

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting October 10, 2016 9:00 a.m.



KEN SCHAWÉ	County Judge	ALFREDO MUÑOZ	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		NETO MADRIGAL	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order. Meeting called to order by Judge Schawe at 9:00 a.m. All members of the court were present.

2016.10.10.01 Invocation. Lockhart Ministerial Alliance.

Pastor Bryan Dziadik of Grace Evangelical Lutheran Church opened the meeting with prayer.

2016.10.10.02 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).

2016.10.10.03 Announcements. Items or comments from Court Members or Staff.

Commissioner Muñoz wanted to congratulate Keep Lockhart Beautiful and Nick Dornack for their work last weekend. Commissioner Moses reported the McMahan Volunteer Fire Department raised \$12,000 at their BBQ and auction and they are looking for volunteers. There were big turn outs at Delhi, McMahan, and Luling's National Night Out. He announced that on 10/22 at Delhi there will be a chili cook-off/auction to raise money for their Volunteer Fire Department. Also on Saturday 10/15 Night in Old Luling will have a cake auction and bingo to raise money for Shanklin Elementary. Commissioner Madrigal attended National Night Out in Maxwell there was a BBQ and many attendees from the surrounding area. He also attended an annual parade in Fentress put on by a local church. Commissioner Roland complemented the recently paved St. John's road. He announced the 13th annual Speaking of the Dead put on by the City of Lockhart and Caldwell County Historical Commission taking place 10/21 and 10/22 in Lockhart Cemetery tickets are \$12 and only sold in advance by contacting Kathy McCormick 512-398-6292. Elections Administrator Pamela Ohlendorf thanks Molly Cole for her assistance reformatting their website and as a result they received a Certificate of Outstanding Award from the League of Women Voters. Commissioner Roland thanks Dwight Jeffery for starting work on St. John's Road and Donald LeClerc for continuing the work. County Clerk, Carol Holcomb introduces her new employee Angela Jenkins to the court. Judge Schawe mentions meeting with a possible contractor to assist with Unit Road and that the meeting with FEMA Monday went well and confirmed a contractor is not needed.

2016.10.10.04 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).

No citizens' comments

2016.10.10.05 Consent Agenda. (The following consent items may be acted upon in one motion. Any member of the Court may request that an item within the Consent Agenda be pulled for separate discussion and/or action).

- A. Approve payment of County invoices in the amount of \$214,385.20.
- B. Approve payment of the bond for the Unit Road Administrator, Donald A. Leclerc

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- C. Accept the Continuing Education Transcript of 21 hours of Educational Training for the 2016 reporting period from the South Texas Conference of County Judges and Commissioners Association Conference for the 2016 reporting period, for Commissioner Munoz.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda items A, B, and C. All present voting "Aye"

REPORTS
SPECIAL PRESENTATIONS
(ALL OTHER AGENDA ITEMS)

2016.10.10.06 **Discussion/Action** regarding the burn ban for Caldwell County. **Speaker:** Judge Schawe/Martin Ritchey; **Cost:** None; **Backup:** None.

Judge Schawe opens the discussion, Martin Ritchey is not present and Commissioner Madrigal states that there is rain in the forecast. They conferred with a member of the fire department in the court.

Motion made by Commissioner Roland, second by Commissioner Madrigal to leave the burn ban off in Caldwell County. All present voting "Aye".

2016.10.10.07 **Discussion/Action to approve** Resolution Number 15-2016 regarding the Opposition to Unfunded Mandates; **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 1.

Judge Schawe read the Opposition to Unfunded Mandates Resolution.

Motion made by Commissioner Madrigal, second by Commissioner Moses to approve Resolution 15-2016 Opposition to Unfunded Mandates. All present voting "Aye".

2016.10.10.08 **Discussion/Action to approve** Resolution Number 16-2016 regarding the Opposition to Appraisal Caps and Revenue Caps; **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 1.

Judge Schawe read the Opposition to Appraisal Caps and Revenue Caps Resolution.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Resolution 16-2016 Opposition to Appraisal Caps and Revenue Caps. All present voting "Aye".

2016.10.10.09 **Discussion/Action to approve** Resolution Number 17-2016 regarding State Funds for Indigent Criminal Defense; **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 1.

Judge Schawe read the State Funds for Indigent Criminal Defense Resolution.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Resolution 17-2016 State Funds for Indigent Criminal Defense. All present voting "Aye".

2016.10.10.10 **Discussion/Action** regarding disbursement of funds in the amount of \$71,009.39 in compliance with the provisions of Texas Local Government Code, Section 381.004 from the Texas Comptroller for Unclaimed Funds. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** None.

Judge Schawe asked that Commissioners review the Texas Local Government Code, section 381.004 and research to determine where it would be used to maximize economic development. He confirmed it is State money. Commissioners suggested some potential uses of the funds. Judge Schawe states he will get some proposals together once he researches, but for now he is just looking for a motion to accept the money.

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Motion made by Commissioner Muñoz, second by Commissioner Madrigal to accept the funds in the amount of \$71,009.39. All present voting "Aye".

2016.10.10.11

Discussion/Action to dispose of salvage or surplus property located at the Caldwell County Courthouse pursuant to Section 263.152 of the Texas Local Government Code and pursuant to Article 2.21 (f) and f-1) of the Code of Criminal Procedure and subject to Subsections (g), (h), (i) and (j). **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** None.

Judge Schawe explains that there are two firearms and one diamond that were at one time evidence but that were never recovered and are to be sold with the proceeds being split between the county and the state. He is looking for approval to sell the items.

Motion made by Commissioner Muñoz, second by Commissioner Moses to dispose of salvage or surplus property located at Caldwell County Courthouse. All present voting "Aye".

2016.10.10.12

Discussion/Action to amend the observed holidays of the 2017 calendar year. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 1.

Judge Schawe announces that Veterans Day in 2017 falls on a Saturday and was recorded on the holiday calendar as being observed on a Monday, but the handbook states it should be observed on Friday because it falls on a Saturday. So it needs to be moved from Monday the 13th to Friday the 10th. The only other matter is the half day in December during Christmas break possibly being revised to a full day.

Motion made by Commissioner Muñoz, second by Commissioner Moses to change Veterans Day to the 10th and change the half day in December to a full day. All present voting "Aye".

2016.10.10.13

Adjournment.

Motion made by Commissioner Muñoz, second by Commissioner Moses to Adjourn. All voting "Aye".

Meeting Adjourned at 9:25 a.m.

I, CAROL HOLCOMB, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Caldwell County Commissioners' Court on October 10, 2016.



CAROL HOLCOMB, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
CALDWELL COUNTY, TEXAS

