

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting April 11, 2016 9:00 a.m.



KEN SCHAWÉ
CAROL HOLCOMB

County Judge
County Clerk

ALFREDO MUÑOZ
EDDIE MOSES
NETO MADRIGAL
JOE IVAN ROLAND

Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4

Call Meeting to Order. Meeting called to order by Judge Schawe at 9:02 a.m. Commissioner Roland present at 9:08 a.m.

2016.04.11.01 Invocation. Lockhart Ministerial Alliance.

Pastor James Greene of First Presbyterian Church in Lockhart, Texas opened the meeting with prayer.

2016.04.11.02 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 Schawe led all present in the Pledge of both flags.

2016.04.11.03 Announcements. Items or comments from Court Members or Staff.

Commissioner Muñoz congratulated the City of Lockhart on their Sip and Stroll event. He also congratulated the Greater Caldwell County Hispanic Chamber of Commerce on their annual banquet. He was a host to site selectors who looked at possible economic development opportunities within the county. Commissioner Moses announced the upcoming Battle of the Bands event in Luling April 30th. He had a meeting with transportation consultant, Michael Aulick and city manager, Mark Mayo in regards to the traffic in Luling and discussed plans to improve those issues. He mentioned the opening day of Little League and a good turnout for their cake auction. He attended the Roughneck Chili Cook Off and said it was a big success. He announced Lauren Heller, a previous graduate of Luling High School and said he was very proud of her accomplishments at A&M University on winning nationals for skeet shooting. Commissioner Madrigal said he had a meeting with an engineer from TxDOT and they are still working on making roadways safer in the county. He stated the public meeting was very successful concerning SH 21. Commissioner Roland thanked the Hispanic Chamber of Commerce for honoring him the pioneer award. Judge Schawe announced the grand opening of Lockhart's State Park this Saturday.

2016.04.11.04 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).

Matthew Allen with the Caldwell County Appraisal District shared his concerns about several deeds that have been recorded by developers that are incorrect. He asked the court about ways to have developers clarify their deeds.

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- 2016.04.11.05** **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 \$245,815.85.

 - B. To accept the Certificate of Completion from The V.G. Young Institute of County Government for successfully completing 16 hours of educational training for County Commissioners and County Judges For Judge Ken Schawe.
- Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda items A-B. All voting "Aye".

(ALL OTHER AGENDA ITEMS)

- 2016.04.11.06** **Discussion/Action** regarding the burn ban for Caldwell County. **Cost:** None; **Speaker:** Judge Schawe/Martin Ritchey; **Backup:** None.

Martin Ritchey recommended leaving the burn ban off after reviewing the KBDI index.

Motion made by Commissioner Roland, second by Commissioner Muñoz to leave the burn ban off. All voting "Aye".

- 2016.04.11.07** **Discussion/Action** approve a Proclamation recognizing April as Sexual Abuse Awareness Month. **Cost:** None; **Speaker:** Judge Schawe/Cari Borremans; **Backup:** 1.

Zoe Arabzadegan with the Hays Caldwell Women's Center explained services offered by the center. Judge Schawe read the proclamation.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve a Proclamation recognizing April as Sexual Abuse Awareness Month. All voting "Aye".

- 2016.04.11.08** **Discussion/Action** approve a Proclamation recognizing April as Child Abuse Awareness Month. **Cost:** None; **Speaker:** Judge Schawe/Cari Borremans; **Backup:** 1.

Zoe Arabzadegan with the Hays Caldwell Women's Center explained services offered by the center. Judge Schawe read the proclamation.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve a Proclamation recognizing April as Child Abuse Awareness Month.. All voting "Aye".

- 2016.04.11.09** **Discussion/Action** to approve the amended Rules of Procedure for Commissioners Court. **Cost:** TBD; **Speaker:** Judge Schawe; **Backup:** 16.

Judge Schawe stated minor changes were made to the rules of procedure for commissioner's court. Commissioner Madrigal said he is unaware of what changes were made. Commissioner Roland shared his concerns for citizens of the county who do not know of the proposed changes. Judge Schawe clarified one of the changes stating the commissioners must notify his office of requested agenda items by Tuesday at 12:00 p.m. Commissioner Muñoz clarified that requested agenda items

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may be called in Tuesday morning and back up information may be submitted Tuesday afternoon. Civil Attorney, Jordan Powell stated agendas must be posted 72 hours prior to the scheduled meeting. Commissioner Roland suggested tabling this item. Commissioner Muñoz requested the proposed changes be red lined and posted.

Motion made by Commissioner Roland, second by Commissioner Muñoz to table this item.. All voting "Aye".

2016.04.11.10

Discussion/Action concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Eli Smith Acres on Sundance Court (CR64). **Cost:** None; **Speaker:** Commissioner Madrigal / Kasi Miles; **Backup:** 11.

Kasi Miles from the Septic and Sanitation Department explained a final plat for Eli Smith Acres on Sundance Court (CR64). She received a letter of recommendation from engineer Tracey Bratton and all fees have been paid.

Motion made by Commissioner Madrigal, second by Commissioner Roland to approve of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Eli Smith Acres on Sundance Court (CR64). All voting "Aye".

2016.04.11.11

Discussion/Action to consider renewing a license agreement with Camp Gladiator for use of the Caldwell County Justice Center parking lot. **Cost:** None; **Speaker:** Commissioner Munoz; **Backup:** 4.

Commissioner Muñoz explained Camp Gladiator has been using the Justice Center's parking lot for the past year and is requesting to extend their contract. Civil Attorney, Jordan Powell said she has received updated insurance information from Camp Gladiator that is good through the end of September of this year. She stated no damage or complaints regarding Camp Gladiator.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to renew a license agreement with Camp Gladiator for use of the Caldwell County Justice Center parking lot until the end of September 2016. All voting "Aye".

2016.04.11.12

Discussion/Action to consider abandoning an old County roadway connecting Washburn Road (CR 115) and FM 2984, and adopt a resolution ordering abandonment. **Cost:** None; **Speaker:** Commissioner Moses; **Backup:** 4.

Commissioner Moses explained that a survey was done on some property where an old right of way still exists that is owned by the county. He said in order for the owner to have a clear title and develop the area, the county must abandon it. Civil Attorney, Jordan Powell agreed with Commissioner Moses and said she does not see the county needing to utilize this right of way. Unit Road Director Dwight Jeffrey said he sees no issue with abandoning the road. County Auditor, Debra French asked about selling the road and surveyor, Linda Hinkle replied saying the county must abandon the road and cannot sell.

Motion made by Commissioner Moses, second by Commissioner Muñoz to abandon old County roadway connecting Washburn Road (CR 115) and FM 2984 and adopt a resolution ordering abandonment. All voting "Aye".

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2016.04.11.13 **Discussion/Action** authorizing the County Judge to execute a license agreement with Warner Brothers for use of County property. **Cost:** None; **Speaker:** Judge Schawe; **Backup:** None.

Civil Attorney, Jordan Powell explained Warner Brothers is requesting to film in the county again and stated there were no issues last time. Filming would begin in May and possibly into June. Warner Brothers is requesting to use the old Judicial Center for storing crew. Location manager for Warner Brothers, Chris Salazar clarified they would be utilizing the downtown area on the square in Lockhart on May 11, 2016 and May 12, 2016. Commissioner Muñoz shared concern for the Cinco de Mayo event that is hosted downtown in May and received assurance that filming will not interfere with that event. He stated the local economy received approximately \$1 million dollars the last time Warner Brothers was filming in the county. Jordan Powell stated the agreement is still being revised and is not ready at this time. County Auditor, Debra French received clarification from Jordan Powell that she has updated insurance information and that the contract is not a rental agreement.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to authorizing the County Judge to execute a license agreement with Warner Brothers for use of County property at which time our Civil Attorney has looked at the agreement. All voting "Aye".

2016.04.11.14 **Discussion/Action** to consider increasing/amending the Elections Office budget: (1) in the amount of \$3,000.00 to reimburse individuals who worked the Primary Elections in March 2016; and (2) in the amount of \$7,600.00 to cover the costs associated with the State Primary Election Runoff in May 2016. **Cost:** \$10,600.00; **Speaker:** Commissioner Munoz/Pam Ohlendorf; **Backup:** None.

Elections Administrator, Pam Ohlendorf requested an amendment to her budget to pay for upcoming elections. Commissioners received clarification that workers from the primary election have been paid but left her budget negative. Judge Schawe asked about a part-time employee that was hired by the election's office and Pam Ohlendorf explained it was a temp that is paid by the primaries. She further explained that although the county is currently paying for the temp position, they will be fully reimbursed by the party chairs. County Auditor, Debra French discussed the current status of the Election's Office budget and accounts. She stated she can work with Pam Ohlendorf to resolve this matter and requested elected officials stay within their budget. Commissioner Muñoz confirmed this item is for discussion only. No action taken.

2016.04.11.15 **Discussion/Action** to approve the Elections Office to attend the Election Law Seminar July 10-13, 2016. **Cost:** None – funding currently in budget; **Speaker:** Commissioner Munoz; **Backup:** None.

Commissioner Muñoz requested to pull this item. He stated this item is not to be decided by the court.

2016.04.11.16 **Executive Session** pursuant to Sections 552.071 and 552.072 of Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease, or value of County-owned property located at 201 E. San Antonio Street. Possible action may follow in open court. **Cost:** TBD; **Speaker:** Judge Schawe; **Backup:** None.

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Persons present in the executive session were: Judge Schawe, Commissioner Muñoz, Commissioner Moses, Commissioner Madrigal, Commissioner Roland, Civil Attorney Jordan Powell and Amelia Smith with Countywide Realty.

Executive Session began: 10:04 a.m.
Executive Session ended: 10:31 a.m.
Judge Schawe announced back in session: 10:33 a.m.

No action taken in closed court.

Action taken in open court:

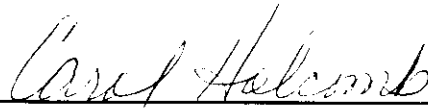
Motion made by Commissioner Muñoz, second by Commissioner Moses to authorize Countywide Realty to submit a written counter offer in relation to 201 E. San Antonio Street, as presented in closed session by Countywide Realty and counsel and authorize the County Judge to sign the counter offer. Commissioner Muñoz, Commissioner Moses and Commissioner Madrigal voting "Aye." Commissioner Roland abstained from voting.

2016.04.11.17

Adjournment. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to adjourn. All voting "Aye".

Meeting Adjourned at 10:34 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 April 11, 2016.



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

