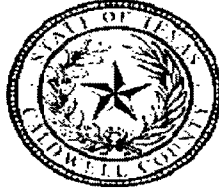


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting September 24, 2018 9:00 a.m.



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 says he enjoyed the rain, drove roads in his precinct, and attended a meeting regarding State and local parks.

Commissioner Theriot thanks everyone who assisted with the budget process, and describes his trip with Greater San Marcos Partnership.

Commissioner Moses says he attended an art show, a Luling auxiliary Fire Department fundraiser, a CAMPO meeting, and a POW/MIA ceremony at American Legion. He also announces upcoming fundraisers for McMahan and Delhi VFDs, Night in Old Luling, and Prairie Lea's homecoming.

Commissioner Wright says he also appreciates all the work on the budget as well as Unit Road's assistance responding to calls in his precinct.

Judge Schawe thanks Ezzy Chan and Barbara Gonzales for their help while he was sick. He also announces that the Elections Office is hosting a "test drive" of the new voting equipment, Thursday September 27th from 4-8 p.m. at 1403 Blackjack St in Lockhart.

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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 \$ 225,052.30.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. \$ 302,295.96 (Payroll for 09/01/2018 - 09/15/2018)
 - B. \$ 91,691.99 (Payroll for 09/01/2018 - 09/15/2018)
 - C. \$ 45,264.04 (Utilities)
 - D. \$ 152,945.45 (Department of Motor Vehicle Fees)
 - E. \$ 461,457.50 (Texas Motor Vehicle Sales/Use Tax and Surcharge)
 - F. \$ 18,942.32 (Texas Motor Vehicle Registration Surcharge/Title Application Fees)
 - G. \$ 255.51 (Texas Boat and Boat Motor Sales and Use Tax Report)
3. **Accept the August 2018 Tax Collection Report submitted by the Caldwell County Appraisal District.**
4. **Accept the Adopted 2019 Caldwell County Appraisal District Budget.**
5. **Approve payment and accept Continuation Certificate of Surety Bond # 62926227 for Unit Road Administrator, Donald LeClerc, for a term of one year beginning on October 1, 2018.**

Motion made by Commissioner Moses, second by Commissioner Wright to accept Consent Agenda items 1-5. Judge Schawe clarifies that registering to vote locally is an option as opposed to driving to Austin. All voting "Aye".

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

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7. **Discussion/Action** to publicly award the bid for aggregate, asphalt materials, flexible base, fuel (regular unleaded and #2 diesel), oil and lubricants for the Fiscal Year 2018-2019. The cost is aligned to the FY 2018-2019 proposed budget **Cost: None; Speaker: Judge Schawe; Backup: 5.**

Court members, Donald LeClerc, and Barbara Gonzales discuss what bids to accept and provide a motion for each category.

Fuel awarded to Petroleum Traders. Motion made by Commissioner Wright, second by Commissioner Theriot to take the lowest bid. All voting "Aye".

Oil and lubricants awarded to Schmidt & Sons, Inc. Motion made by Commissioner Moses, second by Commissioner Wright that we use Schmidt & Sons on oil and lubricants. All voting "Aye".

Asphalt materials awarded to Ergon Asphalt & Emulsions, Inc. Motion made by Commissioner Moses second by Commissioner Theriot. All voting "Aye".

Aggregate awarded to Brauntex Materials. Motion made by Commissioner Moses, second by Commissioner Roland. All voting "Aye".

Flexible base award divided between Brauntex Materials and Colorado Materials. Motion made by Commissioner Moses, second by Commissioner Wright. All voting "Aye".

8. **Discussion/Action** to approve a donation in the amount of \$900.00 to the Caldwell-Travis Soil & Water Conservation District. **Cost: \$900.00; Speaker: Judge Schawe; Backup: 1.**

Motion made by Commissioner Moses, second by Commissioner Roland that we take \$900.00 to the Caldwell-Travis Soil & Water Conservation District. All voting "Aye"

9. **Discussion/Action** to approve a donation to the Hays-Caldwell Women's Center in the amount of \$800.00. **Cost: \$800.00; Speaker: Judge Schawe; Backup: 1.**

Melissa Rodriguez with Hays-Caldwell Women's Center explains the services provided by the Center and answers Judge Schawe's question.

Motion made by Commissioner Wright, second by Commissioner Theriot that we approve this eight hundred dollar donation. All voting "Aye".

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- 10. Discussion/Action** to approve a donation to the Night in Old Luling Association in an amount not to exceed \$500.00. **Cost: Not to exceed \$500.00; Speaker: Judge Schawe; Backup: 1.**

Commissioner Moses discusses programs that have and will benefit from the Night in Old Luling event.

Motion made by Commissioner Moses, second by Commissioner Roland that we donate three hundred dollars. Court members discuss similar organizations following suit and whether the County's budget could keep up. All voting "Aye".

- 11. Discussion/Action** to enter into a non-financial agreement between Caldwell County and the Texas Department of Family and Protective Services to establish and maintain a Child Welfare Board pursuant to Texas Family Code Section 264.005 et. seq. **Cost: None; Speaker: Commissioner Theriot; Backup: 6.**

Commissioner Theriot explains that the District Attorney's Office notified the court of the need to appoint a Child Welfare Board and confirms with Sarah Wardlow (DFPS) that nine people applied.

Recommendation made by Commissioner Theriot, second by Commissioner Roland to appoint the folks who have submitted applications to that board. All voting "Aye".

Commissioner Theriot reads the names of the appointees: Flora Amaya, Juanita Allen, Clayton Cook, Heather Cook, Cindy Gonzales, Connie Mendoza, Angelica Jeffers, Angela Jenkins, and Tanya Walker. All voting "Aye".

- 12. Discussion/Action** regarding the local funding request from the Caldwell County Juvenile Board for fiscal year 2019. **Cost: TBD; Speaker: Judge Schawe / Jay Monkerud; Backup: 2.**

Jay Monkerud explains the adjustments being requested and Barbara Gonzales discusses the Juvenile Board budget.

Motion made by Commissioner Moses, second by Commissioner Wright that we accept the amount including raises and one thousand dollars and 5 percent. Judge Schawe discusses department differences. All voting "Aye".

- 11.** Commissioner Theriot asks Amanda Montgomery if the non-financial agreement between Caldwell County and the Texas Department of Family and Protective Services was established in the motion for item 11 and she answers it was approved during Commissioners' last session adding that today's motion appointed the members.

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- 13. Discussion/Action** amending 6.01.1 FLSA 207(k) Exemption. **Cost: None; Speaker: Judge Schawe; Backup: 2.**

Barbara Gonzales explains the change is due to a revised policy. Motion made by Commissioner Wright, second by Commissioner Moses. All voting "Aye".

- 14. Discussion/Action** to consider executing an Interlocal Agreement with Bastrop County concerning Marshall Estates subdivision located at the Bastrop / Caldwell County line. **Cost: None; Speaker: Commissioner Moses / Kasi Miles; Backup: 5.**

Kasi Miles explains the need for that the agreement. Motion made by Commissioner Moses, second by Commissioner Roland. All voting "Aye".

- 15. Discussion/Action** to execute an Interlocal Cooperative Agreement with Hays County for County Jail Functions. **Cost: None; Speaker: Judge Schawe / Chief Deputy Mike Lane; Backup: 6.**

Chief Mike Lane explains the agreement and answers a question from Judge Schawe. Motion made by Commissioner Wright, second by Commissioner Moses. All voting "Aye".

- 16. Discussion/Action** to approve the reappointment of Judge Schawe and Commissioner Roland to the Capital Area Council of Governments (CAPCOG) General Assembly and to renew annual membership for the year 2019. **Cost: \$2038.35; Speaker: Judge Schawe; Backup: 7.**

Judge Schawe explains the item and says he and Commissioner Roland are on the board. So moved by Commissioner Theriot, second by Commissioner Moses for reappointment. All voting "Aye".

- 17. Discussion/Action** to approve the reappointment of Judge Schawe to the Capital Area Council of Governments (CAPCOG) Executive Committee for the year 2019. **Cost: None; Speaker: Judge Schawe; Backup: 6.**

Judge Schawe explains the appointment. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

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- 18. Discussion/Action** to approve Budget Amendment # 26 decreasing budget line item 001-6550-1110 / Longevity in the amount of \$500, 001-6550-3115 / Ballot Supplies in the amount of \$11,791, 001-6550-4510 / Repairs & Maintenance in the amount of \$7,128, and 001-6550-4610 / Rentals in the amount of \$300; and decreasing Contingency / 001-6510-4860 in the amount of \$11,040; and increasing budget line item 001-6550-1045 / Temporary Election Poll Workers in the amount of \$17,195, 001-6550-1115 / Delivery Fee in the amount of \$175, 001-6550-1150 / Temporary Election Poll Workers Overtime in the amount of \$9,009, 001-6550-2010 / SS & Medicare in the amount of \$1,506, 001-6650-2030 / Retirement in the amount of \$640, 001-6550-3010 / Temporary Election Workers Non payroll in the amount of \$733, 001-6550-4310 / Advertising and Legal Notice in the amount of \$501, 001-6550-3110 / Office Supplies in the amount of \$500, and 001-6550-4124 / Site support in the amount of \$500; and netting a \$0 cost to Election. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reads the motion and asks for approval. Motion made by Commissioner Moses, second by Commissioner Roland. All voting "Aye".

- 19. Discussion/Action** to approve Budget Amendment # 27 decreasing budget line item 001-3253-4260 / Transportation in the amount of \$250, 001-3253-4810 / Training in the amount of \$930, 001-3253-4820 / Juror Expense in the amount of \$193; and increasing budget line item 001-3253-3110 / Office Supplies in the amount of \$1,373 netting a \$0 cost to Justice of the Peace PCT 3. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reads the item and asks for a motion. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

- 20. Discussion/Action** regarding the County's holiday schedule for the calendar year 2019. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Bob Bush says the days will be the same as the previous calendar. Motion made by Commissioner Wright, second by Commissioner Moses. All voting "Aye".

- 21. Discussion/Action** to designate the day of the week on which Commissioners Court shall convene for the 2019 Calendar Year. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Judge Schawe recommends keeping Monday. So moved by Commissioner Roland, second by Commissioner Moses. All voting "Aye".

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- 22. Discussion/Action** to reschedule the November 12, 2018 regularly scheduled Commissioners Court session and the December 24, 2018 session due to both scheduled on holidays. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Court members discuss alternate dates. They choose November the 13th rather than the 12th, and to decide December's date at a later time.

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

- 23. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Porter Acres Subdivision located off FM 1185 and Porter Lane. **Cost: None; Speaker: Commissioner Roland / Kasi Miles; Backup: 12.**

Kasi Miles says all is in order and that she is looking for approval from the court.

Motion made by Commissioner Roland, second by Commissioner Moses that we approve item 23. All voting "Aye".

- 24. 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: 7.**

Judge Schawe explains wanting to postpone the item and continue negotiations.

Motion made by Judge Schawe, second by Commissioner Wright to table. All voting "Aye".

- 25. Discussion/Action** to approve the appointments of Dennis Engelke for the position of Grant Writer and Wayne Morse for the position of County Extension Agent. **Cost: TBD; Speaker: Commissioner Wright / Judge Schawe; Backup: None.**

Bob Bush reviews Dennis Engelke's qualifications and recommends Dennis Engelke for Grant Writer and Wayne Morse for Extension Agent.

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

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- 26. Discussion/Action** to adopt the 2018-2019 Proposed Budget. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Judge Schawe calls a recess at 10:05 a.m. and court reconvenes at 10:13 a.m.

Judge Schawe, Barbara Gonzales, Ezzy Chan, Commissioner Theriot, and Mike Lane discuss budget updates and adjustments including who all will receive the 5 percent increase and/or the one thousand dollars and possibly transferring funds from the Sheriff's Office in addition to Unit Road.

Motion made by Commissioner Theriot that in addition to the exclusions that we discussed previously, which is the elected officials, that the Grant Writer the Purchasing Agent be excluded because those salaries have been agreed upon already. However, the Extension Agent be include in the calculations for both the increase and the one thousand dollars and that new hires hired prior to October 1st be included in the calculations, however, October 1st or after be excluded. Court members discuss the motion. Second by Commissioner Wright. All voting "Aye".

Commissioner Theriot and Barbara Gonzales discuss funds coming from the Sheriff's Department machinery account


Judge Schawe asks for a motion to approve the budget with everything discussed today but with the exception of the three items that total \$55,505.00. He asks that Unit Road's budget retain the amount and that it be pulled from the Sheriff's Office machinery budget instead. Motion made by Commissioner Moses, second by Commissioner Wright. All voting "Aye".

- 27. Adjournment.**

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

Meeting adjourns at 10:33 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 September 24, 2018.



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

