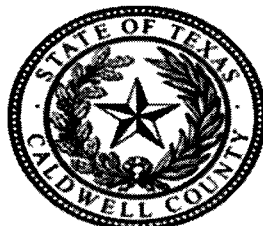


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting November 13, 2018 9:00 a.m.



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 all present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Commissioner Roland thanks God, Caldwell County voters and Precinct 4. He also discusses running for office and his history with St. John's Colony.

Commissioner Theriot recognizes veterans and thanks them for their service.

Commissioner Wright thanks Unit Road for a job well done.

Commissioner Moses congratulates Barbara Shelton and thanks Caldwell County Offices stating that he appreciates them working with him to leave the County better than when he took office.

Judge Schawe congratulates the election winners and thanks veterans. He encourages newly elected officials to contact Ezzy regarding classes and also announces that Carine Chalfoun will be appointed Emergency Management Coordinator this afternoon at 2:00 p.m.

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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 \$ 345,373.15.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. \$ 293,392.01 (Payroll for 10/14/2018 – 10/27/2018)
 - B. \$ 87,965.10 (Payroll Tax for 10/14/2018-10/27/2018)
 - C. \$ 61,086.61 (Department of Motor Vehicle Fees)
3. **Accept quarterly reporting as submitted by County Treasurer's Office:**
 - A. \$ 105.00 (Sexual Abuse/Substance Abuse Programs)
 - B. \$ 175,577.13 (State Criminal Costs & Fees)
 - C. \$ 21,343.77 (Civil Fees)
 - D. \$ 2,963.42 (Child Safety Seat & Seat Belt Violation Fees)
 - E. \$ 901.31 (Specialty Court Program Account)
 - F. \$ 7,516.34 (Electronic Filing System State Fund for Civil and Criminal)
4. **Accept and approve payment of Surety Bond Continuation Certificate #14771315 for Court Clerk, Melanie Bowden.**
5. **Accept the Cost Allocation for the 2019 Appraisal District and Collection Budgets.**

Motion made by Commissioner Moses, second by Commissioner Wright to accept Consent Agenda items 1-5. All voting "Aye".

SPECIAL PRESENTATION

Lt. Anthony Hardee, Caldwell County Sheriff's Office – Vision Summit Reentry Conference Recap

Lieutenant Anthony Hardee thanks the court for approving the Summit and shares a slideshow presentation reviewing the Vision Summit Reentry Conference hosted by Caldwell County.

Amy Baxter, Lockhart Animal Shelter recognition of Volunteers

Judge Schawe and Commissioner Theriot explain that the presentation will be rescheduled.

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AGENDA ACTION ITEMS

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

Carine Chalfoun recommends leaving the burn ban off. Motion made by Commissioner Wright, second by Commissioner Roland to accept Carine's recommendation. All voting "Aye".

22. **Discussion/Action** authorizing the County Judge to enter into a Supplemental Agreement to Interlocal Cooperative Agreement between Caldwell County and City of San Marcos for Subdivision Regulation Within the Extraterritorial Jurisdiction of the City of San Marcos regarding development review of an approximate 53-acre tract located at FM 142 near Church Street in Maxwell. **Cost: None; Speaker: Commissioner Theriot; Backup:**

Judge Schawe, Commissioner Theriot, and Bluebonnet Electric representative Matt Bentke explain and discuss the agreement.

Motion made by Commissioner Theriot, second by Commissioner Moses to authorize the Judge to execute a Supplemental Agreement to Interlocal Cooperative Agreement between Caldwell County and City of San Marcos for Subdivision Regulation Within the ETJ of the City of San Marcos. All voting "Aye".

7. **Discussion/Action** regarding a plan to combine Caldwell County's Public Service Announcement Points (PSAP's) and presentation. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Judge Schawe introduces CAPCOG representatives Martin Ritchey and Betty Voigt who explain how PSAPs work and potential benefits to combining them. Court members discuss options for the next step and Mike Lane recommends all entities involved being brought together to confirm if they support the combination idea.

Motion made by Commissioner Theriot, second by Commissioner Moses that we move forward. All voting "Aye".

8. **Discussion/Action** to adopt an Interlocal Cooperative Agreement between Caldwell County and the City of Lockhart for the regulation of subdivisions within the Extraterritorial Jurisdiction of the City of Lockhart, pursuant to Section 242.001(d)(1) of the Texas Local Government Code. **Cost: None; Speaker: Judge Schawe; Backup: 16.**

Judge Schawe explains the item and confirms information with Amanda Montgomery. Motion made by Commissioner Theriot, second by Commissioner Roland to approve Interlocal Cooperative Agreement between Caldwell County and the City of Lockhart for the regulation of subdivisions within the ETJ. All voting "Aye".

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9. **Discussion/Action** to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Visionary Fiber Technologies and Caldwell County for purposes of local economic development through a tax rebate incentive. **Cost: TBD; Speaker: Judge Schawe; Backup: 29.**

Adriana Cruz reviews what VFT does and what their Chapter 381 Economic Development Incentive Agreement entails. VFT's owner John Kinzer introduces himself and answers the court's questions.

Motion made by Commissioner Wright, second by Commissioner Moses that the Judge be authorized to execute a Chapter 381 Economic Development Incentive Agreement between Visionary Fiber Technologies and Caldwell County for purposes of local economic development through a tax rebate incentive. All voting "Aye".

10. **Discussion/Action** to approve the nominations to the Plum Creek Conservation District Board of Directors for a four-year term. **Cost: None; Speaker: Judge Schawe; Backup: 2.**

Recommendation by Commissioner Theriot, second by Commissioner Wright that we recommend the reappointment of Ben Twidwell and the appointment of Tom Owens to the Plum Creek Conservation District. All voting "Aye".

11. **Discussion/ Action** to approve Budget Amendment #1, Fiscal Year 2018-2019 decreasing budget line item(s) 001-6510-4860 / Contingency in the amount of \$5,829 and 001-6510-4863 / Overtime Contingency in the amount of \$5,605; and approve the increased budget line item(s) 009-1000-2140 / Uniform Stipend in the amount of \$5,200, 009-1000-1150 / Overtime in the amount of \$5,000, 009-1000-2010 / Social Security & Medicare Tax in the amount of \$781 (\$398 + \$383), 009-1000-2030 / Retirement \$453 (\$231 + \$222), 001-9000-4961 / Transfer to Courthouse Security in the amount of \$11,434 and 009-7000-1000 / Transfer from General Fund in the amount of \$11,434. The total cost will be \$11,434 'Transfer from the General Fund to Transfer to Courthouse Security Fund. **Cost: \$11,434.00; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reviews the item and asks for approval. Motion made by Commissioner Roland, second by Commissioner Moses to approve item 11. All voting "Aye".

12. **Discussion/Action** to approve Budget Amendment # 2 decreasing budget line item 001-6510-4863 / Overtime Contingency in the amount of \$1,120; and increasing budget line item(s) 001-2130-1150 / Overtime Contingency in the amount of \$1,000, 001-2130-2010 / Social Security & Medicare in the amount of \$76, and 001-2130-2030 / Retirement in the amount of \$44 netting a \$0 cost to General Fund, (Decreasing Non-Departmental Overtime Contingency / Increasing County Auditor Overtime). **Cost: None; Speaker: Judge Schawe; Backup: 1.**

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

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- 23. Discussion/Action** to authorize Resolution 21-2018 certifying the reallocation of surface transportation block grant funding and committed matching funds to the Capital Area Metropolitan Planning Organization (CAMPO) for the FM 150/Yarrington Road project. **Cost: TBD; Speaker: Commissioner Theriot; Backup: 22.**

Commissioner Theriot and CAMPO Executive Director Ashby Johnson explain the item.

Recommendation made by Commissioner Theriot, second by Commissioner Wright to authorize Resolution 21-2018 certifying the reallocation of surface transportation block grant funding and committed matching funds to the Capital Area Metropolitan Planning Organization for the FM 150/Yarrington Road project. All voting "Aye".

- 13. Discussion/Action** regarding the Certificates of Obligation expenditure list items. **Cost: TBD; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe, Commissioner Wright, Donald LeClerc, Commissioner Roland, Mike Lane, Barbara Gonzales, and Commissioner Moses discuss items the funds could potentially purchase along with a written proposal being created.

Motion made by Commissioner Wright, second by Commissioner Roland to approve these expenditures. All voting "Aye".

- 14. Discussion/Action** regarding the engagement letter with Rutledge, Crain & Company, PC for the purposes of financial statements auditing for the year ended September 30, 2018. **Cost: The cost is not to exceed \$29,750 for the financial statements, and an estimate of \$7,500 to conduct and report on the single audit; Speaker: Judge Schawe / Barbara Gonzales; Backup: 8.**

Barbara Gonzales recommends retaining Rutledge, Crain & Company and she and Judge Schawe discuss whether an RFP is required. Judge Schawe recommends moving forward.

Motion made by Commissioner Wright, second by Commissioner Theriot. All voting "Aye".

- 15. Discussion/Action** to approve Final Draft Request for Proposal (RFP) for Administration and Professional Services of General Land Office – Community Development Block Grant (GLO-CDBG) funding. Following approval of RFP final draft, RFP advertisement will be conducted on November 15th, 2018 & submission deadline of proposals is Nov. 26th, 2018. **Cost: None; Speaker: Judge Schawe / Danie Blake; Backup: 28.**

Danie Blake requests approval for the item and discusses items 15-17 with Judge Schawe. Motion made by Commissioner Roland, second by Commissioner Moses that we approve item 15. All voting "Aye".

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- 16. Discussion/Action** to approve Final Draft Request for Proposal (RFP) for Management Services for Caldwell County Hazard Mitigation Projects/Funding. Following approval of RFP final draft, RFP advertisement will be conducted on November 15th, 2018 and submission deadline of proposals is November 26th, 2018. **Cost: None; Speaker: Judge Schawe / Danie Blake; Backup: 25.**

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

- 17. Discussion/Action** to approve Final Draft of Request for Qualifications (RFQ: 18CCP01A) for the TCEQ-LID 319 Grant - Construction Manager at Risk Project. Succeeding approval of final draft, Purchasing Agent will notify the public of RFQ:18CCP01A. All statements of qualifications will be submitted to the Purchasing Agent no later than the deadline of November 28, 2018 at 2:00 p.m. **Cost: None; Speaker: Judge Schawe / Danie Blake; Backup: 35.**

Judge Schawe, Danie Blake, and Commissioner Theriot discuss the RFQs being sent out, the project being over budget, and that the RFQs are not a commitment to the project.

Motion made by Commissioner Theriot, second by Commissioner Roland to approve final draft of RFQ. All voting "Aye".

- 18. Discussion/Action** to approve Final Draft of Request for Qualifications (RFQ: 18CCP01B) for the TCEQ-LID 319 Grant – Design Build Project. Succeeding approval of final draft, Purchasing Agent will notify the public of RFQ:18CCP01B. All statements of qualifications will be submitted to the Purchasing Agent no later than the deadline of November 28, 2018 at 2:00 p.m. **Cost: None; Speaker: Judge Schawe / Danie Blake; Backup: 35.**

Motion made by Commissioner Roland, second by Commissioner Theriot to approve item 18. All voting "Aye".

- 19. Discussion/Action** Purchasing Department requests approval to compose standard Request for Bid (RFB) for a mowing maintenance contract, on behalf of Unit Road Department. **Cost: None; Speaker: Judge Schawe / Danie Blake; Backup: None.**

Danie Blake explains the agenda item and discusses the details with Donald LeClerc, Commissioner Theriot, and Judge Schawe.

Motion made by Commissioner Wright, second by Commissioner Moses. All voting "Aye".

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- 20. Discussion/Action** to approve acceptance of a Texas Department of Public Safety Emergency Management Performance Grant (EMPG) of \$31,340.43. **Cost: None; Speaker: Judge Schawe / Dennis Engelke; Backup: 9.**

Dennis Engelke explains the item and asks for acceptance. So moved by Commissioner Moses, second by Commissioner Theriot. All voting "Aye".

- 21. Discussion/Action** to approve pursuing an application for the Texas General Land Office Community Development and Revitalization Program grant as distributed through the Capital Area Council of Governments Community Development Block Grant (CDBG) Disaster Recovery funds initiative. **Cost: TBD; Speaker: Judge Schawe / Dennis Engelke; Backup: 10.**

Dennis Engelke details the agenda item, asking for approval to begin the application. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

Court members, Dennis Engelke, and Danie Blake discuss options for going forward. All voting "Aye."

- 24. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Reserve Acres on Burdette Wells Road (CR 207). **Cost: None; Speaker: Commissioner Moses / Kasi Miles; Backup: 19.**

Kasi Miles reviews the item and recommends approval. So moved by Commissioner Moses, second by Commissioner Wright. All voting "Aye".

- 25. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Pecan Meadows, Lot #10 located on Old Lockhart Road (CR 178). **Cost: None; Speaker: Commissioner Roland / Kasi Miles; Backup: 13.**

Kasi Miles reviews the item and recommends approval. Motion made by Commissioner Roland, second by Commissioner Moses to approve item 25. All voting "Aye".

- 26. Discussion/Action** regarding the renewal of the lease of 9675 State Highway 142 in Maxwell for Precinct 3 Justice. **Cost: TBD; Speaker: Judge Schawe; Backup: 2.**

Judge Schawe explains his progress negotiating the rental agreement and recommends accepting the lease while looking for another property.

So moved by Commissioner Wright, second by Commissioner Moses. All voting "Aye".

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27. Adjournment.

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

Court adjourns at 11:02 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 November 13, 2018.

Carol Holcomb

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

