

**LLANO COUNTY COMMISSIONERS COURT**  
**SPECIAL MEETING AUGUST 23, 2021 9:00 A.M.**

**STATE OF TEXAS**

**COUNTY OF LLANO**

9:00 A.M., August 23, 2021 the Llano County Commissioner's Court met. Members present were: Judge Ron Cunningham, Presiding Officer; Peter Jones, Linda Raschke, Mike Sandoval, Jerry Don Moss; Commissioners of Precincts 1, 2, 3, 4; Auditor Cindy Lent; County Clerk Marci Hadel. Estimated Attendance: 26

**AGENDA ITEM #1:**

Announce To Call For Public Comments Signup

**AGENDA ITEM #2:**

Consent Agenda:

- a. Commissioners Court Minutes – Regular Meeting, August 9, 2021, Special Meeting, August 9, 2021, Special Meeting, August 13, 2021
- b. Call For Bids/Discussions Of Bids/Approval And Or Awarding Of Bid/Bids/Contracts– Cindy Lent, Auditor
- c. Budget Amendments/Transfers - Accounts Payable – Cindy Lent, Auditor
- d. Interlocal/Agreements – Dwain Rogers & Matt Rienstra
- e. Payroll Certification – Lisa Otto – Human Resource Department
- f. Monthly Reports:
  1. County Clerk Reports
  2. Justice Of The Peace (1)
  3. Llano County EMS Report
  4. IT Service (BizProtec) Report

**MOTION:** Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Approved Consent Agenda Items A, B, C, D, E & F

**AGENDA ITEM #3:**

Public Service Announcements

**AGENDA ITEM #4:**

Public Comments

No Public Comment Sign Up

**AGENDA ITEM #5:**

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

**MOTION:** Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Reinstate Burn Ban Effective Today.

**AGENDA ITEM #6:**

Update/Discussion: Llano County COVID-19 Response Including Llano County Emergency Declaration And Report On Information Received From Office Of The Governor And TDEM, And Llano County Health Authority.

**AGENDA ITEM #7:**

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

7A. Public Hearing: Concerning The Replat Of Lots 90, 91, 92 And 93, Royal Oaks Estates, Section 1, Unit 8, A Llano County Subdivision As Shown On Volume 1, Page 51 Of The Plat Records Of Llano County, Texas, Being Further Described In Volume 203, Page 369 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 90A, Royal Oaks Estates, Section 1, Unit 8.

7B. Discussion/Action: Replat Of Lots 90, 91, 92 And 93, Royal Oaks Estates, Section 1, Unit 8, A Llano County Subdivision As Shown On Volume 1, Page 51 Of The Plat Records Of Llano County, Texas, Being Further Described In Volume 203, Page 369 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 90A, Royal Oaks Estates, Section 1, Unit 8.

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

Approved Replat Of Lots 90, 91, 92 And 93, Royal Oaks Estates, Section 1, Unit 8, A Llano County Subdivision As Shown On Volume 1, Page 51 Of The Plat Records Of Llano County, Texas, Being Further Described In Volume 203, Page 369 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 90A, Royal Oaks Estates, Section 1, Unit 8.

7C. Variance Request: To Allow A Variance For An Encroachment Of An Existing Structure On Lot 1, Glenn Cove Subdivision, A Llano County Subdivision As Shown On Volume 14, Page 39 Of The Plat Records Of Llano County, Texas And Being Further Described In Volume 1529, Page 308 Of The Official Public Records Of Llano County, Texas To Be Known As Lot 1B, Glenn Cove Point Subdivision.

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

Remove Agenda Item 7C.

7D. Variance Request: To Allow A Variance Of Pre-Existing Setbacks To Be Allowed On Lot 1C, Of The Proposed Replat Of Lots 1 And 1A, Glenn Cove Subdivision, A Llano County Subdivision As Shown On Volume 14, Page 39 Of The Plat Records Of Llano County, Texas And Being Further Described In Volume 1529, Page 308 Of The Official Public Records Of Llano County, Texas To Be Known As Lots 1B and 1C, Glenn Cove Point Subdivision.

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

Remove Agenda Item 7D.

7E. Public Hearing: Concerning A Replat Of Lots 1 And 1A Glenn Cove Subdivision, A Llano County Subdivision As Shown On Volume 14, Page 39 Of The Plat Records Of Llano County, Texas And Being Further Described In Volume 1529, Page 308 Of The Official Public Records Of Llano County, Texas To Be Known As Lots 1B and 1C, Glenn Cove Point Subdivision.

7F. Discussion/Action: Replat Of Lots 1 And 1A Glenn Cove Subdivision, A Llano County Subdivision As Shown On Volume 14, Page 39 Of The Plat Records Of Llano County, Texas And Being Further Described In Volume 1529, Page 308 Of The Official Public Records Of Llano County, Texas To Be Known As Lots 1B and 1C, Glenn Cove Point Subdivision.

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

Remove Agenda Item 7E And 7F.

7G. Public Hearing: Replat Of Lots 369, 370 & 371, Lakeside Heights, Unit 2, A Llano County Subdivision As Shown On Volume 87, Page 347 Of The Plat Records Of Llano County, Texas, To Be Known As Lots 369A And 370A, Lakeside Heights, Unit 2.

7H. Discussion/Action: Replat Of Lots 369, 370 & 371, Lakeside Heights, Unit 2, A Llano County Subdivision As Shown On Volume 87, Page 347 Of The Plat Records Of Llano County, Texas, To Be Known As Lots 369A And 370A, Lakeside Heights, Unit 2.

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

**Aye:** Judge Cunningham, Jones, Raschke, Moss

**Absent For Vote:** Sandoval

Approved Replat Of Lots 369, 370 & 371, Lakeside Heights, Unit 2, A Llano County Subdivision As Shown On Volume 87, Page 347 Of The Plat Records Of Llano County, Texas, To Be Known As Lots 369A And 370A, Lakeside Heights, Unit 2.

7I. Public Hearing: Replat Of Lots 441, 442, 443, 444 & 445, Buchanan Lake Village, Unit 3, A Llano County Subdivision As Shown On Volume 97, Page 289 And Further Described In Deed Record In Document #19-05231 Of The Llano County Official Public Records Of Llano County, Texas To Be Known As Lot 441A, Buchanan Lake Village, Unit 3.

7J. Discussion/Action: Replat Of Lots 441, 442, 443, 444 & 445, Buchanan Lake Village, Unit 3, A Llano County Subdivision As Shown On Volume 97, Page 289 And Further Described In Deed Record In Document #19-05231 Of The Llano County Official Public Records Of Llano County, Texas To Be Known As Lot 441A, Buchanan Lake Village, Unit 3.

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

Approved Replat Of Lots 441, 442, 443, 444 & 445, Buchanan Lake Village, Unit 3, A Llano County Subdivision As Shown On Volume 97, Page 289 And Further Described In Deed Record In Document #19-05231 Of The Llano County Official Public Records Of Llano County, Texas To Be Known As Lot 441A, Buchanan Lake Village, Unit 3.

7K. Public Hearing: Replat Of Lots C & D, Marlyn Point, A Llano County Subdivision As Shown On Volume 1, Page 7 Of The Plat Records Of Llano County, Texas, Being Further Described In Instrument 19-01818 Of The Official Public Records Of Llano County, Texas To Be Known As Lot C1, Marlyn Point.

7L. Discussion/Action: Replat Of Lots C & D, Marlyn Point, A Llano County Subdivision As Shown On Volume 1, Page 7 Of The Plat Records Of Llano County, Texas, Being Further Described In Instrument 19-01818 Of The Official Public Records Of Llano County, Texas To Be Known As Lot C1, Marlyn Point.

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

Approved Replat Of Lots C & D, Marlyn Point, A Llano County Subdivision As Shown On Volume 1, Page 7 Of The Plat Records Of Llano County, Texas, Being Further Described In Instrument 19-01818 Of The Official Public Records Of Llano County, Texas To Be Known As Lot C1, Marlyn Point.

7M. Variance Request: To Allow A Variance For An Encroachment Of An Existing Structure On Property Located At Buchanan Lake Village, Unit 3, Lots 637, 638 & 639. A Llano County Subdivision Shown On Volume 97, Page 389, Llano County Deed Records, To Be Known As Lot 637A.

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

**Aye:** Judge Cunningham, Jones, Raschke, Moss

**Nay:** Sandoval

Approved A Variance For An Encroachment Of An Existing Structure On Property Located At Buchanan Lake Village, Unit 3, Lots 637, 638 & 639. A Llano County Subdivision Shown In Volume 97, Page 389, Llano County Deed Records, To Be Known As Lot 637A.

7N. Public Hearing: Replat Of Buchanan Lake Village, Unit 3, Lots 637, 638 & 639, A Llano County Subdivision As Shown In Volume 97, Page 289, Llano County Deed Records, To Be Known As Lot 637A.

7O. Discussion/Action: Replat Of Buchanan Lake Village, Unit 3, Lots 637, 638 & 639, A Llano County Subdivision As Shown In Volume 97, Page 289, Llano County Deed Records, To Be Known As Lot 637A.

**MOTION:** Raschke; Second Moss; **UNANIMOUS. MOTION PASSED.**  
Approved Replat Of Buchanan Lake Village, Unit 3, Lots 637, 638 & 639, A Llano County Subdivision As Shown In Volume 97, Page 289, Llano County Deed Records, To Be Known As Lot 637A.

**AGENDA ITEM #8:**

Discussion/Action: Approve Request For The City Of Llano To Vacate Or Abandon The Alley In The 200 Block Between West Lampasas And Marble Street.

**MOTION:** Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Approved The Request For The City Of Llano To Vacate Or Abandon The Alley In The 200 Block Between West Lampasas And Marble Street.

**AGENDA ITEM #9:**

Discussion/Action: Approve The Local Order For The 2021 November 2 Special Election For The Purpose Of Voting In A Special Election To Adopt Or Reject The Proposed Constitutional Amendments As Submitted By The 87<sup>th</sup> Legislature, Regular Session, Of The State Of Texas.

**MOTION:** Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved The Local Order For The 2021 November 2 Special Election For The Purpose Of Voting In A Special Election To Adopt Or Reject The Proposed Constitutional Amendments As Submitted By The 87<sup>th</sup> Legislature, Regular Session, Of The State Of Texas.

**AGENDA ITEM #10:**

Discussion/Action: Accept The Donation Of A Granite Conference Table From The Family Of Ann Welder In Honor Of Anne And Ed Welder For The Kingsland Library. Anne Welder Was A Longtime Volunteer And Member Of The Friends Of The Kingsland Library. She Loved Volunteering Here And Became A Wonderful Addition To Our Library. Her Friendship Is Greatly Missed. To Celebrate Her Life, Adrienne Welder, Carl Welder, Ben And Roberta Whitten, Blair And Susan Graber, And Joe And Cindy Krier Have Donated The Table With One Of Anne's Favorite Sayings On It. The Table Is 72 Inches Wide And Is Valued At \$6,000.00.

**MOTION:** Sandoval; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Accepted Donation Of Granite Conference Table From The Family Of Anne Welder In Honor Of Anne And Ed Welder For The Kingsland Library.

**AGENDA ITEM #11:**

Discussion/Action: Approval For The Llano Library To Close From 3:30 To 5:30 On The Second Wednesday Of Each Month For Staff Training.

**MOTION:** Judge Cunningham; Second Moss; **UNANIMOUS. MOTION PASSED.**  
Approved The Llano Library To Close From 3:30 To 5:30 On The Second Wednesday Of Each Month For Staff Training.

**AGENDA ITEM #12:**

Discussion/Action: Accept The Resignation Of Constable Gary Olfers, Precinct 1, Effective August 31, 2021, Due To Retirement.

**MOTION:** Jones; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Accepted Resignation Of Constable Gary Olfers, Precinct 1, Effective August 31, 2021.

**AGENDA ITEM #13:**

Discussion/Action: Approve The Appointment Of Gary Silver To The Position Of Constable, Precinct 1, Effective September 1, 2021.

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

**Aye:** Judge Cunningham, Jones, Raschke, Sandoval

**Nay:** Moss

Approved The Appointment Of Gary Silver To The Position Of Constable, Precinct 1, Effective September 1, 2021.

**AGENDA ITEM #14:**

Discussion/Action: Review And Approve Texas Association Of Counties (TAC) & County Information Resources Agency (CIRA) Services Agreement To Transition Llano County E Mail Services From Rackspace, Currently Administered By TAC & CIRA, to Microsoft 365 Business Basic For 178 Users At \$4.90 Per Email Per Month And Microsoft 365 Business Standard For 6 Users For \$12.40 Per Month Plus 30% Management Fee Per Month For A Total Of \$1,230.58 Per Month And For An Updated Agreement For Website Services Selecting The Standard Plus Website Package For \$3,550.00 Per Year.

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

Approve Texas Association Of Counties & County Information Resources Agency Services Agreement To Transition Llano County E Mail Services From Rackspace, to Microsoft 365 Business Basic And Microsoft 365 Business Standard And Approve Updated Agreement For Website Services Selecting The Standard Plus Website Package.

**AGENDA ITEM #15:**

Discussion/Action: Approve The Proclamation For The 234<sup>th</sup> Anniversary Of The Signing Of The Constitution, Celebrating Constitution Week September 17 Through September 23, 2021.

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

Approved The Proclamation For The 234<sup>th</sup> Anniversary Of The Signing Of The Constitution, Celebrating Constitution Week September 17 Through September 23, 2021.

**AGENDA ITEM #16:**

Discussion/Action: Approve The Llano County's Rules And Procedures To Comply With Its Responsibility Under The Indigent Health Care And Treatment Act.

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

Approved Llano County's Rules And Procedures To Comply With Its Responsibility Under The Indigent Health Care And Treatment Act.

**AGENDA ITEM #17:**

Discussion/Action: Approval Of An Order By The Commissioners Court Of Llano County, Texas Authorizing The Issuance Of "Llano County, Texas Tax Notes, Series 2021", Levying An Annual Ad Valorem Tax, Within The Limitations Prescribed By Law, For The Payment Of The Notes; Authorizing The Execution Of Any Necessary Engagement Agreements With The County's Financial Advisors; And Providing An Effective Date.

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

Approve Order By The Commissioners Court Of Llano County, Texas Authorizing The Issuance Of "Llano County, Texas Tax Notes, Series 2021", Levying An Annual Ad Valorem Tax, Within The Limitations Prescribed By Law, For The Payment Of The Notes; Authorizing The Execution Of Any Necessary Engagement Agreements With The County's Financial Advisors; And Providing An Effective Date.

**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) and (2) 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 COMMISSIONERS COURT  
SPECIAL MEETING 9:00 A.M AUGUST 23, 2021

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

No Executive Session.

**11:00 AM PUBLIC HEARING**

1. Llano County Proposed 2021 Tax Rate:  
Llano County Commissioner's Court Has Proposed A 2021 Tax Rate Of .295740, Broken Down As Follows:  
M&O Rate: .27374 (General Fund .24674, Road & Bridge .02700)  
Debt Service: .02200

No Public Comments.

Meeting Adjourned By Judge Ron Cunningham

Attest: Marci Hadeler  
Marci Hadeler, County Clerk