

LLANO COUNTY COMMISSIONERS COURT
SPECIAL MEETING SEPTEMBER 26, 2022 9:00 A.M.

STATE OF TEXAS

COUNTY OF LLANO

9:00 A.M., September 26, 2022 the Llano County Commissioner's Court met. Members present were: Peter Jones, Linda Raschke, Mike Sandoval, Jerry Don Moss (Presiding Officer); Commissioners of Precincts 1, 2, 3, 4; Auditor; Kelly Eckhardt; Assistant Auditor; Maegan Robertson; County Clerk; Marci Hadelar. Absent: Judge Ron Cunningham. Estimated Attendance: 20

AGENDA ITEM #1:

Announce To Call For Public Comments Signup

AGENDA ITEM #2:

Consent Agenda:

- a. Commissioners Court Minutes – Regular Meeting 9-12-2022
- 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. Elections Office
 2. District Clerk
 3. AgriLife Extension
 4. Road & Bridge
 5. County Clerk

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

AGENDA ITEM #3:

Public Service Announcements

AGENDA ITEM #4:

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

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

AGENDA ITEM #5:

Public Participation

See Sign Up Sheet

AGENDA ITEM #6:

Discussion/Action: Approve The Proclamation For Llano County, Along With The Llano Alliance Drug Intervention To Recognize Drug Abuse Prevention Month (October) And Red Ribbon Week (October 23-31, 2022).

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

Motion To Approve The Proclamation For Llano County, Along With The Llano Alliance Drug Intervention To Recognize Drug Abuse Prevention Month (October) And Red Ribbon Week (October 23-31, 2022).

AGENDA ITEM #7:

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

7a. Public Hearing: Concerning The Replat Of Lots 160, 161, 162, 163, 164, 182, 183, 184, 216, 217 & 218, Sandy Harbor, Section 4, A Llano County Subdivision As Shown On Plat Recorded In Volume 1, Page 25 Of The Plat Records Of Llano County, Texas, Being Further Described In Warranty Deed Recorded In Instrument 21-02888 Of The Official Public Records Of Llano County, Texas, In General Warranty Deed Recorded In Instrument 19-02837 Of The Official Public Records Of Llano County, Texas And In Warranty Deed Recorded In Instrument 19-02839 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 160A & 216A, Sandy Harbor, Section 4.

7b. Discussion/Action: Replat Of Lots 160, 161, 162, 163, 164, 182, 183, 184, 216, 217 & 218, Sandy Harbor, Section 4, A Llano County Subdivision As Shown On Plat Recorded In Volume 1, Page 25 Of The Plat Records Of Llano County, Texas, Being Further Described In Warranty Deed Recorded In Instrument 21-02888 Of The Official Public Records Of Llano County, Texas, In General Warranty Deed Recorded In Instrument 19-02837 Of The Official Public Records Of Llano County, Texas And In Warranty Deed Recorded In Instrument 19-02839 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 160A & 216A, Sandy Harbor, Section 4.

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

Approved Replat Of Lots 160, 161, 162, 163, 164, 182, 183, 184, 216, 217 & 218, Sandy Harbor, Section 4, A Llano County Subdivision As Shown On Plat Recorded In Volume 1, Page 25 Of The Plat Records Of Llano County, Texas, Being Further Described In Warranty Deed Recorded In Instrument 21-02888 Of The Official Public Records Of Llano County, Texas, In General Warranty Deed Recorded In Instrument 19-02837 Of The Official Public Records Of Llano County, Texas And In Warranty Deed Recorded In Instrument 19-02839 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 160A & 216A, Sandy Harbor, Section 4.

7c. Discussion/Action: Concerning The Closure/Abandonment Being 0.055 Of An Acre Of The Right-Of-Way Of Bluebonnet Lane (Comanche Trail Per Plat) Of The Granite Shoals Lake Shore Subdivision, As Shown On Plat Recorded In Volume 86, Page 15, Deed Records Of Llano County, Texas And Being Adjacent To Lots 42, 43 & 44 Of Said Subdivision, Said 0.055 Of An Acre Being More Particularly Described By Metes And Bounds.

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

Approved The Closure/Abandonment Being 0.055 Of An Acre Of The Right-Of-Way Of Bluebonnet Lane (Comanche Trail Per Plat) Of The Granite Shoals Lake Shore Subdivision, As Shown On Plat Recorded In Volume 86, Page 15, Deed Records Of Llano County, Texas And Being Adjacent To Lots 42, 43 & 44 Of Said Subdivision, Said 0.055 Of An Acre Being More Particularly Described By Metes And Bounds.

7d. Public Hearing: Concerning The Replat Of Lots 308, 309, 310 & 311, Inks Lake Village, Section 1, A Llano County Subdivision As Shown On Plat Recorded In Volume 87, Page 345 Of The Deed Records of Llano County, Texas Being Further Described In Instrument 19-03042 And 21-06304 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 308A & 311A, Inks Lake Village, Section 1.

7e. Discussion/Action: Replat Of Lots 308, 309, 310 & 311, Inks Lake Village, Section 1, A Llano County Subdivision As Shown On Plat Recorded In Volume 87, Page 345 Of The Deed Records of Llano County, Texas Being Further Described In Instrument 19-03042 And 21-06304 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 308A & 311A, Inks Lake Village, Section 1.

MOTION: Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**
Approved Replat Of Lots 308, 309, 310 & 311, Inks Lake Village, Section 1, A Llano County Subdivision As Shown On Plat Recorded In Volume 87, Page 345 Of The Deed Records of Llano County, Texas Being Further Described In Instrument 19-03042 And 21-06304 Of The Official Public Records Of Llano County, Texas, To Be Known As Lots 308A & 311A, Inks Lake Village, Section 1.

7f. Public Hearing: Concerning The Replat Of Tract 9, Sendera Ridge On The Colorado, Unit 2, A Llano County Subdivision As Shown On Volume 14, Page 53 Of The Plat Records Of Llano County, Texas, Being Further Described In General Warranty Deed Recorded In Volume 1303, Page 638 Of The Official Public Records Of Llano County, Texas, To Be Known As Tracts 9A & 9B, Sendera Ridge On The Colorado, Unit 2.

7g. Discussion/Action: Replat Of Tract 9, Sendera Ridge On The Colorado, Unit 2, A Llano County Subdivision As Shown On Volume 14, Page 53 Of The Plat Records Of Llano County, Texas, Being Further Described In General Warranty Deed Recorded In Volume 1303, Page 638 Of The Official Public Records Of Llano County, Texas, To Be Known As Tracts 9A & 9B, Sendera Ridge On The Colorado, Unit 2.

MOTION: Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**
Approved Replat Of Tract 9, Sendera Ridge On The Colorado, Unit 2, A Llano County Subdivision As Shown On Volume 14, Page 53 Of The Plat Records Of Llano County, Texas, Being Further Described In General Warranty Deed Recorded In Volume 1303, Page 638 Of The Official Public Records Of Llano County, Texas, To Be Known As Tracts 9A & 9B, Sendera Ridge On The Colorado, Unit 2.

7h. Public Hearing: Concerning The Replat Of Lots 251 & 252, Deerhaven, Section 3, A Llano County Subdivision As Shown On Volume 1, Page 24 Of The Plat Records Of Llano County, Texas, Being Further Described In Instruments 21-02851 & 21-02853 Of The Official Public Records Of Llano County, Texas To Be Known As Lot 251A, Deerhaven, Section 3.

7i. Discussion/Action: Replat Of Lots 251 & 252, Deerhaven, Section 3, A Llano County Subdivision As Shown On Volume 1, Page 24 Of The Plat Records Of Llano County, Texas, Being Further Described In Instruments 21-02851 & 21-02853 Of The Official Public Records Of Llano County, Texas To Be Known As Lot 251A, Deerhaven, Section 3.

MOTION: Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Approved Replat Of Lots 251 & 252, Deerhaven, Section 3, A Llano County Subdivision As Shown On Volume 1, Page 24 Of The Plat Records Of Llano County, Texas, Being Further Described In Instruments 21-02851 & 21-02853 Of The Official Public Records Of Llano County, Texas To Be Known As Lot 251A, Deerhaven, Section 3.

AGENDA ITEM #8:

Discussion/Action: Review And Approve The New FY 2022-2023 Commissioner Court Dates.

MOTION: Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Approve The New FY 2022-2023 Commissioner Court Dates.

AGENDA ITEM #9:

Discussion/Action: Review And Approve The 2023 Holiday Schedule For Llano County.

MOTION: Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**
Approve The 2023 Holiday Schedule For Llano County.

AGENDA ITEM #10:

Discussion/Action: Ratify The Revised And Updated USDA Lease Agreement. The Previously Signed Lease Is Currently In Force And The Revised Lease Reflects New U.S. Government Requirements And Will Be In Effect For An Additional 10 Years.

MOTION: Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**
Approved Ratification Of The Revised And Updated USDA Lease Agreement.

AGENDA ITEM #11:

Discussion/Action: County Sheriff Request For Payout Of The Sheriff's Department Payroll Liability Balances As Of August 31, 2022, Using Excess Payroll And Benefit From Department 010-409.

MOTION: Moss; Second Jones; **UNANIMOUS. MOTION PASSED.**
Approved The County Sheriff Request For Payout Of The Sheriff's Department Payroll Liability Balances As Of August 31, 2022, Using Non-Departmental Line Item #207 To Pay For It.

AGENDA ITEM #12:

Discussion/Action: Approve The Disbursement In The Amount Of \$100.00 For Petty Cash Drawer In Development Services Office And Authorize The Auditor To Replenish The Drawer So That It Remains At A \$100.00 Level.

MOTION: Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**
Approved The Disbursement In The Amount Of \$100.00 For Petty Cash Drawer In Development Services Office And Authorize The Auditor To Replenish The Drawer So That It Remains At A \$100.00 Level.

AGENDA ITEM #13:

Discussion/Action: Acknowledge And Formally Accept A Dedicatory Certificate Dated October 2, 1991 From Bradley Thomas Moseley To Llano County, Of 13.3270 Acres Out Of The Gregoria Esparza Survey No. 503, Abstract No. 191, Also Known As Hickory Creek Ranch Road; The Dedicated Property Is A 60-Foot-Wide Strip Of Land Which Is Used As A Roadway. The Said Roadway Will Be A County Maintained Road From This Date Forward.

MOTION: Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**
Motion To Accept A Dedicatory Certificate Dated October 2, 1991 From Bradley Thomas Moseley To Llano County, Of 13.3270 Acres Out Of The Gregoria Esparza Survey No. 503, Abstract No. 191, Also Known As Hickory Creek Ranch Road; The Dedicated Property Is A 60-Foot-Wide Strip Of Land Which Is Used As A Roadway. The Said Roadway Will Be A County Maintained Road From This Date Forward.

AGENDA ITEM #14:

Discussion/Action: Accept Adopt-A-County Road Program Application From Penny Jo Vasek, In Memory Of A.J. Simpson – "Pops Place", A Stretch Of County Road 405 From Hwy. 71 Across San Fernando Creek Up To 8537 County Road 405.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Accepted The Adopt-A-County Road Program Application From Penny Jo Vasek, In Memory Of A.J. Simpson – "Pops Place", A Stretch Of County Road 405 From Hwy. 71 Across San Fernando Creek Up To 8537 County Road 405

AGENDA ITEM #15:

Discussion/Action: Approve Design Build Services Request For Qualifications Proposed By Riley Mountain For The Five (5) Capital Improvement Facilities Which Llano County, At The County's Sole Discretion, May Choose To Include All Five (5) Facilities, Any Combination Of

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The Five (5) Facilities Or None Of The Facilities In This Project, Based Upon Available Funding.

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

Approve The Design Build Services Request For Qualifications Proposed By Riley Mountain For Four (4) Capital Improvement Facilities Which Would Be Three (3) EMS Buildings And The East Annex Tax Office, Based Upon Available Funding.

AGENDA ITEM #16:

Discussion/Action: To Approve Reimbursement Of The Incoming Justices Of The Peace For Precinct 1 & 4 For The Cost To Attend Mandatory Training In December 2022 Prior To The Date On Which They Will Be Sworn In For Office.

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

Approve Reimbursement Of The Incoming Justices Of The Peace For Precinct 1 & 4 For The Cost To Attend Mandatory Training In December 2022 Prior To The Date On Which They Will Be Sworn In For Office. To Be Paid From Non-Departmental Funds.

AGENDA ITEM #17:

Discussion/Action: To Approve A Line-Item Transfer In The Amount Of \$26,000 From Non-Departmental (010-409-486) To The Sheriff's Budget For Inmate Housing (010-560-482).

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

Approved A Line-Item Transfer In The Amount Of \$26,000 From Non-Departmental (010-409-486) To The Sheriff's Budget For Inmate Housing (010-560-482).

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 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)
Holland v. Texas Workforce Commission, et al; 424th District Court (Burnet)

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.

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

Move To Hire Or Employ A Title Company To Conduct A Title Search As To Existing Easements Of The Llano County School Lands Located In Tom Green County, Texas. The County Attorney Is Authorized To Investigate And Employ A Title Company And The Necessary Purchase Order To Be Approved By The County Auditor From The Appropriate Budget Line.

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Meeting Adjourned By Jerry Don Moss, Presiding Officer

Attest: Marci Hadeler
Marci Hadeler, County Clerk