

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Regular Meeting November 27, 2017 9:00 a.m.



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KEN SCHAWÉ	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** says Dickens' Christmas is this weekend and Light-up-Lockhart is next weekend on the Downtown Square. He attended a CAMPO meeting where new criteria for project selection were adopted. He congratulates Caldwell County 4-H on the National Livestock Judging Championship.

**Commissioner Moses** attended the Active Shooter Seminar put on by Martin Ritchey. He says he observed a lot of road issues in his precinct and assured people they are being fixed as quickly as possible. He attended a pot-luck in McMahan and the 33<sup>rd</sup> annual Christmas Arts and Crafts Show in Luling. He was at the Chamber of Commerce mixer at the re-opened bowling alley. In conclusion he asks people to turn on their lights in foggy weather such as this morning.

**Commissioner Theriot** says the draft version of the Development Ordinance will be on the agenda for December 11<sup>th</sup> where presenters will explain it. He invites anyone who would like to speak during that Public Hearing. He says he and Judge Schawe were invited to a safety meeting Wednesday by 130 Toll Authority.

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**Commissioner Roland** says he spent time looking at roads and subdivisions in his precinct and speaking with community members about keeping them clean and orderly. He tells about selling land to Habitat for Humanity and the home being dedicated to someone he knows.

**Judge Schawe** says he missed Martin Ritchey presentation because he was at a conference.

**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).

**Andrew McClish** is a Prairie Lea resident who would like the stop signs installed in his neighborhood earlier this year to be removed. He says the intersection does not function correctly and gives the court photos to demonstrate. (photos were not provided for the minutes).

**Wayne Dolcefino** is President of Dolcefino Consulting and is addressing agenda item eight. He says his company has paid thousands for requested records and has not requested anything confidential under the law including emails and phone records regarding Green Group and himself. He says the County has delayed, stalled, and complicated the release of records.

**Commissioner Theriot** confirms with Civil Attorney Jordan Powell that all requested records were provided to her office and that no direction was ever given to delay releasing records and that the law is being followed.

**Jordan Powell** says she works with the timelines provided by the Attorney General's Office. She explains that there are mandatory and discretionary confidentiality provisions that have to be made before records are released and confirms for Commissioner Haden that in her opinion any statement that the County is delaying records being released is false.

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

1. **Approve payment of County invoices in the amount of \$193,361.40.**
2. **Ratify re-occurring County payments in the amount of:**
  - A. **\$295,025.26 (Payroll)**
  - B. **\$36,786.94 (Utilities)**

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3. **Approve the payment and Continuation Certificate for Surety Bond # 15530860 for Jenifer Watts, Court Clerk of Caldwell County Justice of Peace, Pct. Three.**
  
4. **Approve Resolution 16-2017 regarding the Indigent Defense Grant Program.**

Commissioner Moses thanks the Auditor for making the backup information easy to understand. Motion made by Commissioner Moses, second by Commissioner Haden to accept 1-4 agenda items. All voting "Aye".

**ACTION AGENDA ITEMS**

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

Martin Ritchey says the KBDI Index does not call for a burn ban and he does not recommend it at this time. Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban off. All voting "Aye".

6. **Discussion/Action to recognize the Caldwell County 4-H National Livestock Judging Champions. Cost: None; Speaker: Commissioner Haden; Backup: None.**

Commissioner Haden passes the item today because the young men he wanted to recognize could not be present.

7. **Discussion/Action to approve the Information Technology department's request to purchase Vectra software for the purpose of preventing against network security threats. Cost: \$41,100.00; None; Speaker: Judge Schawe; Backup: 5.**

IT Director Mark Hinnenkamp explains the need for the software based on hits to the system and the software's assistance during the free trial the vendor has provided. Court members agree to the need for the purchase but are concerned about funding the \$41,100.00. Matt and Greg from Vectra Software answer Judge Schawe concerning the software. Judge Schawe asks for a motion to table the item until he can research funding. So moved by Commissioner Haden, second by Commissioner Moses. All voting "Aye".

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**8. Discussion/Action** regarding the limiting of open records requests. **Cost: None;**  
**Speakers: Judge Schawe; Backup: None.**

Judge Schawe reads from a section 552.275 of the Freedom of Information Act. He believes it could help recoup some of the cost spent on filing open records requests during the last year.

Civil Attorney Jordan Powell would like to clarify that the District Attorney's Office did not drive or have anything to do with this agenda item. She explains that the section of the Freedom of Information Act Judge Schawe referenced is based on parties requesting records and not paying in a timely manner and that the County has not faced that situation. She adds that the amount of money that can be recouped is set by the Attorney General's Office and cannot be changed.

Jordan Powell and the court discuss the difference between records being inspected by and copied for the requesting party, examples of what information is redacted from records and why. Commissioner Haden confirms that Jordan Powell has always been provided all she needs to fill requests.

Judge Schawe asks if the Commissioners would like to adopt the change or pass on the item. Commissioner Haden and Commissioner Theriot both feel there is no need for change at this time. No action is taken.

**9. Discussion/Action** to adopt Resolution 15-2017 regarding the voting ballot for candidates to the Caldwell County Appraisal District Board of Directors. **Cost: None; Speaker: Judge Schawe; Backup: 3.**

Judge Schawe and Commissioner Moses explain the agenda item and that Thomas Caffall is not receiving any votes because he would like to back off of the board. Commissioner Moses announces his recommendations; Art Davis 436, Lisa Guyton 435, Miguel Islas 435, and Rick Johnson 435. Judge Schawe asks Commissioner Moses if his recommendations are a motion. Commissioner Moses confirms he wants to make that motion, second by Commissioner Haden. All voting "Aye".

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- 10. Discussion/Action** to execute the renewal and extension of the Interlocal Agreement among Hays County, Caldwell County, City of Luling, City of Kyle, City of Buda, City of Lockhart, City of Uhland, Guadalupe-Blanco River Authority, Plum Creek Conservation District, Polonia Water Supply Corporation, Caldwell-Travis Soil and Water Conservation District #304, and Hays County Soil and Water Conservation District #351, regarding implementation of the Plum Creek Watershed Protection Plan. **Cost: TBD; Speaker: Judge Schawe; Backup: 2.**

Judge Schawe reads the agenda item and says it is a contract renewal with no changes and he is looking for a motion to approve it. So moved by Commissioner Moses, second by Commissioner Haden. All voting "Aye".

- 11. Discussion/Action** to approve the request by Ragnar Relay of Texas to plan a section of its 40-mile relay course through Caldwell County during the Texas Relay scheduled for March 9-10, 2018. **Cost: None; Speaker: Judge Schawe; Backup: 7.**

Judge Schawe reads the agenda item and confirms that Texas Relay will be coordinating with the Sheriff's Department. So moved by Commissioner Haden, second by Commissioner Roland. All voting "Aye".

**12. Adjournment.**

Judge Schawe asks for a motion to adjourn. So moved by Commissioner Moses, second by Commissioner Haden. All voting "Aye".

Meeting adjourned at 9:56 a.m.

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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 November 27, 2017.

*Carol Holcomb*

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



