

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting December 27, 2017 9:00 a.m.



KEN SCHAWÉ	County Judge	TERRY WRIGHT	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 everyone present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Commissioner Wright says he attended a lot of community holiday functions. He also checked on some roads in the west rural side of his precinct and will continue checking the condition of his precinct's roads. He is also continuing to introduce himself to County employees.

Commissioner Moses announces that the Blue Santa in Luling raised over ten thousand dollars. He attended a voting machine workshop and went to the Commissioners' meeting with Lockhart City Council. He was also at the Luling Fire Department Banquet with Judge Schawe and the County Christmas luncheon.

Commissioner Theriot says he and Commissioner Wright attended a Greater San Marcos Partnership meeting and he and County Engineer Jacque Thomas attended a meeting with CAMPO and Hays County regarding alignment studies for FM 150, 121 towards 142, and Yarrington Road.

Commissioner Roland says that a surprise birthday party was thrown for him on the 23rd and that he visited Raymond DeLeon as Santa in Lytton Springs. He says his church had a Christmas party at the Lions Club on Sunday where he donated to a raffle for children.

Judge Schawe thanks community supporter Matthew Sturn for providing the meats at the County's Christmas Luncheon.

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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).

There are no Citizens' Comments

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

1. **Approve payment of County invoices in the amount of \$ 211,111.25.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. \$ 331,167.73 (Payroll)
 - B. \$ 253,411.24 (Texas Motor Vehicle Registration and Sales/Use Tax Surcharges)
 - C. \$ 34,003.70 (Utilities).
3. **Accept and approve the November 2017 Tax Collection Report submitted by the Caldwell county Appraisal District.**
4. **Accept Continuing Education Transcript from the Texas Tax Assessor-Collector Association for Tax Assessor Collector, Darla Law in compliance with 1/2/2017-1/2-2018 requirements.**
5. **Approve Budget Amendment # 3 for FY 2017-2018 to the Grant Fund, Department 010-3000-0030 due to no CHAMP Grant award for FY 2018 and to apply the \$10,000 for TCEQ grant purposes.**
6. **Accept and approve the Surety Bond for Michael Bell, Constable, Precinct Three, Bond # 71738268.**
7. **Accept and approve the Surety Bond for Shanna Conley, Court Clerk, Justice of the Peace, Precinct Two, Bond # 15530866.**
8. **Accept a donation of office furniture from Tom Bonn.**

Motion made by Commissioner Moses, second by Commissioner Roland to accept consent agenda items 1-8. All voting "Aye".

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ACTION AGENDA ITEMS

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

Martin Ritchey sent a report recommending the burn ban remain off. Motion made by Commissioner Roland, second by Commissioner Moses to leave the burn ban off. All voting "Aye".

10. **Discussion/Action** to approve the reappointments of David Murdock, Jack Mudd, and Richard Salmon for 2 year terms as Commissioners for the Caldwell County Emergency Services District No. 3. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

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

11. **Discussion/Action** to approve the reappointments of Ronnie Duesterheft and Tony Collins for 2 year terms as Commissioners for the Caldwell County Emergency Services District No. 2. **Cost: None; Speaker: Commissioner Theriot; Backup: 1.**

Commissioner Theriot is recommending that Ronnie Duesterheft and Tony Collins be reappointed for 2 year terms as Commissioners for the Emergency Services District No. 2, second by Commissioner Moses. All voting "Aye".

12. **Discussion/Action** regarding the creation of an Economic Development Incentive Policy for Caldwell County. **Cost: None; Speaker: Commissioner Wright; Backup: 5.**

Commissioner Wright explains examples of the incentives he would like to offer local businesses and says he would like to coordinate with surrounding communities to assist in drawing businesses to the area. Commissioner Theriot explains the incentives would be tied to the policies/guidelines document that Greater San Marcos Partnership is contracted to assist the County in creating.

Judge Schawe suggests a motion to move forward. Motion made by Commissioner Wright, second by Commissioner Theriot. All voting "Aye".

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- 13. Discussion/Action** regarding Caldwell County Abatement of public nuisances. **Cost: None; Speaker: Judge Schawe; Backup: 5.**

Judge Schawe explains that he would like the court to update the policy and then bring it back to court for approval and he is looking for a motion to move forward. Motion made by Commissioner Moses, second by Commissioner Wright that we move forward. All voting "Aye".

- 14. Discussion/Action** to approve Construction Contract Change Order No. 007 from SB Contractors for County Road 222 (Schuelke Road). **Cost: \$36,611.20; Speaker: Judge Schawe; Backup: 17.**

Commissioner Theriot explains the Change Order is needed due to County Road 222 (Schuelke Road) cracking. Commissioner Theriot and Commissioner Moses discuss TxDOT's road construction specifications, the change order only representing a temporary solution, and any permanent solution being too costly for the County.

Recommendation made by Commissioner Theriot, second by Commissioner Roland for approval of this change order to move forward. Commissioner Theriot confirms for Commissioner Moses that the funds will come from the concessions fund.

- 15. Discussion/Action** appointing the Auditor as the County's Purchasing Agent, establishing a procurement policy and discussing a future purchasing agent. **Cost: TBD; Speaker: Judge Schawe; Backup: None.**

County Auditor Barbara Gonzales explains that the County has no written policy or guidelines for purchasing. She says that for legal reasons and per the request of FEMA there should be a County policy for procurement and a Purchasing Agent or Manager to oversee them.

Barbara Gonzales, Civil Attorney Jordan Powell, Chief Deputy Mike Lane, and court members discuss how purchasing would change if an Agent was hired including current examples of situations the County is facing and that the policies could be created in a short time. Jordan Powell explains a Purchasing Agent would have legal up-to-date training and would be hired by the Board that consists of the District Judges and the County Judge.

Commissioner Roland exits and returns.

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Jordan Powell tells Commissioner Theriot that at this time the court would just make a motion supporting the County Auditor acting as the Purchasing Agent.

Motion made by Commissioner Theriot, second by Commissioner Wright of support for the County Auditor functioning as Purchasing Agent and establishing a procurement policy for acquisitions. Barbara Gonzales and the court discuss the creation of a new position. All voting "Aye".

16. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Lot 17-A, 17-B, and 17-C of Austin Skyline Subdivision, Section Three located off Calder Road (CR 192). **Cost: None; Speaker: Commissioner Theriot/ Kasi Miles; Backup: 15.**

Kasi Miles explains that everything is in order and says she is looking for approval from the court. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

Judge Schawe calls a recess at 9:50 a.m. Court is called back into session at 9:59 a.m.

17. **WORKSHOP:** Hart Intercivic Election Equipment Demonstration. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Workshop begins at 9:59 a.m. Ken Tretheway with Hart Intercivic presents the court with the options his company provides for elections/voting equipment. Ken Tretheway, Elections Administrator Pamela Ohlendorf, Judge Schawe, Commissioner Moses and Commissioner Theriot discuss concerns with wifi connections at rural voting centers, local voters wanting the option for paper ballots, and the security of voting machines.

Republican Chair, Kathy Haigler, submitted a letter to the court stating her opposition to Voting Centers on Election Day. Democrat Chair, Phillip Ruiz, also spoke on Kathy Haigler's request stating they both are opposed to Voting Centers and that Caldwell County voters prefer paper ballots.

Workshop ends at 10:55 a.m.

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18. Adjournment.

Motion made by Commissioner Moses, second by Commissioner Theriot to adjourn. All voting "Aye".

Meeting Adjourns at 10:55 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 December 27, 2017.

Carol Holcomb

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



