

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Regular Meeting August 25, 2014 9:00 a.m.



TOM D. BONN County Judge
CAROL HOLCOMB County Clerk

ALFREDO MUÑOZ Commissioner Pct. 1
FRED F. BUCHHOLTZ Commissioner Pct.2
NETO MADRIGAL Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct.4

Agenda

8:30 A.M.

WORKSHOP (No Action): Report from program manager on remodeling of the new Caldwell County Judicial and Service Center. No action will be taken at this time. Project Manager Les Reddin updated all present on the status of the Caldwell County Justice Center. The project is on track and is 80% complete at this time. There are concerns about the floor cleaning equipment that uses water on the tile and the impact on doorways and drywall that the larger equipment may have. The next update is scheduled for September 8, 2014.

Call Meeting to order

2014.08.25.03

Announcements: Items or comments from Court Members or Staff. Commissioner Muñoz congratulated Human Resources on the Health Fair that was held last week. He was also honored by speaking at the 4-H banquet this past weekend. There were three gold star winners. He thanked the kids for their hard work and their parents for helping and investing the time for them. Commissioner Buchholtz recognized that today is the first day of school and wished all the students and teachers a good year. Commissioner Madrigal echoed the well wishes for teachers and students.

2014.08.25.01

Invocation. Lockhart Ministry Alliance.
Pastor Randy Frye opened the meeting in prayer.

2014.08.25.02

Pledge of Allegiance to the Flags. (Texas Pledge: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible).
Judge Bonn led those present in the Pledge to both Flags.

2014.08.25.04

Citizens' Comments: At this time any person may speak to Commissioners Court if they have filled out a Caldwell County Commissioners Court Participation Form. Comments will be limited to four (4) minutes per person. No action will be taken on these items and no discussion will be had between the speaker(s) and members of the Court. The Court does retain the right to correct factual inaccuracies made by the speakers. (If longer than 30 minutes, then the balance of comments will continue as the last agenda item of the day).

1. Hoppy Hadar spoke to the Court concerning the Takings Impact Assessment agenda item #8 and also number 9 and 10. He asked that perhaps these items can be tabled until they can be discussed with the stakeholders to get together and discuss them. He feels that they could have some environmental impacts on our community.

2. Oscar Fogle spoke to the Court and explained that there are many ordinances in effect that are not being enforced and is concerned with coming up with another proposal. He states that the taxpayers over 65 have their taxes frozen and is concerned that the tax base would be shifted and that the younger taxpayers would be left with the burden. The County desperately needs to build a tax base. He asks that the Court involve some of the citizens before a decision impacts the growth of Caldwell County.

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Commissioner Roland left the room during speaker #3.

3. Brent Ryan with McElroy, Sullivan, Miller, Weber & Olmstead, LLP representing Green Group Holdings, LLC spoke to the Court about the environmental protection plans being taken by Green Group Holdings. He called the revisions submitted by Commissioner Roland illegal and that decisions could impact the economic growth of Caldwell County. He spoke of a suit and Commissioner Madrigal asked if this was a threat and Mr. Ryan replied "no".

2014.08.25.05 **Consent Agenda.** (Any member of the Court may request that an item within the Consent Agenda to be moved to the Regular Agenda for further discussion and action).

A. Pay Bills in the amount of \$185,951.75 for August 25th, 2014.

B. To approve Commissioners Court Minutes for August 18th, 2014 and Amended Minutes for August 11th, 2014.

Motion made by Commissioner Buchholtz, second by Commissioner Mufioz to approve the Consent Agenda. All Present Voting "Aye"

2014.08.25.06 **Reports.**

Building Maintenance Report – Curtis Weber
Curtis Weber gave the Building Maintenance Report for July 2014.

Environmental Investigator Report – Mike Bittner
Mike Bittner gave the Environmental Investigator Report for July 2014.

Commissioner Roland returned

Texas AgriLife Extension Service Report – Carissa Wilhelm/ Michael Haynes
Michael Haynes spoke about the District 10 4H Leadership conference and the upcoming plans for August. Carissa Wilhelm updated the Court on the events for August. She spoke about the Leadership conference at Texas A&M and the topics that were covered at there. Announced that in July, Caldwell County was presented an endowment of \$50,000.00 thru Texas A&M, from Metra Harrison of Luling. It will go towards programming, specifically health programming. This is the largest ever and will be very helpful for Caldwell County.

2014.08.25.07 **Special Presentations. None.**

(ALL OTHER AGENDA ITEMS)

2014.08.25.08 **Discussion/Action** to adopt Takings Impact Assessment of proposed amendments to Caldwell County Development Ordinance as required by Private Real Property Preservation Act.
Motion made by Commissioner Roland, second by Commissioner Madrigal to table items 8, 9 and 10. All Voting "Aye"

2014.08.25.09 **Discussion/Action** to approve procedural amendments to Caldwell County Development Ordinance, Sections 3.4(C), 3.6.4(B), 4.1(G), 4.3.2(H), 5.4, and 5.5. **Cost:** None; **Speaker:** Commissioner Roland; **Backup:** 1.
Motion made by Commissioner Roland, second by Commissioner Madrigal to table items 8, 9 and 10. All Voting "Aye"


2014.08.25.10 **Discussion/Action** to approve publishing notice as required by Private Real Property Preservation Act for substantive amendment to Caldwell County Development Ordinance, Appendix Section G.1. **Cost:** None; **Speaker:** Commissioner Roland; **Backup:** None.
Motion made by Commissioner Roland, second by Commissioner Madrigal to table items 8, 9 and 10. All Voting "Aye"

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- 2014.08.25.12** **PUBLIC HEARING AT 9:30 A.M.** regarding the Petition for Creation of Emergency Services District #3 for the City of Martindale. No action to be taken.
Public Hearing began: 9:47 a.m.
- Bill Hamilton** President of Martindale Volunteer Fire Department Board spoke of the support that has been given by the surrounding cities and the City of Martindale itself. There is a need for assistance due to the increase of calls from citizens and tubers on the river.
Public Hearing ended 9:50 a.m.
- 2014.08.25.14** **PUBLIC HEARING AT 9:45 A.M.** regarding the proposed tax rate of \$0.6906 per Caldwell County Appraisal District. No action to be taken.
Public Hearing began: 9:50 a.m.
No Public Comments
Public Hearing ended: 9:51 a.m.
- 2014.08.25.11** **Discussion/Action** regarding Burn Ban for Caldwell County.
Martin Ritchey gave a brief overview of the emergency's that had occurred this past month. He updated the Court on weather conditions for the area. Motion made by Commissioner Roland, second by Commissioner Madrigal to keep the burn ban on. All Voting "Aye"
- 2014.08.25.15** **Discussion/Action** to officially request inventory of all County 700/800 MHz trunked radios to include all, VFD's and cities (Lockhart, Luling, Martindale, DPS and any others) issued by County from Homeland Security grants as required by SAA – State of Texas.
Martin Ritchey explained the importance of the inventory for not only Grant procedures but to ensure the functionality and usage of the radios and other equipment that is used within the County. He explained that since taking the position of Emergency Management Coordinator, he has not been able to find documents showing any tracking of the equipment. Motion made by Judge Bonn, second by Commissioner Muñoz to have the inventory completed by September 22, 2014. All Voting "Aye"
- 2014.08.25.13** **Discussion/Action** to grant Petition for Creation of Emergency Services District No. 3 and to order an election to confirm the district's creation and to authorize the imposition of a tax not to exceed the rate allowed by Section 48-e, Article III, Texas Constitution.
Motion made by Commissioner Madrigal, second by Commissioner Muñoz to grant Petition for Creation of Emergency Services District No. 3 and to order an election to confirm the district's creation and to authorize the imposition of a tax not to exceed the rate allowed by Section 48-e, Article III, Texas Constitution. All Voting "Aye"
- 2014.08.25.16** **Discussion/Action** to adopt an Engineering Consultant Selection Process for projects funded through Texas Department of Transportation "TxDOT".
Michael Aulick explained the Engineering Consultant Selection Process and told the court that the next meeting with the Texas Transportation Commission will be held this week in Dallas. The amended list of County Projects to be funded with SH 130 Concession payments will be submitted at that time. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to adopt an Engineering Consultant Selection Process for the list of projects funded through Texas Department of Transportation "TxDOT" including the revised list labeled EXHIBIT A. All Voting "Aye" Judge Bonn will be attending the meeting in Dallas.
- 2014.08.25.17** **Discussion/Action** to approve Juvenile Probation's Fiscal Year 2015 Budget and funding request in the amount of \$439,920.
Chief Juvenile Probation Officer Jay Monkerud spoke to the court concerning the Juvenile Probation's Fiscal Year 2015 Budget. Motion made by Commissioner Roland, second by Commissioner Madrigal to approve Juvenile Probation's Fiscal Year 2015 Budget and funding request in the amount of \$439,920. All Voting "Aye"

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- 2014.08.25.18** **Discussion/Action** to award bid on the remodeling project at 505 Fannin in Luling.
Motion made by Commissioner Madrigal, second by Commissioner Buchholtz to award bid on the remodeling project at 505 Fannin in Luling to Reyna Drywall & Painting in the amount of \$71,895.00. They were chosen not only because of the low bid, but for their job performance in the past. All Voting "Aye"
- 2014.08.25.19** **Discussion/Action** to award the bid for the roof project at the Juvenile Probation building.
Motion made by Judge Bonn, second by Commissioner Roland to table this item. County Auditor Larry Roberson said it was too late to begin the process again as the work needed to begin by October 1, 2014. The motion and second were withdrawn. Motion made by Commissioner Roland, second by Commissioner Muñoz to throw out all bids for the roof project at the Juvenile Probation building. All Voting "Aye"
- 2014.08.25.20** **Discussion/Action** to approving hiring a new employee for the new Caldwell County Justice Center.
Cost: \$36,367; Speaker: Commissioner Roland; Backup: 1.
Motion made by Commissioner Roland, second by Commissioner Muñoz to table items 20& 21. All Voting "Aye"
- 2014.08.25.21** **Discussion/Action** to approve additional cleaning machinery for the new Justice Center. **Cost: \$24,970;**
Motion made by Commissioner Roland, second by Commissioner Muñoz to table items 20& 21. All Voting "Aye"
- 2014.08.25.22** **Discussion/Action** to approve resolution closing dormant or unused bank accounts at the County Depository, First Lockhart National Bank.
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to approve resolution closing dormant or unused bank accounts at the County Depository, First Lockhart National Bank. All Voting "Aye"
- 2014.08.25.23** **Discussion/Action** to approve the 2015 Caldwell County Appraisal District Budget.
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve the 2015 Caldwell County Appraisal District Budget. All Voting "Aye"
- 2014.08.25.24** **Discussion** regarding compensation for Nick Dornak for the federal hog program.
Nick Dornak spoke to the Court and answered the questions concerning his position and the time that is invested in the federal hog program. He explained that the time invested does not overlap into his position with Plum Creek Conservation. As the Task Force project has grown, the time and effort to effectively facilitate the Task Force has grown as well. Nick has asked for compensation to assist with his position.
- 2014.08.25.25** **Discussion/Action** to review Federal Inmate Revenues.
Commissioner Madrigal discussed the Federal Inmate Revenues and the usage of the funds when received into the County assets. He is concerned with the amount of employees that are leaving the County for higher wages and the impact of not continuing the 5-year salary plan. He talked about the planning of budgets and the expectations of the raises. Motion made by Commissioner Madrigal to set aside the revenues from the per diem to set for raises. The County Auditor explained that the amounts would have to be over the base line of expenses. Motion died for lack of second. Motion made by Commissioner Madrigal, second by Commissioner Muñoz to revisit the topic and revue new Federal Inmate Revenues on November 10, 2014.
- 2014.08.25.26** **Adjournment**
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge