

**LLANO COUNTY COMMISSIONERS COURT**  
**MEETING DECEMBER 12, 2022 9:00 A.M.**

**STATE OF TEXAS**

**COUNTY OF LLANO**

9:00 A.M., December 12, 2022 the Llano County Commissioner's Court met. Members present were: Judge Ron Cunningham, Presiding Officer; Peter Jones, Linda Raschke, Mike Sadoval; Commissioners of Precincts 1, 2, 3; Absent: Jerry Don Moss; Commissioner of Precinct 4; Auditor Kelly Eckhardt; County Clerk Marci Haderl. Estimated Attendance: 18

**AGENDA ITEM #1:**

Announce To Call For Public Participation Signup

**AGENDA ITEM #2:**

Consent Agenda:

- a. Commissioners Court Minutes – Regular Meeting 11-28-2022
- 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. 1<sup>st</sup> CC Of Month - Treasurer Report/Investment Report – Teresa Kassel, 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
- f. Monthly Reports:
  1. Road & Bridge
  2. Justice of the Peace (1, 2, 3, 4)
  3. Constable (1, 3, 4)
  4. AgriLife Extension
  5. Elections
  6. Building & Maintenance
  7. Tax Assessor Collector
  8. Development Services
  9. District Clerk
  10. Library System
  11. EMS Report - Hamilton
  12. Indigent Health Care Program
  13. County Clerk

**MOTION:** Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**  
Approved Consent Agenda Items A, B, C, D, E & F  
Removed Easements Presented Until Additional Information Provided.

**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

No Public Participation Sign Up Sheets

**AGENDA ITEM #6:**

Discussion Only: Recognize And Honor Retiring And Outgoing Officials For 2022: Teresa Kassel, Brian Alexander, Cindy Ware, Bebe Rocha.

**AGENDA ITEM #7:**

Discussion/Action: Allow All Llano County Offices To Close December 15, 2022, From 11:00 AM To 2:00 PM For Annual Employee Christmas Lunch.

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

Approved All Llano County Offices To Close December 15, 2022, From 11:00 AM To 2:00 PM For Annual Employee Christmas Lunch.

**AGENDA ITEM #8:**

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

8a. Public Hearing: Concerning The Replat Of Lots 157, 158 And 159, Lakeside Heights, Unit No. 1, A Llano County Subdivision As Shown On Volume 87, Page 73, Of The Deed Records Of Llano County, Texas, Being Further Described In Instrument No. 22-05718, Of The Official Public Records Of Llano County, Texas To Be Known As "Lot 157-A, Lakeside Heights, Unit No. 1".

8b. Discussion/Action: Replat Of Lots 157, 158 And 159, Lakeside Heights, Unit No. 1, A Llano County Subdivision As Shown On Volume 87, Page 73, Of The Deed Records Of Llano County, Texas, Being Further Described In Instrument No. 22-05718, Of The Official Public Records Of Llano County, Texas To Be Known As "Lot 157-A, Lakeside Heights, Unit No. 1".

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

Approved Replat Of Lots 157, 158 And 159, Lakeside Heights, Unit No. 1, A Llano County Subdivision As Shown On Volume 87, Page 73, Of The Deed Records Of Llano County, Texas, Being Further Described In Instrument No. 22-05718, Of The Official Public Records Of Llano County, Texas To Be Known As "Lot 157-A, Lakeside Heights, Unit No. 1".

**AGENDA ITEM #9:**

Discussion/Action: To Reappoint Dr. David Hoerster To The Llano County Hospital Authority Board – Effective January 1, 2023 Through December 31, 2025.

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

Approved To Reappoint Dr. David Hoerster To The Llano County Hospital Authority Board – Effective January 1, 2023 Through December 31, 2025.

**AGENDA ITEM #10:**

Discussion/Action: To Accept The Resignation Of Debbie Povec From The Tow Community Center Board And Appoint Jill Cox To Fulfill The Term – Term To Expire December 31, 2024.

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

Accepted The Resignation Of Debbie Povec From The Tow Community Center Board And Appoint Jill Cox To Fulfill The Term – Term To Expire December 31, 2024.

**AGENDA ITEM #11:**

Discussion/Action: To Accept The Resignation Of Toni Milam From The Tow Community Center Board Effective December 31, 2022 And Appoint Kelley Whited – Effective January 1, 2023 Through December 31, 2025.

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

Accepted The Resignation Of Toni Milam From The Tow Community Center Board Effective December 31, 2022 And Appoint Kelley Whited – Effective January 1, 2023 Through December 31, 2025.

**AGENDA ITEM #12:**

Discussion/Action: To Reappoint Paul Norman And David Hooze To The Tow Community Center Board – Terms Will Be January 1, 2023 Through December 31, 2025.

**MOTION:** Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved To Reappoint Paul Norman And David Hooge To The Tow Community Center Board – Terms Will Be January 1, 2023 Through December 31, 2025.

**AGENDA ITEM #13:**

Discussion/Action: To Accept The Resignation Of Donna Davis From The Tow Community Center Board Effective Immediately And Appoint David Gibson To Fill The Term – Term to Expire 12/31/2024.

**MOTION:** Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Accepted The Resignation Of Donna Davis From The Tow Community Center Board Effective Immediately And Appoint David Gibson To Fill The Term – Term to Expire 12/31/2024.

**AGENDA ITEM #14:**

Discussion/Action: To Reappoint William Shell And Thomas Garret To The Llano County ESD #2 Commissioners Board – Terms To Expire December 31, 2024.

**MOTION:** Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved To Reappoint William Shell And Thomas Garret To The Llano County ESD #2 Commissioners Board – Terms To Expire December 31, 2024.

**AGENDA ITEM #15:**

Discussion/Action: To Reappoint Cherity Lambright And Ron O'Brien To The Llano County ESD #2 Commissioners Board – Terms To Expire December 31, 2023.

**MOTION:** Raschke; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved To Reappoint Cherity Lambright And Ron O'Brien To The Llano County ESD #2 Commissioners Board – Terms To Expire December 31, 2023.

**AGENDA ITEM #16:**

Discussion/Action: Approve The Re-Appointment Of Richard Rathwick And Jarrett Bates To The Emergency Service District #1 Board Effective January 1, 2023, Each For A 2-Year Term. ESD #1 Provides Emergency Medical Services For The City Of Horseshoe Bay And Surrounding Area.

**MOTION:** Jones; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved The Re-Appointment Of Richard Rathwick And Jarrett Bates To The Emergency Service District #1 Board Effective January 1, 2023, Each For A 2-Year Term.

**AGENDA ITEM #17:**

Discussion/Action: Approve Purchase Of MTI Security System Upgrade In The Amount Of \$48,600.00 Through US General Services Administration Purchasing Program Using Tax Notes As Previously Approved On October 4, 2021.

**MOTION:** Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Approved The Purchase Of MTI Security System Upgrade In The Amount Of \$48,600.00 Through US General Services Administration Purchasing Program Using Tax Notes As Previously Approved On October 4, 2021.

**AGENDA ITEM #18:**

Discussion/Action: Approve The 2023 Llano County Investment Policy.

**MOTION:** Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**  
Approved The 2023 Llano County Investment Policy.

**AGENDA ITEM #19:**

Discussion/Action: Approve The 2023 Resolution Of The Commissioners Court Appointing As Investment Officer, Cheryl Regmund As Of January 1, 2023.

**MOTION:** Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**  
Approved The 2023 Resolution Of The Commissioners Court Appointing As Investment Officer, Cheryl Regmund As Of January 1, 2023.

**AGENDA ITEM #20:**

Discussion/Action: Approve The Western Surety Bond For New Deputy Sheriff, Mandy Savannah.

**MOTION:** Jones; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved The Western Surety Bond For New Deputy Sheriff, Mandy Savannah.

**AGENDA ITEM #21:**

Discussion/Action: Allow Two Llano Sheriff's Office Dispatch Personnel To Carry Over 2022 Vacation Accrual Excess, To Be Used No Later Than End Of Pay Period February 20, 2023. Request Made Due To Short Staffing Issues And Inability For These Two To Use Time. Llano County Personnel Policy 2B-3.

**MOTION:** Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**  
Approved To Allow Two Llano Sheriff's Office Dispatch Personnel To Carry Over 2022 Vacation Accrual Excess, To Be Used No Later Than End Of Pay Period March 20, 2023.

**AGENDA ITEM #22:**

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), 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  
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)

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, 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.

**AGENDA ITEM #23:**

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.

Return To Open Session

**AGENDA ITEM #24:**

Discussion/Action: Approve The Marshall, Et Al v. Llano County Et Al Settlement Agreement.

**MOTION:** Raschke; Second Jones; **UNANIMOUS. MOTION PASSED.**  
Approved The Marshall, Et Al v. Llano County Et Al Settlement Agreement.

**AGENDA ITEM #25:**

Discussion/Action: Hire Outside Counsel To Perform Legal Due Diligence Review Contract And Closing Documents For The Property Exchange With The City Of Llano Involving The John L. Kuykendall Events Center And Certain County Properties.

**MOTION:** Jones; Second Sandoval; **UNANIMOUS. MOTION PASSED.**  
Approved To Hire Outside Counsel To Perform Legal Due Diligence Review Contract And Closing Documents For The Property Exchange With The City Of Llano Involving The John L. Kuykendall Events Center And Certain County Properties.

Meeting Adjourned By Judge Ron Cunningham

Attest: Marci Hadel Marci Hadel, County Clerk