

**LLANO COUNTY COMMISSIONERS COURT**  
**REGULAR MEETING, JUNE 13, 2022 9:00 A.M.**

**STATE OF TEXAS**

**COUNTY OF LLANO**

9:00 A.M., June 13, 2022, the Llano County Commissioner's Court met in Regular Session. Members present were: Ron Cunningham, Presiding Officer; Peter Jones, Linda Raschke, Mike Sandoval, Jerry Don Moss; Commissioners of Precincts 1, 2, 3 & 4; Incoming Auditor Kelly Eckhardt; County Clerk Marci Hadel. Absent: Assistant Auditor Maegan Robertson. Estimated Attendance: 70+

**AGENDA ITEM #1:**

Announcement: To Call For Public Participation Signup

**AGENDA ITEM #2:**

Consent Agenda:

- a. Commissioners Court Minutes –Regular Meeting 5-23-2022 & Special Called Meeting 6-6-2022
- b. Call For Bids/Discussions Of Bids/Approval And Or Awarding Of Bid/Bids/Contracts– Cindy Lent, Auditor
- c. Budget Transfers, Accounts Payable, Financial Reports – Cindy Lent, Auditor
- d. Interlocal/Agreements – Dwain Rogers & Matt Rienstra
- e. 1<sup>st</sup> CC Of Month - Treasurer Report/Investment Report – Teresa Kassell, Treasurer  
1<sup>st</sup> CC Of Month – Leave Balance Report – Lisa Otto, HR Department  
2<sup>nd</sup> CC Of Month – Payroll Certification – Lisa Otto, HR Department (No Report Due)
- f. Monthly Reports:
  - a) Constable (1)
  - b) Justice Of The Peace (1, 2, 3, 4)
  - c) AgriLife Extension
  - d) Tax Assessor Collector
  - e) Hill Country Humane Society
  - f) District Clerk
  - g) IT Services - BizProtec
  - h) Development Services
  - i) Indigent Health Care Program
  - j) Building & Maintenance
  - k) County Clerk

**MOTION:** Jones; Second Moss: **UNANIMOUS. MOTION PASSED.**  
Approved Consent Agenda 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 Participation Sign Up Sheets

**AGENDA ITEM #6:**

Discussion Only: Review The Cobb Fendley Broadband Feasibility Study Report With Cobb Fendley Representatives.

**AGENDA ITEM #7:**

Discussion/Action: Review And Approve An Extension Of The Feasibility Study Phase 1 Agreement With Cobb Fendley To Move To Implementation Phase 2 At A Cost Not To Exceed \$41,000.00

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

I Move To Approve Extension Of Cobb Fendley Agreement Of Phase 1 To The Implementation Phase 2 At A Cost Not To Exceed \$41,000.00 To Be Paid From The American Rescue Plan Funds Of \$6,379.00 From The First Tranche Of Funds And \$34,621.00 From The Second Tranche Of Funds. If Second Tranche Is Not Received The Funds Required Will Be Paid From Professional Services Account. When Any Grant Is Approved, The Grant Will Reimburse The Account It Was Paid From.

**AGENDA ITEM #8:**

Discussion/Action: Establish A Llano County Broadband Development Committee To Include Commissioner Peter Jones, Judge Ron Cunningham, Clay Etter – IT, Kerry Hancock – BizProtec, Kelly Eckhardt – Auditor, Cheryl Kepp – Grant Administrator And Dwain Rogers – County Attorney.

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

I Move To Establish A Llano County Broadband Development Committee To Include Commissioner Peter Jones, Judge Ron Cunningham, Clay Etter – IT, Kerry Hancock – BizProtec, Kelly Eckhardt – Auditor, Cheryl Kepp – Grant Administrator And Dwain Rogers – County Attorney.

**AGENDA ITEM #9:**

Discussion/Action: Direct The Llano County Broadband Development Committee To Oversee The Finalizing And Issuance Of A Request For Information (RFI) To Be Issued For Internet Providers To Advise Of Any Interest And Capability In Working With Llano County To Install Middle Mile And Last Mile Broadband Internet In Llano County.

Information Requested Is To Determine Which Companies Llano County Might Work With, The Technical Approach That May Be Used, The Broadband Infrastructure Required, The Cost Of The Project And The Funds Any Provider Might Be Willing To Invest In This Infrastructure.

This Information Will Be Used To Produce A Grant Request For Funds To Pay For Installation Of Middle Mile Broadband Fiber Initially And May Extend To Last Mile Grant Requests When Middle Mile Is Installed. A Subsequent Request For Proposal (RFP) For Vendor Selection May Be Required For Grant Eligibility.

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

I Move To Direct The Llano County Broadband Development Committee To Oversee And Approve The Finalizing And Issuance Of A Request For Information (RFI) To Be Issued For Internet Providers To Advise Of Any Interest And Capability In Working With Llano County To Install Middle Mile And Last Mile Broadband Internet In Llano County.

**AGENDA ITEM #10:**

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

10A. Public Hearing: Concerning The Replat Of Lot 14A And Submerged Portion Of Land Adjacent To Lot 14A, Lakeside Heights, Unit One, As Shown On Plat Recorded In Volume 15, Page 88, Plat Records Of Llano County, Texas, Being Further Described In Instrument No. 21-06596 And Instrument No. 21-06599 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 14B, Lakeside Heights, Unit One.

10B. Discussion/Action: The Replat Of Lot 14A And Submerged Portion Of Land Adjacent To Lot 14A, Lakeside Heights, Unit One, As Shown On Plat Recorded In Volume 15, Page 88, Plat Records Of Llano County, Texas, Being Further Described In Instrument No. 21-06596 And Instrument No. 21-06599 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 14B, Lakeside Heights, Unit One.

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

Approved The Replat Of Lot 14A And Submerged Portion Of Land Adjacent To Lot 14A, Lakeside Heights, Unit One, As Shown On Plat Recorded In Volume 15, Page 88, Plat Records Of Llano County, Texas, Being Further Described In Instrument No. 21-06596 And Instrument No. 21-06599 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 14B, Lakeside Heights, Unit One.

10C. Public Hearing: Concerning The Replat Of The Remainder Of Lot 275, Blue Lake Estates, Unit 5, As Shown On Plat Recorded In Volume 97, Page 283, Plat Records Of Llano County, Texas And All Of Lot 221, Blue Lake Estates, Unit 4, As Shown On Plat Recorded In Volume 97, Page 241 Of The Plat Records Of Llano County, Texas, Being Further Described In Document No. 22-02835 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 221A, Blue Lake Estates, Unit 4.

10D. Discussion/Action: Replat Of The Remainder Of Lot 275, Blue Lake Estates, Unit 5, As Shown On Plat Recorded In Volume 97, Page 283, Plat Records Of Llano County, Texas And All Of Lot 221, Blue Lake Estates, Unit 4, As Shown On Plat Recorded In Volume 97, Page 241 Of The Plat Records Of Llano County, Texas, Being Further Described In Document No. 22-02835 Of The Official Public Records Of Llano County, Texas, To Be Known As Lot 221A, Blue Lake Estates, Unit 4.

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

I Move To Approve This Plat.

10E. Discussion/Action: Approve A Yield Sign To Be Placed At The Intersection Of Westbound Pleasantview Drive And Sandy Harbor Drive In The Community Of Sandy Harbor, Texas.

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

Remove Agenda Item #10E.

10F. Public Hearing: Concerning The Plat Of 5.434 Tract Of Land, Recorded In Instrument No. 21-00353 Of The Official Public Records Of Llano County, Texas To Be Known As 2 Rivers Landing Addition.

10G. Discussion/Action: Plat Of 5.434 Tract Of Land, Recorded In Instrument No. 21-00353 Of The Official Public Records Of Llano County, Texas To Be Known As 2 Rivers Landing Addition.

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

Aye: Judge Cunningham, Jones, Raschke, Moss

Abstained: Sandoval

Table Agenda Item #10G.

**AGENDA ITEM #11:**

Discussion/Action: Accept A Petition And Order A Public Hearing To Create Emergency Service District #5 Re Health And Human Service Code 775.015(a). This Emergency Service District Is To Provide Fire Protection Services To The Voting Precinct 108 Residents Which Includes The City Of Sunrise Beach And Communities Of Bridgepoint, Lakewood Forest 1 And Comanche Rancherias.

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

I Move To Accept A Petition And To Order A Public Hearing On July 11, 2022 To Create Emergency Service District #5 Re Health And Human Service Code 775.015(a). This Emergency Service District Is To Provide Fire Protection Services To The Voting Precinct 108 Residents Which Includes The City Of Sunrise Beach And Communities Of Bridgepoint, Lakewood Forest 1 And Comanche Rancherias.

**AGENDA ITEM #12:**

Discussion/Action: Transfer \$100,000.00 From 010-40-500 Misc. Contingency And \$50,000.00 From 010-409-470 Professional Services For A Total Of \$150,000.00 To 010-409-483 Litigation Expenses For Legal Representation In Civil Action No. 5:22-CV-001:22-CV-00424-RP, United States District Court – Western District Of Texas: Leila Green Little, et al V. Llano County, et al; Case 5:22-CV-00400-JKP.

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

Approve The Transfer Of \$100,000.00 From 010-40-500 Misc. Contingency To 010-409-483 Litigation Expenses For Legal Representation In Civil Action No. 1:22-CV-00424-RP.

**AGENDA ITEM #13:**

Discussion/Action: Approve The Designation Of \$500,000.00 Of The American Rescue Plan Act Funds To Be Used For The Purchase Of New County Vehicles For Replacement And Or Maintenance And Repairs.

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

Approved The Designation Of \$500,000.00 Of The American Rescue Plan Act Funds To Be Used For The Purchase Of New County Vehicles For Replacement And Or Maintenance And Repairs With County Attorney Approval.

**AGENDA ITEM #14:**

Discussion/Action: Approve Motorola Solutions Proposal That Supports The Interlocal Agreement With CAPCOG For The Radio Dispatch Consoles And Engage In Process For Replacement Of Consoles And Equipment.

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

Approved The Motorola Solutions Proposal That Supports The Interlocal Agreement With CAPCOG For The Radio Dispatch Consoles And Engage In Process For Replacement Of Consoles And Equipment.

**AGENDA ITEM #15:**

Discussion/Action: Approve Bond From Western Surety Company In The Sheriff's Office For Deputy Sheriff, John Gillespie.

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

Approved Bond For Deputy Sheriff, John Gillespie.

**AGENDA ITEM #16:**

Discussion/Action: Status Update Of Implementation Of New Llano S.O. Jail Policies And Integration Of TurnKey Medical Procedures.

Discussion Only / No Action Taken

**AGENDA ITEM #17:**

Discussion/Action: Status Of Llano Sheriff's Office Implementation Of Recommendations For Improvement Of Operations From Outside Audit Of March 2022.

Discussion Only / No Action Taken

**AGENDA ITEM #18:**

Discussion/Action: Pay Out Of The Sheriff's Department Payroll Liability As Of May 31, 2022 Using Excess Payroll And Benefit Line Items Within The Department As Needed.

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

Pay Comp Time In The Amount Of \$32,713.00 As Of May 31, 2022 Using Excess Payroll And Benefit Line Items Within The Sheriff's Department.

**AGENDA ITEM #19:**

Discussion/Action: Sheriff's Office Received An Anonymous Donation Of \$20,000.00. It Will Be Placed In The Sheriff's Office Misc. Donations Fund.

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

Table Agenda Item #19.

**AGENDA ITEM #20:**

Discussion/Action: Approve The Use Of The Llano County Community Center Building For Workforce Training For Plumbing And Electrical Programs For Adults From August 1, 2022 Through June 30, 2023, Two Nights A Week From 5:30 PM To 8:30 PM Contingent On A Grant Award From Texas Higher Education Coordinating Board To Be Announced On June 30, 2022.

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

Approved The Use Of The Llano County Community Center Building For Workforce Training For Plumbing And Electrical Programs For Adults From August 1, 2022 Through June 30, 2023, Two Nights A Week From 5:30 PM To 8:30 PM, Being Monday And Wednesday Nights, Contingent On A Grant Award From Texas Higher Education Coordinating Board To Be Announced On June 30, 2022. Matt Rienstra Will Work On A Memorandum Of Understanding (MOU) To Present To Workforce Training And Community Center Board.

**AGENDA ITEM #21:**

Discussion/Action: The County Grant Administrator And Committee Members Received 4 Proposals For The Hazard Mitigation Plan Project: (TetraTech, Witt O'Briens, Langford Community Management And AARC) And The Grant Administrator Is Requesting Authority To Enter Into Negotiations With TetraTech And Witt O'Briens.

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

Approved The County Grant Administrator To Enter Into Negotiations With TetraTech And Witt O'Briens.

**AGENDA ITEM #22:**

Discussion/Action: Approve Bypassing Competitive Bidding For The Purchase Of Early Warning Systems (EWS). Competitive Bidding May Be Bypassed Per Local Gov't Code §262.024 If Commissioners Determine That An Item Is Necessary To Preserve Or Protect Public Health Or Safety Of The Residents Of The County.

Funding Of The Purchase Of 8 Early Warning System Sirens Was Approved At The December 13, 2021 Meeting And The Specifications At The January 24, 2022 Meeting. The Court Discussed At Those Earlier Public Meetings That The Protection And Safety Of The Citizens

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And Visitors Of Llano County Would Be Significantly Increased And Enhanced And Would Be A Valuable Tool For Llano Emergency Management And Operations.

**MOTION:** Moss; Second Raschke: **UNANIMOUS. MOTION PASSED.**  
I Make A Motion Not To Bypass Competitive Bidding And Go Out For RPPs.

**AGENDA ITEM #23:**

Discussion/Action: Increase Annual Salary Of Election Administrator To \$51,000.00

**MOTION:** Raschke; Second Moss: **UNANIMOUS. MOTION PASSED.**  
Approve To Increase Annual Salary Of Election Administrator To \$51,000.00.

**AGENDA ITEM #24:**

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/Or (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)  
Leila Green Little, et. al v Llano County, et. al; United States District Court (San Antonio)

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, 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 #25:**

Return To Open Session For 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 From Executive Session. Action Taken On Agenda Item #12.

Meeting Adjourned By Judge Ron Cunningham

Attest: Marci Hadeler  
Marci Hadeler, County Clerk