



DIANE DAY
AUSTIN COUNTY CLERK

265 N. CHESLEY ST., STE. 7
BELLVILLE, TEXAS 77418

PH: 979-227-3144
FAX: 979-865-0336

COMMISSIONERS COURT MINUTES

Order #25-184

December 8, 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, Precinct 4
Diane Day, County Clerk
Allison Gerik, Deputy Clerk

9:00 A.M. OPENING

CALL TO ORDER

INVOCATION

PLEDGES OF ALLEGIANCE

ROLL CALL AND CERTIFICATION OF QUORUM

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

1. Public Hearing regarding West Hill Subdivision partial replat.

Per Jonathan Hopko (County Engineer), the owner bought 2 lots with easements. They will now be building a house on the property line and are requesting approval of a partial replat.

2. Consideration and action to approve West Hill Subdivision partial replat.

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

3. Public Hearing regarding proposed updates to the Subdivision and Development Regulations.

Jonathan Hopko (County Engineer) explained that for the past year and a half they have been working on the regulations. It is requested that the court have a Public Hearing today to seek any comments or concerns from the public.

Cody Miller (Greater Houston Building Organization) expressed his appreciation to the court for allowing developers to be a part of this process. It is recommended that the court does not act today and wait until comments are further incorporated. However, Greater Houston Building Organization has not had any major concerns.

Jonathan Hopko (County Engineer) stated most regulations stayed the same. However, a lot were modified and spelled out better, roadway standards were set, design speeds, and drainage criteria were established.

Judge Lapham requested a meeting be set for next week Monday, December 15, 2025.

Jonathan Hopko (County Engineer) agreed to meet next week Monday, December 15, 2025.

4. Consideration and action to adopt updates to the Subdivision and Development Regulations.

No action.

5. Petitions or requests from the public.

Mark Lamp spoke on his appreciation to the court for the work put in to changing tax rates this year.

6. Pct. 4 Building

- a. Open Bids**
- b. Award Contract**

Jonathan Hopko (County Engineer) stated with holidays and running behind, it is requested that the deadlines be extended and more time given to bidders who attended the mandatory pre-bidder meeting.

Commissioner Reed motioned to extend deadline to bids being due January 19, 2026 at noon and open bids January 22, 2026 in court.

Motion to Approve: Commissioner Reed, Commissioner Cerny, passed (4-0)

- 7. Garlin Rd Bridge Project**
 - a. Open Bids**
 - b. Award Contract**

Commissioner Rinn motioned to extend deadline to bids being due January 19, 2026 at noon and open bids January 22, 2026.

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

- 8. Consideration and action to award Garlin Bridge Project.**

Same as item #7 b.

- 9. Consideration and action to accept Brentwood Development Traffic Impact Analysis.**

Jonathan Hopko (County Engineer) received the Traffic Impact Analysis. Multiple recommendations were given on the entrance at IH-10 and the feeder road. One discussion was on the alignment of the west bound feeder road bridge. It is recommended that the realignment of the bridge be a part of this project.

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

- 10. Building Project update and action as appropriate.**

Daniel Sanchez (Shellback Construction) gave an update on all current county building projects.

- 11. Austin County 2024-2025 Bi-annual SART Program Update.**

Removed. Will move to next court.

- 12. Discussion regarding hiring date waiver and pay allocation for DA Office employee and action as appropriate.**

Benjamin Nystrom (Assistant District Attorney) explained that the District Attorney's Office recently had an employee leave their office. Travis Koehn has offered to return and help with the misdemeanor side.

Judge Lapham inquired on what the TCDRS rules are for returning.

Tara Wise (Human Resources Administrative Assistant) stated that TCDRS requires 1 full calendar month before returning.

Commissioner Reed inquired if this will affect his retirement benefits.

Tara Wise (Human Resources Administrative Assistant) advised he has been gone longer than a full calendar month. Therefore, this will not affect his retirement benefits.

Benjamin Nystrom (Assistant District Attorney) stated he would be an exempt employee and full time. The purpose is to work with his schedule the best we can.

Judge Lapham inquired with Billy Doherty (County Auditor) what the solution should be.

Billy Doherty (County Auditor) explained it is hard to hire someone in contract position when replacing employees.

Benjamin Nystrom (Assistant District Attorney) stated they have an interview scheduled today for the position but it is unknown what the outcome may be.

Judge Lapham inquired if this is the only open position.

Per Benjamin Nystrom (Assistant District Attorney), this is the only open position in the District Attorney's Office.

Commissioner Cerny inquired if the decision can hold off until the first of the year.

Benjamin Nystrom (Assistant District Attorney) explained that it is hard to wait till the first of the year due to working at max capacity right now.

Commissioner Reed motioned to approve a rehire date variance of the county policy to match TCDRS Policy for a District Attorney's Office employee.

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

13. Consideration and action to approve Required Schooling Application for DA's Office:

- a. **Consideration and action to approve Required Schooling Application for Abigail Hicks, Assistant District Attorney, to be held August 25, 2025- December 31, 2025, on TDCAA 2025 Legislative Update- Online.**
- b. **Consideration and action to approve Required Schooling Application for Benjamin Nystrom, Assistant District Attorney, to be held August 25, 2025 – December 31, 2025**
- c. **Brandy Robinson, District Attorney, to be held December 2, 2025 – December 3, 2025 on TDCAA Fundamentals of management: Elected Official.**

- d. **Brandy Robinson, District Attorney, to be held December 3, 2025- December 5, 2025, on TCDAE Elected Prosecutor Conference.**
- e. **Benjamin Nystrom, Assistant District Attorney, to be held December 3, 2025- December 5, 2025, on TDCAA Elected Prosecutor Conference.**

Judge Lapham stated these are all passed and some of them should have been paid out of budget last year.

Benjamin Nystrom (Assistant District Attorney) stated he did not attend his. Therefore, that payment was not needed.

Judge Lapham inquired on how many hours were received when attending conferences like these.

Ben Nystrom (Assistant District Attorney) advised that they receive roughly 15 to 20 hours.

Billy Doherty (County Auditor) stated some have been paid already.

No action.

14. Consideration and action to approve compensation above 2025-2026 Compensation Order Entry Level/ Introductory Level Rate for Tax Office new hire.

Kim Rinn presented letter to the court. The new hire will bring experience and be valuable to the office.

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

15. Discussion regarding Fuel Log Policy and action as appropriate.

Billy Doherty (County Auditor) will look at current fuel accounts to see if a digital response is received when using at the pump.

Will bring back to court.

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

16. Consideration and action to solicit bids for depository.

Billy Doherty (County Auditor) recommended staying with Cadence for now but if more issues occur then look at changing.

17. Consideration and action to appoint Sick Leave Pool Committee member for 2026.

Per Tara Wise (Human Resources Administrative Assistant), one member is no longer employed so we will be appointing her replacement.

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

18. CONSENT AGENDA

- a. **Consideration and action to approve Required Schooling Application for Dave Schulz, Constable Pct. 2, to be held July 26,2026- July 29,2026 in San Marcos, Texas.**
- b. **Consideration and action to approve Required Schooling Application for James Clark, Constable Pct. 4, to be held May 3, 2026- May 6, 2026, in Galveston, Texas.**
- c. **Consideration and action to accept special donation to the Austin County Sheriff's Office, per Local Government Code 81.032, in the amount of \$10,000.00.**
- d. **Consideration and action to accept contract(s) for representation of indigents in Austin County for the following attorney(s):**
 - i. **Kevin Dunn**
 - ii. **Calvin Garvie**
 - iii. **Jeff Heintschel**
 - iv. **Stephen Longoria**

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

19. Budgetary and Financial Claims- action as appropriate.

- a. **Payment of Claims**

Total: \$1,339,853.46

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

- b. **Fund Transfers**

Total: \$865,089.34 (12.08.2025)

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

c. Budget Amendments

None.

d. County Auditor's Review of Finances

Per Billy Doherty (County Auditor), we are still within budget constraints.

e. County Treasurer's

i. Payroll and Escrow Report(s)

- 1. 11.21.2025 Longevity**
- 2. 11.28.2025 Payroll**
- 3. Election Payroll**

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

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

- a. District Court**
 - i. Criminal October 2025**
 - ii. Civil October 2025**
- b. County Court**
 - i. Family October 2025**
- c. AgriLife Extension Report**
 - i. September 2025**
 - ii. October 2025- FCH**
 - iii. October 2025- ANR**
- d. TxDMV- November 2025**
- e. Constable Pct. 1 – October 2025 & November 2025**
- f. Jail Population- November 2025**
- g. OSSF – November 2025**
- h. Justice of the Peace, Pct. 2 – November 2025**
- i. Justice of the Peace, Pct. 3- November 2025**

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

Court Recessed at 10:18 am.

21. EXECUTIVE SESSION – A closed meeting will be held concerning the following items:

- a. Legal Matter**
- b. Personnel Matter – EMS**

Court Reconvened at 10:25 am.

22. Action as appropriate on executive session.

No action.

23. Commissioners' Court Inquiry.

Drought map was presented to the court.

Judge Lapham recommended waiting to decide and revisit in 1 or 2 weeks.

Billy Doherty (County Auditor) requested that the holiday pay policy be revisited and changed.

Motion to Adjourn: Commissioner Reed, 2nd Commissioner Mikel, passed (4-0)

Court Adjourned at 10:26am.

**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 December 8, 2025.

Date: December 17, 2025

Diane Day, Austin County Clerk
Clerk of Commissioners Court
Austin County, Texas

By: Allison Gerik
Allison Gerik, Deputy Clerk

FILED

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