

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting October 9, 2017 9:00 a.m.



KEN SCHAWA	County Judge	HOPPY HADEN	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order.

Judge Schawe calls the meeting to order at 9:00 a.m. All members are present.

Invocation. Lockhart Ministerial Alliance

Judge Schawe opens the meeting in prayer.

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 leads all present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Commissioner Haden attended the South Texas Conference for Judges and Commissioners. He also attended a CAMPO Executive Board meeting and a meeting with SH 130. He says Carl Ohlendorf would like to donate new flags for the Courthouse and he will get an item on the next agenda. He says the Host Agreement Committee has a recommendation. **Commissioner Moses** attended a meeting explaining Old Settler's Music Festival details. He says McMahan had a successful auction at the Fire Department and a Fall Festival at St John's Catholic Church. The 14th is Night in Old Luling and Coffee with a Commissioner. Go Texan will have a meeting on the 16th in Luling. Commissioner Moses says he was contacted about school bus loading safety issues off of a rural road. He coordinated with the school district to address the concerns. He has also received a lot of road complaints but has explained to everyone the County is working on them as fast as possible. **Commissioner Theriot** also attended the SH 130 meeting and the National Night Out event in Maxwell at the Fire Department. **Commissioner Roland** attended Windridge National Night Out. He says he is a member of the Solid Waste Executive Commission and he voted against the transfer station. He also called in some road issues to Unit Road. **Commissioner Haden** adds that he attended Evening with the Authors for the Eugene Clark Library. **Commissioner Moses** adds that he attended National Night Out in McMahan and that Delhi will have a chili cook-off on the twenty-first. **Martin Ritchey**, Emergency Management Coordinator, thanks the Sheriff's Office for coordinating the National Night Out events. He attended all but the one in Maxwell because of a structure fire. He gives IA and PA Declaration updates. The warning sirens for Lockhart will be tested Monday at 1:00 p.m. He also reminds citizens to maintain tire pressure and urges them to confirm they are using the correct child safety seats. On October 10th in the Walmart parking lot from 2:00-6:00 p.m. there will be a group checking if child seats are appropriate.

COMMISSIONERS COURT MINUTES
Regular Meeting on October 9, 2017

Judge Schawe says he is continuing to work with Rob Tobias on economic issues. He attended the same Judges and Commissioners Conference as Commissioner Haden where he learned a lot of information he would like to bring back to the County.

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).

Kathryn Meneley is a Lockhart resident. She asks when the next Host Agreement Committee meeting is and has a lot of unanswered questions regarding the safety and necessity of the landfill and the Host Agreement.

Frank Sughrue is a Lockhart resident. He tells Kathryn Meneley she can contact him regarding the Host Agreement Committee meeting and says he was present at the TCEQ meeting when Green Group's permit was approved regardless of several attorneys speaking about health concerns. He asks the Commissioners to stay in the contested fight to protect the County.

CONSENT AGENDA. (The following consent items may be acted upon in one motion).

1. **Approve payment of County invoices in the amount of \$ 351,876.69.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. **\$270,397.20 (Payroll)**
 - B. **\$ 257,947.91 (Texas Motor Vehicle Registration and Sales/Use Tax Surcharges)**
 - C. **\$ 1,439.34 (Texas Boats & Motor Sales & Use Tax)**
 - D. **\$ 168,931.93 (Department of Motor Vehicle Fees).**
3. **Accept and approve the Texas Association of Counties County Investment Academy Continuing Education Certificate of Attendance and the 2017 Training Record for Lori Rangel, County Treasurer.**
4. **Accept the Adopted 2018 Appraisal District Budget.**
5. **Accept and approve the Surety Bond for Jennifer Walker, Justice of Peace Deputy Clerk, Precinct 2, Bond # 63361141.**

Motion made by Commissioner Haden, second by Commissioner Moses that we accept consent agenda items 1 through 5. All voting "Aye".

ACTION AGENDA ITEMS

6. **Discussion/Action** regarding the burn ban. **Cost: None; Speaker: Judge Schawe/Martin Ritchey; Backup: None.**

Martin Ritchey says small brush fires have resulted from vehicles dragging chains or trailers not being properly connected. However the drought index does not call for the burn ban and he recommends it remains off. Motion made by Commissioner Roland, second by Commissioner Theriot we leave the burn ban off. All voting "Aye".

7. **Discussion/Action** to approve a Proclamation recognizing the month of October 2017 as National Domestic Violence Awareness Month in Caldwell County. **Cost: None; Speaker: Judge Schawe/Karen Munoz; Backup: 1.**

Karen Munoz was joined by Cindy Gonzales, Victim's Coordinator from the District Attorney's Office. Karen Munoz invites everyone to participate in the 5th annual Family Violence Awareness Walk Saturday the 21st of October and the profit-sharing day at Black's BBQ on the 25th of October. She reads the Proclamation and allows Judge Schawe to read his part at the end. Judge Schawe asks for a motion. So moved by Commissioner Haden, second by Commissioner Moses. All voting "Aye".

8. **Discussion/Action** to nominate new term candidates for the Caldwell County Appraisal District Board of Directors for the year 2018. **Cost: None; Speaker: Judge Schawe; Backup: 2.**

Judge Schawe says the item had been tabled at the previous meeting to allow Commissioners time to get nominations together. He asks if the court has anyone to nominate. Commissioner Moses says he nominated Art Davis but it was already voted on. No action is taken.

9. **Discussion/Action** regarding stop signs at the intersection of St. Joseph and School Street in Prairie Lea, Precinct Two. **Cost: TBD; Speaker: Judge Schawe/Jacque Thomas; Backup: None.**

Commissioner Moses reviews situations in the neighborhood that effect pedestrian safety. Commissioner Theriot would like to wait on the final decision until the County Engineer Jacque Thomas has been able to review the situation. He says the conditions in the area are not what people might normally consider for stop signs' necessity but there are criteria that justify traffic control. He supports Commissioner Moses' determination that the signs are justified. No action is taken.

COMMISSIONERS COURT MINUTES
Regular Meeting on October 9, 2017

10. **Discussion/Action** regarding the Caldwell County Host Agreement Committee's recommendations in reference to items outlined in Green Group's email response to the host agreement document forwarded by Commissioners Court on September 11, 2017. **Cost: None; Speaker: Commissioner Haden; Backup: 1.**

Commissioner Haden reviews the motion made by the Host Agreement Committee regarding the email from David Green. The Committee would like Green Group to come to the table to discuss all items including the three items in the email. Judge Schawe and Commissioner Haden discuss meeting with Mr. Green, remaining in the contested case, and operating hours for the landfill. No action is taken.

11. **Discussion/Action** regarding direction to legal counsel concerning the filing of a Motion for Rehearing for the 130 Environmental Park. **Cost: TBD; Speaker: Commissioner Theriot; Backup: None.**

Commissioner Theriot says the deadline to file for Rehearing is Friday and they need to give direction to counsel. He reviews why he does not want a Rehearing filed. Motion made by Commissioner Theriot to direct our counsel to not file for Rehearing on the 130 Environmental Park.

Commissioner Haden asks for discussion and members of the court discuss the feedback they have received regarding the Rehearing. Civil Attorney Jordan Powell confirms that not filing the Rehearing will mean they have no appellate power in the future. The court discusses Green Group being unwilling to have a Host Agreement if the County remains in the contested case.

Commissioner Roland and Commissioner Haden discuss recourse actions with versus without a Host Agreement. Commissioner Haden seconds Commissioner Theriot's motion. Commissioner Haden, Commissioner Moses, and Commissioner Theriot vote in favor. Commissioner Roland votes against. The motion passed.

12. **Discussion/Action** to consider a supplemental payment to The Southwest Museum of Clocks & Watches for services rendered not covered under the general terms of the yearly Service Contract. **Cost: \$575.00; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reviews the miscommunication between The Southwest Museum of Clocks & Watches and the County's Maintenance Department. He recommends paying the invoice. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting on October 9, 2017

- 13. Discussion/Action** concerning a variance request for Compostela Subdivision located on Williamson Road (CR 177) concerning the minimum ROW width requirement. **Cost: None; Speaker: Commissioner Roland/Tracy Bratton/ Kasi Miles; Backup: 10.**

Commissioner Theriot and Commissioner Roland discuss not having received any update from the applicant after the last meeting. Motion made by Commissioner Roland, second by Commissioner Theriot that we don't give the variance. All voting "Aye".

- 14. Discussion/Action** to approve adding the County Auditor as an authorized representative to the County's investment accounts. **Cost: None; Speaker: Judge Schawe; Backup: 5.**

Judge Schawe explains the agenda item. So moved by Commissioner Moses, second by Commissioner Haden. All voting "Aye".

- 15. Discussion/Action** to approve the Revised Employee Handbook. **Cost: None; Speaker: Judge Schawe; Backup: To be distributed in court.**

Judge Schawe discusses County job descriptions including "other duties as assigned" and participating in recovery efforts after disasters. Human Resources Coordinator Bob Bush asks for questions regarding the Employee Handbook revisions.


Commissioner Haden says department heads would like to review the updates before the revised handbook is approved. Motion made by Commissioner Haden, second by Commissioner Moses that we table this until next time. All voting "Aye".

- 16. Adjournment.**

So moved by Commissioner Theriot, second by Commissioner Moses to adjourn. All voting "Aye".
The meeting adjourns at 9:49 a.m.

I, CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO 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 9, 2017.





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