

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Special Meeting September 4, 2014 3:00 p.m.
Revised Minutes September 18, 2014



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

Call Meeting to order.

2014.09.04.01 Invocation. Lockhart Ministry Alliance.

No minister present. Oscar Fogle opened the meeting with prayer.

2014.09.04.02 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 all present in the Pledge to both Flags.

2014.09.04.03 Announcements: Items or comments from Court Members or Staff.
None

2014.09.04.04 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 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).
None

Public Hearing begins: 3:02 p.m.

2014.09.04.05 Public Hearing 3:00 P.M. on 2014-2015 Caldwell County Tax Rate.

The Commissioners Court of Caldwell County will vote on the proposed tax rate at its regular meeting at 9:00 a.m., Monday, September 8, 2014 in the Commissioners Courtroom located at 1403 Blackjack Street, Lockhart, Texas.

1. **Susan Stewart** asked for the Court to keep the present tax rate and not to cut it. If keeping it at present rate would be enough to give the employees a raise, she is willing to pay a little more on taxes.

Public Hearing Closed: 3:04 p.m.

2014.09.04.06 Discussion regarding the property tax increase reflected in the budget as required by section 111.008(c) of the Local Government Code because the budget will require raising more revenue from property taxes than in the previous year.
County Auditor Larry Roberson explained the property tax increase reflected in the budget as required by section 111.008(c) of the Local Government Code. The budget will require raising more revenue from property taxes than in the previous year. Some of it is associated with new property.

2014.09.04.09 Discussion/Action to approving hiring a new employee for the new Caldwell County Justice Center.
Motion made by Commissioner Roland, second by Commissioner Madrigal not to hire a new employee for the new Caldwell County Justice Center at a cost of \$36,367. All Voting "Aye"

2014.09.04.10 Discussion/Action to approve additional cleaning machinery for the new Justice Center.
Motion made by Commissioner Roland, second by Commissioner Madrigal not to buy additional cleaning machinery for the new Justice Center at a cost of \$24,970. This was due not only to cost but because of the size of the machine. All Voting "Aye"

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Brief recess 3:11 p.m. to 3:30 p.m.

Public Hearing begins: 3:30 p.m.

2014.09.04.07 Public Hearing 3:30 P.M. on 2014-2015 Caldwell County Proposed Budget.

No Speakers

Public Hearing ends: 3:31 p.m.

2014.09.04.08 **Discussion/Action** to approve the 2014-2015 Caldwell County Proposed Budget as required by section 111.008(a) of the Local Government Code. Pursuant to section 111.008(b), the commissioner's court may make any changes in the proposed budget that it considers warranted by the law and required by the interest of the taxpayers. **NOTE:** The vote to adopt the budget must be a roll call vote. **Cost:** None; **Speaker:** Judge Bonn; **Backup:** 1.
Motion made by Commissioner Madrigal, second by Commissioner Muñoz to cut the engineer position out of the budget and have half of the amount kept for an engineer on a consultant basis and Commissioner Muñoz said that he would continue with Michael Aulick as the consultant as needed for 5-6 months. Judge Bonn comments that Michael Aulick is not an engineer and is contracted at \$5,000 per month He is concerned that the County does not have an engineer and that with the major road projects that have been approved, the County is in need. Commissioner Roland asks if the proposed budget is balanced at this time? County Auditor replied yes. He explained the line item transfers that will be done when any changes are approved. Motion made by Judge Bonn to table this item. Motion died for lack of second. Roll Call Vote: Commissioner Muñoz-Yes, Commissioner Buchholtz-No, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-No, Motion Passed. The salary for the County Judge will be adjusted \$11, 250.00 due to the State stipend for Probate. Commissioner Muñoz would like to earmark \$3,000 to the Hogout Program totaling it to \$13,000. It will need Court approval to be paid out when it comes on Agenda. County Auditor Larry Roberson read the list of adjustments that were discussed throughout the budget process, totaling \$61, 898.00. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve adjustments. All Voting "Aye". Larry spoke about the Federal Inmate situation and explained that the budget deficit would be \$960,000.00 and explained 3 possible options to prepare for this loss. He has provided the Court a list of ways to do this. They could impact the proposed pay raises, lay off jail personnel and no increase of security for the new Justice Center. Chief Deputy David Brent spoke explaining that after the August 25th meeting that the Federal Marshal Service was looking to place the inmates elsewhere. A balanced budget needs to be in place by October 1st, but if not approved today, the entire process will need to be restarted. The Budget can be amended at any time during the year. Motion made by Commissioner Buchholtz, second by Commissioner Roland to approve the budget with the federal inmate revenue included. Roll Call Vote: Commissioner Muñoz-No, Commissioner Buchholtz-Yes, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn –Yes. 4-1 Motion Passed.

WORKSHOP: begins

- 2014.09.04.11 **Discussion** to adopt Takings Impact Assessment of proposed amendments to Caldwell County Development Ordinance as required by Private Real Property Preservation Act.
Commissioner Roland began the discussion and explained that there was a section in the backup and read from the fee schedule paragraph,
For plat applications for and construction permit for a site of at least 3 acres to be used primarily to store (permanently or temporarily) hazardous waste or solid waste, there will be an additional fee of \$50,000 per acre. He said that he didn't know where it came from. The Judge asked who had done it. Commissioner Roland said an attorney had called him for information and he directed him to the County Attorney. County Attorney explains that this is not what will be discussed for a takings impact Assessment. Only topics concerned will be discussed for the Takings Impact Assessment. Mr. Young is unaware of how it was included. Mr. Young says that it may be a typo, that it is not TIA information. Agenda items were discussed at same time during workshop.
- 2014.09.04.12 **Discussion** 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.


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2014.09.04.13 Discussion regarding a time to publish notice as required by Private Real Property Preservation Act for substantive amendment to Caldwell County Development Ordinance, Appendix Section G.1.

2014.09.04.14 Doug Young spoke to the Court about the proposed amendments that would be included on the Takings Impact Assessment.
Linda Hinkle asked about 3.4 (C) and 3.6.4 (B) where it was concerning (10) business days for notification. She asked if that is calendar days or business days? Doug Young explains that they specify business and the 45 days are calendar days.
Frank Sughrue asked about the details during a pre planning conference for the developer? Mack Harrison answered explaining the plat procedure.
Linda Hinkle explains that there are not procedures in place or a list of requirements. She explains that there is no check off list. She explains that 10 days is not going to work for developers. It's a lack of information.
Susan Stewart said that the 10 day rule is not changing. She asked who's responsibility it was for a traffic study and was told that it would be the responsibility of the developer.
Hoppy Haden said that it should remain at 60 days in 3.6.4 (B).
Lou MacNaughton asked about the determination for a traffic study. Mr. Young replied that the County employee or the engineer would make that determination. She also spoke about the waterway measurements in Section G.1. She lives in a flood plain area and feels that the amended requirements are necessary.
Oscar Fogle discusses the varied descriptions of waterways and how to decide a setback. He is concerned with the proposed amendment. He spoke about the tax base and how much land could be affected. He is concerned with growth of our County.
Linda Hinkle says that FEMA sets the flood plain rules and the zones impacted. She asked about the proposed changes.
Judge Bonn wanted to know who was requesting the setback of the waterway measurement. Commissioner Roland explained that his concerns included the safety of the citizens.
Bobby Schmidt would like to see committee to look over proposed changes before anything is approved.
Judge Bonn and Commissioner Roland discuss the option of forming a committee to discuss changes. This will be discussed at the Monday, September 8, 2014 meeting.

Workshop ended: 6:39 p.m.

2014.09.04.14 **Adjournment**
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge