

LLANO COUNTY COMMISSIONERS COURT

MEETING JANUARY 13, 2025 9:00 A.M.

**STATE OF TEXAS
COUNTY OF LLANO**

On this the 13th day of January 2025, the Llano County Commissioners Court met in regular session.

Members Present:	Presiding Officer	Judge Ron Cunningham
	Commissioner Precinct 1	Peter Jones
	Commissioner Precinct 2	Linda Raschke
	Commissioner Precinct 3	Brent Richards
	Commissioner Precinct 4	Jerry Don Moss

Attendees:	County Attorney	Dwain Rogers
	1 st Assistant County Attorney	Matt Rienstra
	County Auditor	Kelly Eckhardt
	County Clerk	Cecilia McClintock
	County Sheriff	Marquis Cantu
	County Treasurer	Cheryl Regmund
	Justice of the Peace Precinct 1	Sam Silver
	Constable Precinct 3	Tim McLean
	Constable Precinct 4	Mike Scoggins
	Building & Maintenance Supervisor	Billy Carney
	Development / 911 Services	Katie Elkins
	Elections Administrator	Andrea Wilson
	Emergency Management	Gilbert Bennett
	Human Resources	Lisa Otto
	IT Manager	Clay Etter
	Road & Bridge Supervisor	Monty Roberts

Estimated Audience Attendance: 14

AGENDA ITEM #1:

Announce to Call for Public Participation Signup.

AGENDA ITEM #2:

Special presentation of outgoing Elected Officials. – Tabled by Judge Ron Cunningham.

AGENDA ITEM #3:

Consent Agenda:

- a. Commissioners Court Minutes:
 1. Regular Meeting December 9, 2024
 2. Special Meeting January 6, 2025
- b. Call, Discussions, Approvals, Awarding of all Bids – Kelly Eckhardt, Auditor
- c. Budget Transfers/Accounts Payable/Financial Reports – Kelly Eckhardt, Auditor
- d. Interlocal/Agreements/Contracts – Dwain Rogers & Matt Rienstra, Attorney

- e. 1st CC Of Month:
 - 1. Leave Balance Report – Lisa Otto, HR Department
- f. 2nd CC Of Month:
 - 1. Payroll Certification – Lisa Otto, HR Department
 - 2. Treasurer/Investment Report – Cheryl Regmund, Treasurer
- g. Monthly Reports:
 - 1. Building & Maintenance
 - 2. IT Services – BizProtec
 - 3. Library System
 - 4. Justice of the Peace (1 (Nov & Dec), 2, 3, 4)
 - 5. Tax Assessor Collector
 - 6. Texas AgriLife Extension (Nov & Dec)
 - 7. EMS Services
 - 8. Constable (1 (Nov & Dec)
 - 9. Development Services
 - 10. District Clerk (Nov & Dec)
 - 11. Indigent Health Care Program
 - 12. Office of Emergency Management

MOTION was made by Commissioner Raschke: Move to accept the Consent Agenda as presented.

SECOND was made by Commissioner Jones. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #4:

Public Service Announcements

AGENDA ITEM #5:

Discussion/Action: Prohibiting or Restricting Outdoor Burning in Llano County.

MOTION was made by Commissioner Jones: Move to table.

SECOND was made by Commissioner Raschke. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #6:

Public Participation – No Public Participation Sign Up Sheets

AGENDA ITEM #7:

Discussion/Action: Presentation by Capital Area Council of Governments (CAPCOG) to introduce new staff members and to update the Commissioners' Court on current activities.

No action taken.

AGENDA ITEM #8:

Discussion/Action: Llano County Hospital, Llano County Hospital Authority and current operator update including options for future operation and healthcare opportunities; authorization for any and all legal actions and remedies to achieve continuation of current operations for future health care opportunities.

No action taken.

AGENDA ITEM #9:

Discussion/Action: Approve new State Travel Rate at \$.70 per mile as of January 1, 2025.

MOTION was made by Commissioner Raschke: So moved.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #10:

Discussion/Action: Approve the Information Technology Policy (Formerly Computer and Internet Usage Policy) 1C-3 through 1C-14 to be Integrated into the Llano County Personnel Policy.

MOTION was made by Commissioner Raschke: Motion to approve the Information Technology Policy 1C-3 through 1C-14 to be integrated into the Llano County Personnel Policy with the removal of 'offensive material' throughout the policy.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #11:

Discussion Only: Review Racial Profiling Report for 2024 for Constable, Precinct 1, Gary L. Silver.

AGENDA ITEM #12:

Discussion/Action: Approve 2025 Resolution Adopting the Llano County Investment Policy, Appoint of County Investment Officer, and Investment Evaluation Committee Members for the year 2025.

MOTION made by Commissioner Raschke: Motion to approve the 2025 Resolution Adopting the Llano County Investment Policy, Appointment of County Investment Officer, and Investment Evaluation Committee Members for the year 2025.

SECOND was made by Commissioner Richards.

AYE: Judge Ron Cunningham, Commissioner Raschke, Commissioner Richards, Commissioner Moss

ABSTAIN: Commissioner Jones

MOTION PASSED.

AGENDA ITEM #13:

Discussion/Action: Accept equipment donation from the Capital Area Council of Governments (CAPCOG). The donation consists of thirty-six (36) Community Emergency Response Team (CERT) Jackets and seventy-three (73) T-Shirts for distribution to Llano County CERT members.

MOTION made by Commissioner Raschke: Motion to accept equipment donation from the Capital Area Council of Governments (CAPCOG). The donation consists of thirty-six (36) Community Emergency Response Team (CERT) Jackets and seventy-three (73) T-Shirts for distribution to Llano County CERT members.

SECOND was made by Commissioner Richards. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #14:

Discussion/Action: Approve an Interlocal Agreement between Llano County and the Hill Country Transit District (HCTD) confirming the move of Llano County rural transit service to the Capital Area Rural Transportation System (CARTS) effective March 1, 2025. The agreement also advises the transfer of buses from HCTD to CARTS and the cessation of Llano County's membership in HCTD and to relinquish its board seat on the HCTD board effective at the date of transfer of services on or before March 1, 2025.

MOTION made by Commissioner Jones: Move to approve an Interlocal Agreement between Llano County and the Hill Country Transit District (HCTD) confirming the move of Llano County rural transit service to the Capital Area Rural Transportation System (CARTS) effective March 1, 2025, and also to relinquish its board seat on the Hill Country Transit District (HCTD) board effective at the date of transfer of services on or before March 1, 2025.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #15:

Discussion/Action: Consideration and possible action to combine the two part-time Court Clerk positions of Justice of the Peace Precinct 1 and Precinct 4 into one full time Court Clerk position to be shared by both JP offices, presented by Justice of the Peace Precinct 1 Sam Silver.

MOTION was made by Commissioner Jones: Motion to approve the combination of two part-time Court Clerk positions of Justice of the Peace Precinct 1 and Precinct 4 into one full time Court Clerk position to be shared by both JP offices.

SECOND was made by Commissioner Raschke.

AYE: Commissioner Jones

NAY: Judge Ron Cunningham, Commissioner Raschke, Commissioner Richards, Commissioner Moss

MOTION FAILED.

AGENDA ITEM #16:

Discussion/Action: Approve the purchase of a G1 Low-pressure 30-minute Industrial SCBA, with hard case in the amount of \$2,813.95 out of Cost Overruns (010-409-4790). This device is needed to replace the expired one currently in the jail.

MOTION made by Commissioner Moss: Move to approve the purchase of a G1 Low-pressure 30-minute Industrial SCBA, with hard case in the amount of \$2,813.95 out of Cost Overruns.

SECOND was made by Commissioner Raschke. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #17:

Discussion/Action: Remove the cell phone allowances for Constable Pct 3, Tim McLean and Constable Pct 4, Mike Scoggins and issue county owned cell phones. These county owned phones will add a monthly cost of \$40 each.

MOTION made by Commissioner Moss: Motion to remove the cell phone allowances for Constable Pct 3, Tim McLean and Constable Pct 4, Mike Scoggins and issue county owned cell phones. These county owned phones will add a monthly cost of \$40 each.

SECOND was made by Commissioner Richards. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #18:

Discussion/Action: Purchase 3 IPADS for Building and Maintenance in an amount not to exceed \$1,000. These IPADS will add a monthly cost of \$30 each.

MOTION made by Commissioner Raschke: Move to approve the purchase of 3 IPADS for Building and Maintenance in an amount not to exceed \$1,000.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #19:

Discussion/Action: Approve Lake Buchanan Conservation Corp. to build a new channel track dock system over existing concrete walkway at Llano County Park, LBCC is applying for a grant from LCRA and permission from Llano County Commissioners Court is a requirement per the grant process.

MOTION made by Commissioner Raschke: Motion to approve Lake Buchanan Conservation Corp. to build a new channel track dock system over existing concrete walkway at Llano County Park.

SECOND was made by Commissioner Jones. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #20:

Discussion/Action: Approve Updated Contract from Vyve for Construction Build-out for new fiber installation. The total increase will be \$184.80 per month more for 72 months.

MOTION made by Commissioner Raschke: Move to approve the updated Contract from Vyve for Construction Build-out for new fiber installation. The total increase will be \$184.80 per month more for 72 months.

SECOND was made by Commissioner Jones. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #21:

Discussion/Action: Transfer of funds in the amount of \$6,992.69 out of cost overruns into capital outlay for installation of equipment and Stalker Radar purchases for Constable of Pct 3.

MOTION made by Commissioner Raschke: Move to Transfer of funds in the amount of \$6,992.69 out of cost overruns into capital outlay for installation of equipment and Stalker Radar purchases for Constable of Pct 3 and other upgrades as necessary.

SECOND was made by Commissioner Richards. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #22:

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

22a. Public Hearing: Concerning the Replat of Lot Nos. 67 and 68, Oak Ridge Estates Unit No. 1, a Llano County subdivision as shown on plat recorded in Volume 1, Page 60 of the Plat Records of Llano County, Texas, being further described in Document No. 24-04069 of the Official Public Records of Llano County, Texas, to be known as "Lot 67-A, Oak Ridge Estates, Unit No. 1".

22b. Discussion/Action: Replat of Lot Nos. 67 and 68, Oak Ridge Estates Unit No. 1, a Llano County subdivision as shown on plat recorded in Volume 1, Page 60 of the Plat Records of Llano County, Texas, being further described in Document No. 24-04069 of the Official Public Records of Llano County, Texas, to be known as "Lot 67-A, Oak Ridge Estates, Unit No. 1".

MOTION made by Commissioner Jones: Motion to approve.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

- 22c.** Variance Request: This is a variance request for a garage encroachment on Lot 5A that is more than 50% into the building setback.

MOTION made by Commissioner Raschke: Motion to approve the variance request for a garage encroachment on Lot 5A of the Murray Nored subdivision that is more than 50% into the building setback.

SECOND was made by Commissioner Jones.

AYE: Judge Ron Cunningham, Commissioner Jones, Commissioner Raschke, Commissioner Richards

NAY: Commissioner Moss

MOTION PASSED.

- 22d.** Public Hearing: Concerning the Replat of Lot 5A, Murray Nored subdivision, a Llano County subdivision as shown on Volume 23, Page 41 of the Plat Records of Llano County, Texas, being further described in Document No. 24-04439 of the Official Public Records of Llano County, Texas, and Lot 5B, Murray Nored subdivision, a Llano County subdivision as shown on Volume 23, Page 41 of the Plat Records of Llano County, Texas, being further described in Document No. 22-05050 of the Official Public Records of Llano County, Texas to be known as "Lots 5C & 5D, Murray Nored Subdivision".

- 22e.** Discussion/Action: Replat of Lot 5A, Murray Nored subdivision, a Llano County subdivision as shown on Volume 23, Page 41 of the Plat Records of Llano County, Texas, being further described in Document No. 24-04439 of the Official Public Records of Llano County, Texas, and Lot 5B, Murray Nored subdivision, a Llano County subdivision as shown on Volume 23, Page 41 of the Plat Records of Llano County, Texas, being further described in Document No. 22-05050 of the Official Public Records of Llano County, Texas to be known as "Lots 5C & 5D, Murray Nored Subdivision".

MOTION made by Commissioner Raschke: Move to approve the Replat of Lot 5A & 5B Murray Nored subdivision to be known as Lots 5C & 5D Murray Nored subdivision.

SECOND was made by Commissioner Jones. **UNANIMOUS. MOTION PASSED.**

- 22f.** Public Hearing: Concerning the Replat of Lot 84, a portion of Lot 85, Lot 130 & Lot 131, Deer Hills, Unit No. 1, a Llano County subdivision as shown on plat recorded in Volume 2, Page 39 of the Plat Records of Llano County, Texas, being further described in document to Barbara Demree Keil, recorded in Volume 1549, Page 650 of the Official Public Records of Llano County, Texas, to be known as "Lots 84A, 85A, and 131A, Deer Hills, Unit No. 1".

- 22g.** Discussion/Action: Replat of Lot 84, a portion of Lot 85, Lot 130 & Lot 131, Deer Hills, Unit No. 1, a Llano County subdivision as shown on plat recorded in Volume 2, Page 39 of the Plat Records of Llano County, Texas, being further described in document to Barbara Demree Keil, recorded in Volume 1549, Page 650 of the Official Public Records of Llano County, Texas, to be known as "Lots 84A, 85A, and 131A, Deer Hills, Unit No. 1".

MOTION made by Commissioner Raschke: Move to approve the Replat of Lot 84, a portion of Lot 85, Lot 130 & Lot 131, Deer Hills Unit No. 1 to be known as Lots 84A, 85A, and 131A, Deer Hills, Unit No. 1.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

22h. Public Hearing: Concerning the Replat of Lot 67, Granite Ridge subdivision II, a Llano County subdivision as shown on plat recorded in Volume 15, Page 64 of the Plat Records of Llano County, Texas, being further described in Volume 1423, Page 529 of the Official Public Records of Llano County, Texas and a 0.11 acre tract of land as described in document recorded in Document No. 24-04532, Official Public Records of Llano County, Texas, to be known as Lot 67A "Lighthouse Country Club Plat No. 1.4".

22i. Discussion/Action: Replat of Lot 67, Granite Ridge subdivision II, a Llano County subdivision as shown on plat recorded in Volume 15, Page 64 of the Plat Records of Llano County, Texas, being further described in Volume 1423, Page 529 of the Official Public Records of Llano County, Texas and a 0.11 acre tract of land as described in document recorded in Document No. 24-04532, Official Public Records of Llano County, Texas, to be known as Lot 67A "Lighthouse Country Club Plat No. 1.4".

MOTION made by Commissioner Richards: Motion to approve the Replat of Lot 67, Granite Ridge subdivision II, a Llano County subdivision as shown on plat recorded in Volume 15, Page 64 of the Plat Records of Llano County, Texas, being further described in Volume 1423, Page 529 of the Official Public Records of Llano County, Texas and a 0.11 acre tract of land as described in document recorded in Document No. 24-04532, Official Public Records of Llano County, Texas, to be known as Lot 67A Lighthouse Country Club Plat No. 1.4.

SECOND was made by Commissioner Raschke.

AYE: Commissioner Jones, Commissioner Raschke, Commissioner Richards

NAY: Judge Ron Cunningham, Commissioner Moss

MOTION PASSED.

22j. Public Hearing: Concerning the Replat of Lot 65, Granite Ridge subdivision II, a Llano County subdivision as shown on plat recorded in Volume 15, Page 64 of the Plat Records of Llano County, Texas, being further described in Volume 1423, Page 529 of the Official Public Records of Llano County, Texas, and a 0.23 acre tract of land as described in document recorded in Document No. 24-04532, Official Public Records of Llano County, Texas, to be known as Lot 65A "Lighthouse Country Club Plat No. 1.3".

22k. Discussion/Action: Replat of Lot 65, Granite Ridge subdivision II, a Llano County subdivision as shown on plat recorded in Volume 15, Page 64 of the Plat Records of Llano County, Texas, being further described in Volume 1423, Page 529 of the Official Public Records of Llano County, Texas, and a 0.23 acre tract of land as described in document recorded in Document No. 24-04532, Official Public Records of Llano County, Texas, to be known as Lot 65A "Lighthouse Country Club Plat No. 1.3".

MOTION made by Commissioner Richards: Motion as read in public hearing.

SECOND was made by Commissioner Raschke.

AYE: Commissioner Jones, Commissioner Raschke, Commissioner Richards

NAY: Judge Ron Cunningham, Commissioner Moss

MOTION PASSED.

22i. Public Hearing: Concerning the Replat of Lots 191, 192, 243 & 244, Royal Oaks Estates, a Llano County subdivision as shown on plat recorded in Volume 1, Page 10 of the Plat Records of Llano County, Texas, being further described in Document No. 23-04906, Volume 1259, Page 906 and Volume 1301, Page 558 of the Official Public Records of Llano County, Texas, to be known as "Lots 192A & 243A, Royal Oaks Estates".

22m. Discussion/Action: Replat Lots 191, 192, 243 & 244, Royal Oaks Estates, a Llano County subdivision as shown on plat recorded in Volume 1, Page 10 of the Plat Records of Llano County, Texas, being further described in Document No. 23-04906, Volume 1259, Page 906 and Volume 1301, Page 558 of the Official Public Records of Llano County, Texas, to be known as "Lots 192A & 243A, Royal Oaks Estates".

MOTION made by Commissioner Richards: Motion as read in public hearing.

SECOND was made by Commissioner Raschke. **UNANIMOUS. MOTION PASSED.**

22n. Public Hearing: Concerning the Replat of Lot 315, Kingsland Estates Unit 2, a Llano County subdivision as shown in Volume 95, Page 557, of the Deed Records of Llano County, Texas being further described in Special Warranty Deed, described in Volume 1579, Page 3482 of the Official Public Records of Llano County, Texas, to be known as "Lots 315A & 315B, Kingsland Estates Unit 2".

22o. Discussion/Action: Replat of Lot 315, Kingsland Estates Unit 2, a Llano County subdivision as shown in Volume 95, Page 557, of the Deed Records of Llano County, Texas being further described in Special Warranty Deed, described in Volume 1579, Page 3482 of the Official Public Records of Llano County, Texas, to be known as "Lots 315A & 315B, Kingsland Estates Unit 2".

MOTION made by Commissioner Richards: Motion as read in public hearing.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

AGENDA ITEM #23:

Executive/Closed Session: Receive legal advice regarding pending or contemplated litigation or settlement offers, or other legal advice pursuant to §551.071(1) and (2), regarding purchases, exchanges, leases, or value of real property pursuant to §551.072, 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
- Llano County School Lands
- Barbara Suzette Baker v Llano County, et al.
- Laura Pressley, et al. v Jane Nelson, et al.
- Jillian Harrod, et al. v Llano County Sheriff's Office, et al.
- Little, et al. v Llano County, et al.; United States District Court (Austin)
- Nora Martinez, et al. v Texas Department of Transportation, et al.
- Contracts/Agreements/Interlocals
- MidCoast / Llano County Hospital and Amended and Restated lease Agreement with MidCoast and affiliated entities

Legal advice includes 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, Property Law, Potential Litigation, 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.

Entered Executive Session – 11:08 a.m.

AGENDA ITEM #24:

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.

Returned to Open Session – 12:06 p.m.

24a. MOTION made by Commissioner Raschke: Motion to authorize Llano County Judge Ron Cunningham to negotiate and execute Term Sheet with MidCost Healthcare System.

SECOND was made by Commissioner Moss. **UNANIMOUS. MOTION PASSED.**

24b. MOTION made by Commissioner Raschke: Motion to authorize Llano County Judge Ron Cunningham for any and all legal actions and remedies to achieve continuation of current operations or future health care opportunities.

SECOND was made by Commissioner Jones. **UNANIMOUS. MOTION PASSED.**

12:08 p.m. Meeting adjourned by Judge Ron Cunningham

Attest: *Cecilia McClintock*
Cecilia McClintock, County Clerk