process for submitting and Austin County pipeline or utility permit/application/agreement.**

Shannon Hanniath (Road and Bridge Administrative Assistant) revised documents.

No action.

**14. Discussion and action to add Baggett Ranch Ln as a new private road to 911 road map, Pct. 2.**

Will come back.

**15. Discussion and action to approve elections contract.**

Per Kim Rinn (Tax Assessor-Collector), the only change is the rates went up.

*Motion to Approve: Commissioner Cerny, 2<sup>nd</sup> Commissioner Rinn, passed (3-1).*  
*Commissioner Lamp opposed.*  
**Order #23-54**

14 continued.

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Cerny, passed (4-0).*  
**Order #23-55**

16. **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. **Approval of Minutes**
    - i. **January 1, 2023**
    - ii. **January 9, 2023**
  - b. **Consideration and action to accept 2022 Racial Profiling Report from:**
    - i. **Ronald Griffin, Jr - Constable, Pct. 3**
    - ii. **James P Clark - Constable, Pct. 4**
  - c. **Consideration and action to approve required schooling application to be held March 19 - 22, 2023 in Longview, Texas. for:**
    - i. **David Schulz, County Constable, Pct. 2**
  - d. **Consideration and action to accept Agreement for temporary Access between Kenneth Gristmann and Austin County, Pct. 2**
  - e. **Consideration and action to approve Right of Way installation by AT&T on Kulow Rd, Jalowy Rd, Old Columbus Rd, Pct. 3**
  - f. **Consideration and action to approve Right of Way installation by AT&T on Colony Dr., Cathy Ln., Kenny Ln., Hillbolt Rd., Pioneer Trail, Longhorn Trail., Pct. 3**
  - g. **Consideration and action to approve Right of Way installation by Industry Telephone Company on Post Oak Point Rd, Pct. 2**
  - h. **Consideration and action to approve Right of Way installation by AT&T on S. Tesch St., Bellville, Pct. 1**
  - i. **Consideration and action to approve Right of Way installation by AT&T on Sens Rd, Pct. 3**
  - j. **Consideration and action to accept bonds for:**
    - i. **Richard E Yancey, Jr., JP 1**
    - ii. **Bernice K Burger, JP 4**

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).*  
**Order #23-56**

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

Early bills = \$1,763,664.24 Regular bills = \$583,080.95

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*  
**Order #23-57**

**b. Fund Transfers**

Bluebonnet payment = \$28,032, Grand Jury payment = \$487.32, Jury – JP#4 = \$162, Jury – CCL (January 9, 2023 Jury) = \$776, February 1, 2023 payment for Christensen fees – Bellville/Wallis = \$17,343.92, Langford = \$136,717.43, Jury – DC (January 23, 2023) = \$3,983.10, Early Bills = \$1,763,664.24, and A/P = \$583,080.95.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*

**Order #23-58**

17a. Payment of Claims continued.

Parkway (for Chevrolet Tahoe for Sheriff's Office) = \$40,288.074.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Rinn, passed (4-0).*

**Order #23-59**

- c. Budget Amendments**
- d. County Auditor's Review of finances**

Per Billy Doherty (County Auditor), still doing good, within budget constraints.

- e. County Treasurer**
  - i. Payroll and Escrow Report**
    - 1. 01.27.2023**

*Motion to Approve: Commissioner Rinn, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*

**Order #23-60**

- 18. Written end-of-the month reports submitted by County Offices.**
  - i. Justice of the Peace, Pct. 3 and Pct. 4 - January 2023**
  - ii. Constable Lance Johnson, Pct. 1 - January 2023**
  - iii. Constable Dave Schulz, Pct. 2 - December 2022 & January 2023**
  - iv. Jail Population - January 2023**
  - v. Texas Agrilife Extension Office - December 2022**
  - vi. Texas Motor Vehicles - January 2023**

*Motion to Approve: Commissioner Cerny, 2<sup>nd</sup> Commissioner Reed, passed (4-0).*

**Order #23-61**

Court recessed at 10:12 a.m.

**EXECUTIVE SESSION**

**A closed meeting will be held concerning the following items:**

- 1. Personnel Matter**
- 2. Personnel Matter – County Clerk**

Court reconvened at 11:27 a.m.

**19. Action as appropriate on Executive Session.**

1. No action.
2. New County Clerk to be Andrea Cardenas.

*Motion to Approve: Commissioner Reed, 2<sup>nd</sup> Commissioner Lamp, passed (4-0).  
Order #23-62*

**20. Commissioners Court Inquiry.**

Court recessed at 11:28 a.m.

Court reconvened at 2:00 p.m.

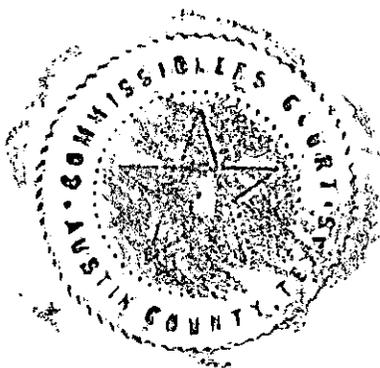
**2:00 PM Workshop regarding infrastructure grant**

*Motion to Adjourn: Commissioner Lamp, 2<sup>nd</sup> Commissioner Reed, passed (4-0).  
Order #23-63*

Court adjourned at 3:12 p.m.

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

I, Carrie Gregor, Austin County Clerk, attest to the minutes of the Commissioners Court proceedings for February 13, 2023.



Date: March 16, 2023

Carrie Gregor

Carrie Gregor, Austin County Clerk  
Clerk of Commissioners Court  
Austin County, Texas  
By: Andrea Cardenas, Deputy

**FILED**

2023 MAR 16 AM 11:44

*Carrie Gregor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS