

**LLANO COUNTY COMMISSIONERS COURT**

**MEETING NOVEMBER 13, 2023 9:00 A.M.**

**STATE OF TEXAS**

**COUNTY OF LLANO**

9:00 A.M., November 13, 2023 the Llano County Commissioner's Court met. Members present were: Judge Ron Cunningham, Presiding Officer; Peter Jones, Linda Raschke, Mike Sadoval, Jerry Don Moss; Commissioners of Precincts 1, 2, 3 & 4; Auditor Kelly Eckhardt; County Clerk Cecilia McClintock. Estimated Attendance: 35+

**AGENDA ITEM #1:**

Announce To Call For Public Participation Signup

**AGENDA ITEM #2:**

Consent Agenda:

- a. Commissioners Court Minutes – Regular Meeting 10-10-2023, 10-23-2023  
Special Meeting 10-30-2023
- 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/Contracts – Dwain Rogers & Matt Rienstra, County Attorney Office
- e. 1<sup>st</sup> CC Of Month – Leave Balance Report – Lisa Otto, HR Department
- f. 2<sup>nd</sup> CC Of Month – Payroll Certification – Lisa Otto, HR Department (No Report Due)  
2<sup>nd</sup> CC Of Month – Treasurer Report/Investment Report – Cheryl Regmund, Treasurer (No Report Due)
- g. Monthly Reports:
  1. Constables (1, 3, 4)
  2. Justice of the Peace (1, 2, 3, 4)
  3. AgriLife Extension
  4. Tax Assessor Collector
  5. EMS Report
  6. Indigent Health Care Program
  7. IT Services – BizProtec
  8. County Clerk
  9. Development Services
  10. Building & Maintenance

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

Motion To Approve The Consent Agenda With The Change Regarding The Contracts With Tyler Technologies Stating Llano County Is A Marketing Material Because Our Policy Prohibits That.

**AGENDA ITEM #3:**

Public Service Announcements

**AGENDA ITEM #4:**

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

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

**AGENDA ITEM #5:**

Public Participation – See Sign Up Sheets

**AGENDA ITEM #6:**

Discussion/Action: Relocate The Llano County Historical Marker From Highway 16 North To The Llano County Courthouse And Approve An Estimate Of \$3,500 Funding To Restore.

**MOTION:** Moss; Second: Raschke; **UNANIMOUS. MOTION PASSED.**  
Motion That We Relocate The Texas Centennial Marker From Highway 16 North To The Llano County Courthouse And We Approve The \$3,500 Funding To Restore It From Unallocated.

**AGENDA ITEM #7:**

Discussion/Action: Approve The Biennial Regional Sexual Assault Response Team (SART) Report Mandated And Due By December 1, 2023.

**MOTION:** Raschke; Second: Sandoval; **UNANIMOUS. MOTION PASSED.**  
Motion To Approve The Biennial Regional Sexual Assault Response Team (SART) Report Mandated And Due By December 1<sup>st</sup>.

**AGENDA ITEM #8:**

Discussion/Action: Approval Of Quote(s) To Obtain Dedicated Internet Access And VOIP Phone Services Contract For The East Llano County Annex.

**MOTION:** Raschke; Second: Moss; **UNANIMOUS. MOTION PASSED.**  
Motion To Approve The Quote To Obtain Dedicated Internet Access and VOIP Internet Phone System Services Contract For The East Llano County Annex For A Period of 36 Months.

**AGENDA ITEM #9:**

Discussion/Action: Providing Judge Ron Cunningham Authority To Execute General And No Litigation Certificate Of Llano As It Relates To The Capital Area Housing Finance Corporation (CAHFC) Issuance Of

The Bonds. (This Is A Recurring Action Required By State Law And There Is NO Obligation Of Liability Assumed Or Incurred By Llano County For Notes Issued By Capital Area Housing Finance Corporation.).

- Tax-Exempt Indebtedness - Redwood Apartments, City Of San Marcos, Hays County

**MOTION:** Raschke; Second: Jones; **UNANIMOUS. MOTION PASSED.**  
Will Move To Approve.

**AGENDA ITEM #10:**

Discussion/Action: Declare A 2016 Ford Taurus VIN#...4945 From The Sheriff's Department As Salvage And Approve The Total Loss Offer From Texas Association Of Counties (TAC) In The Amount Of \$5,745.00.

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

Motion We Declare A 2016 Ford Taurus VIN#...4945 From The Sheriff's Department As Salvage And Approve The Total Loss Offer From Texas Association Of Counties (TAC) In The Amount Of \$5,745.00.

**AGENDA ITEM #11:**

Discussion/Action: Approve Ratification of Llano County Hotel Occupancy Tax Rules And Regulations.

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

Motion to Approve Ratification of Llano County Hotel Occupancy Tax Rules And Regulations.

**AGENDA ITEM #12:**

Discussion Only: Update On Llano County Construction Projects And Grants.

**AGENDA ITEM #13:**

Discussion/Action: Approve A Resolution For Linda Raschke To Apply For A CAPCOG (Capitol Area Council Of Governments) Solid Waste Program FY 2024-2025 Grant Application For Grants To Help Fund The Llano Countywide Collection Events.

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

**AYE:** Judge Cunningham, Jones, Sandoval, Moss

**ABSTAIN:** Raschke

Motion To Approve A Resolution For Linda Raschke To Apply For A CAPCOG (Capitol Area Council Of Governments) Solid Waste Program FY 2024-2025 Grant Application For Grants To Help Fund The Llano Countywide Collection Events.

**AGENDA ITEM #14:**

Discussion/Action: Approve A Take Home Vehicle For Doni Whitecotton At The Sheriff's Office.

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

Motion Just At This Time We Don't Approve A Take Home Vehicle For Doni Whitecotton At The Sheriff's Office And The Stipend Is Going To Stay From This Point Forward.

**AGENDA ITEM #15:**

Discussion/Action: Accept Grant Award From The Department Of Justice For Body-Worn Cameras With A Contribution Of \$37,787 From The Department Of Justice And A Contribution Of \$42,467 By The County Which Is 50%; Plus An Additional \$3,680 Due To Increase In Equipment Since The Grant Was Submitted.

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

Motion to Accept Grant Award From The Department Of Justice For Body-Worn Cameras With A Contribution Of \$38,787 From The Department Of Justice And A Contribution Of \$42,467 By The County Which Is 50%; Plus An Additional \$3,680 Due To Increase In Equipment Since The Grant Was Submitted.

**AGENDA ITEM #16:**

Discussion/Action: Approve The Western Surety Company Bond For The Following:

- Adam Guerrero, Deputy Sheriff

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

So Moved.

**AGENDA ITEM #17: (TABLED FROM 10-23-2023 COMMISSIONER'S COURT)**

Discussion/Action: Approve The Purchase Of AT&T Phones For Sheriff's Office In An Amount Not To Exceed \$1,232.00.

**MOTION:** Judge Cunningham; Second: Jones; **UNANIMOUS. MOTION PASSED.**

Agenda Item #17 Removed.

**AGENDA ITEM #18:**

Discussion/Action: Increase Established AT&T Phone Services To Include Device And Case For \$14,880.00.

**MOTION:** Moss; Second: Sandoval; **MOTION FAILED.**

**AYE:** Raschke, Moss

**NAY:** Judge Cunningham, Jones, Sandoval

Motion We Do Not Approve This At This Time, That Is Not A Table, Until The Policy Is Signed.

**MOTION:** Jones; Second: Judge Cunningham; **MOTION PASSED.**

**AYE:** Judge Cunningham, Jones, Sandoval

**NAY:** Raschke, Moss

Motion To Table.

**AGENDA ITEM #19:**

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

19a. Public Hearing: There Will Be A Public Hearing Concerning The Closure/Abandonment Of 0.0215 Of An Acre Of Land, A Portion Of A Variable Width (12' - 14") Un-Named Road, As Depicted On The Plat Of

Inks Lake Village, A Subdivision Of Record In Volume 87, Page 345, Llano County Deed Records (L.C.D.R.), Llano County, Texas, Containing All Of That Certain Tract Of Land Described As 0.106 Of An Acre In A Deed To Carla A. Jung And Carey L. Jung, Of Record In Document No. 23-05196, Llano County Official Public Records.

19b. Discussion/Action: Closure/Abandonment Of 0.0215 Of An Acre Of Land, A Portion Of A Variable Width (12' – 14') Un-Named Road, As Depicted On The Plat Of Inks Lake Village, A Subdivision Of Record In Volume 87, Page 345, Llano County Deed Records (L.C.D.R.), Llano County, Texas, Containing All Of That Certain Tract Of Land Described As 0.106 Of An Acre In A Deed To Carla A. Jung And Carey L. Jung, Of Record In Document No. 23-05196, Llano County Official Public Records.

19c. Variance Request: This Is A Request For Variance To Article 3, Section 1, Subsection D, Item (15), Sub-Item (C) Of The Llano County Subdivision Regulations, "In The Event There Are No Building Setback Requirements Set For In The Original Subdivision Plat Then Subsections (A) And (B) Shall Apply", And Article 3, Section 1, Subsection D, Item (15), Sub-Item (A) "Building Set Back Lines Shall Be At Least Twenty-Five Feet (25') From The Right-Of-Way Lines, And Ten Feet (10') From Back And Side Property Lines On Lots Of 0.5 Acres Or More."

19d. Public Hearing: Concerning The Replat Of Lot Nos. 10, 11 & 11A, Inks Lake Village, Section 1, A Subdivision Of Record In Volume 87, Page 345, Llano County Deed Records (L.C.D.R.), Llano County, Texas And 0.498 Of An Acre Out Of The Heinrich Ottens Survey No. 9, Abst. No. 574, Said Lands Being All Of Those Two Certain Tracts Of Land Described As Tract I & Tract II, In A Deed Of Record In Vol 1533, Page 3688, Llano County Official Public Records (L.C.O.P.R.), And That 0.0215 Acre Portion Of The Un-Named Road Which Is Closed, Abandoned, And Vacated In Llano County Commissioners Court, Which Includes That 0.0106 Of An Acre, Being The South Half Of A Variable Width Un-Named Road As Depicted On The Plat Of Inks Lake Village, Recorded In Doc. 23-05196 L.C.D.R., To Be Known As "Replat Of Inks Lake Village, Section 1, Lots 10, 11, & 11A".

19e. Discussion/Action: Replat Of Lot Nos. 10, 11 & 11A, Inks Lake Village, Section 1, A Subdivision Of Record In Volume 87, Page 345, Llano County Deed Records (L.C.D.R.), Llano County, Texas And 0.498 Of An Acre Out Of The Heinrich Ottens Survey No. 9, Abst. No. 574, Said Lands Being All Of Those Two Certain Tracts Of Land Described As Tract I & Tract II, In A Deed Of Record In Vol 1533, Page 3688, Llano County Official Public Records (L.C.O.P.R.), And That 0.0215 Acre Portion Of The Un-Named Road Which Is Closed, Abandoned, And Vacated In Llano County Commissioners Court Order, Which Includes That 0.0106 Of An Acre, Being The South Half Of A Variable Width Un-Named Road As Depicted On The Plat Of Inks Lake Village, Recorded In Doc. 23-05196 L.C.D.R., To Be Known As "Replat Of Inks Lake Village, Section 1, Lots 10, 11, & 11A".

**MOTION:** Raschke; Second: Moss; **UNANIMOUS. MOTION PASSED.**  
Motion To Remove Agenda Item 19a thru e.

19f. Public Hearing: Concerning The Replat Of Lot 19, Lazy Oaks, A Llano County Subdivision As Shown On Plat Recorded In Volume 5, Page 38 Of The Plat Records Of Llano County, Texas, Being Further Described In Instrument No. 22-02848 Of The Official Public Records Of Llano County, Texas, And A 0.14 Acre Tract Of Land, Being The Westerly Portion Of Lot 18, Of Said Lazy Oaks Subdivision, Further Described In Instrument No. 22-02849 Of The Official Public Records Of Llano County, Texas, To Be Known As "Lots 18A & 19A, Lazy Oaks".

19g. Discussion/Action: Replat Of Lot 19, Lazy Oaks, A Llano County Subdivision As Shown On Plat Recorded In Volume 5, Page 38 Of The Plat Records Of Llano County, Texas, Being Further Described In Instrument No. 22-02848 Of The Official Public Records Of Llano County, Texas, And A 0.14 Acre Tract Of

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Land, Being The Westerly Portion Of Lot 18, Of Said Lazy Oaks Subdivision, Further Described In Instrument No. 22-02849 Of The Official Public Records Of Llano County, Texas, To Be Known As "Lots 18A & 19A, Lazy Oaks".

**MOTION:** Raschke; Second: Sandoval; **UNANIMOUS. MOTION PASSED.**  
Motion To Approve The Replat Of Lot 19 Lazy Oaks To Be Know As Lot 18A & 19A.

**AGENDA ITEM #20:**

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  
Mirelez v Llano County, Sheriff Bill Blackburn, Robert Nichols  
Graninger v Sheriff Blackburn  
Flood Damage Prevention Order

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.

**AGENDA ITEM #21:**

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 – No Action Taken

Meeting Adjourned By Judge Ron Cunningham

Attest: Cecilia McClintock  
Cecilia McClintock, County Clerk