

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Regular Meeting May 9, 2016 9:00 a.m.



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KEN SCHAWÉ	County Judge	ALFREDO MUÑOZ	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		NETO MADRIGAL	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

**Call Meeting to Order.** Meeting called to order by Judge Schawe at 9:02 a.m. All members of the court present.

**2016.05.09.01**      **Invocation.** Lockhart Ministerial Alliance.

Bryan Dziadik-Willingham, Pastor of Grace Lutheran Church in Lockhart, Texas opened the meeting with prayer.

**2016.05.09.02**      **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 led all present in the Pledge of both flags.

**2016.05.09.03**      **Announcements.** Items or comments from Court Members or Staff.

**Commissioner Muñoz** congratulated the Greater Caldwell County Hispanic Chamber of Commerce on their Cinco de Mayo event. He attended the 100 Club banquet in Bastrop which recognized first responders. He congratulated Chief Jerry Doyle who was given the Lifetime Award. He stated Old Fentress Road was closed this past weekend after the road gave way while working on the roads culverts. **Commissioner Moses** attended a meeting with CAPCOG regarding the quality of air. He stated upcoming events including the FFA banquet on May 11<sup>th</sup>, Plum Creek Watershed Partnership meeting on May 12<sup>th</sup>, and Field Day at the Luling Foundation Farms on May 19<sup>th</sup>. **Commissioner Madrigal** congratulated the Hispanic Chamber of Commerce on their Cinco de Mayo event. He met with Michael Aulick in regards to road construction of Schuelke Road and stated bids will open May 16<sup>th</sup> and hopefully award a contract by June 22<sup>nd</sup>. **Commissioner Roland** congratulated the Hispanic Chamber of Commerce on a great event. He spoke of Mother's Day at his Church. **Martin Ritchey** thanked first responders who helped in the search for a missing woman. **Judge Schawe** met with the San Marcos River Task Force and stated they addressed issues and are working on solutions. **Commissioner Madrigal** said he met with the property owners of two tubing companies regarding issues along the river.

**2016.05.09.04**      **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).

**Randy Laney** spoke of the landfill and requested the county be open to negotiations. He said the courts responsibility is to do what is best for the citizens of the county and negotiate instead of fight the landfill.

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**2016.05.09.05**

**Consent Agenda.** (The following consent items may be acted upon in one motion. Any member of the Court may request that an item within the Consent Agenda be pulled for separate discussion and/or action).

A. Approve payment of County invoices in the amount of \$328,608.60.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda item A. All voting "Aye".

**(ALL OTHER AGENDA ITEMS)**

**2016.05.09.06**

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

Martin Ritchey recommended leaving the burn ban off after reviewing the current saturation levels and the forecast of rain.

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

**2016.05.09.07**

**Discussion/Action** to authorize the sale of fireworks during the Memorial Day holiday period. **Cost:** None; **Speaker:** Commissioner Madrigal/Martin Ritchey; **Backup:** 1.

Martin Ritchey stated the citizens should exercise caution when using fireworks and said guidelines will be posted,

Motion made by Commissioner Madrigal, second by Commissioner Roland to authorize the sale of fireworks during the Memorial Day holiday period. All voting "Aye".

**2016.05.09.08**

**Discussion/Action** to approve a Proclamation recognizing the positive impact of economic development in the economic health of the United States, Texas, in the Greater San Marcos region and the County of Caldwell. **Cost:** None; **Speaker:** Commissioner Muñoz/Adriana Cruz; **Backup:** 1.

Adriana Cruz, President of the Greater San Marcos Partnership stated this week is National Economic Development Week. She stated the importance of economic development within the community as well as ways the Partnership is involved. Commissioner Muñoz read the Proclamation. Adriana Cruz announced several upcoming events.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve a Proclamation recognizing the positive impact of economic development in the economic health of the United States, Texas, in the Greater San Marcos region and the County of Caldwell. All voting "Aye".

**2016.05.09.09**

**Discussion/Action** to accept public streets and drainage in Forister Ranch Subdivision Section 3 Development as complete and ready to begin the two year performance period of said public improvements as evidenced by bond in the amount of \$50,000.00. **Cost:** None; **Speaker:** Commissioner Roland/Dwight Jeffrey; **Backup:** 1.

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Dwight Jeffrey, Unit Road Director confirmed the roads are complete in Forister Ranch and are ready for public use. Judge Schawe said once the county approves of a subdivision, the county is responsible for upkeep. Dwight Jeffrey responded saying the county is responsible for upkeep of a subdivision after a two year probation period.

Motion made by Commissioner Roland, second by Commissioner Moses to accept public streets and drainage in Forister Ranch Subdivision Section 3. All voting "Aye".

**2016.05.09.10**

**Discussion/Action** to adopt the Caldwell County Uniform Truancy Policy. **Cost:** None; **Speaker:** Judge Schawe/Jay Monkerud; **Backup:** 14.

Jay Monkerud with the Juvenile Probation Department, spoke of the proposed truancy policy and the passing of House Bill 2398 which changed truancy laws in Texas. He said the same policy and truancy form will be used by all school districts within the county.

Motion made by Commissioner Muñoz, second by Commissioner Moses to adopt the Caldwell County Uniform Truancy Policy. All voting "Aye".

**2016.05.09.11**

**Discussion/Action** to review and approve the annual financial audit report for the fiscal year 2015-2016 as presented by Rutledge & Crain, PC. **Cost:** None. **Speakers:** Judge Schawe/Debra French/Lewis Crain; **Backup:** 73.

Lewis Crain with Rutledge & Crain, P.C. discussed the County's 2014-2105 financial statements. He stated the county is just under \$14 million in debt and that the county was under budget on revenues and saved on expenditures. He stated fine revenues were down but that it was a good year overall for the county. He explained pension and liability changes on the audit reports as well as assets. County Auditor, Debra French stated this item is for the financial audit report for 2014-2015. Judge Schawe clarified that the court needs to accept this item instead of approve.

Motion made by Commissioner Muñoz, second by Commissioner Moses to accept the annual financial audit report for the fiscal year 2014-2015 as presented by Rutledge & Crain, PC. All voting "Aye".

**2016.05.09.12**

**Executive Session** pursuant to Sections 552.071 and 552.072 of Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease, or value of County-owned property located at 100 E. Market Street. Possible action may follow in open court. **Cost:** TBD; **Speaker:** Judge Schawe; **Backup:** None.

Persons present in the executive session were: Judge Schawe, Commissioner Muñoz, Commissioner Moses, Commissioner Madrigal, Commissioner Roland, Civil Attorney Jordan Powell and Amelia Smith with Countywide Realty.

Executive Session began: 9:44 a.m.

Executive Session ended: 9:55 a.m.

Judge Schawe announced back in session: 9:56 a.m.

No action taken in closed court.

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Action taken in open court:

Motion made by Commissioner Muñoz, second by Commissioner Moses to authorize the County Judge to sign an amendment to the listing agreement with Harrison Properties to extend listing date to June 10, 2016. All voting "Aye".

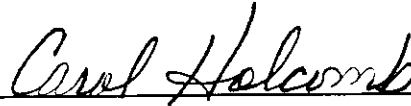
**2016.05.09.13**

**Adjournment.** Motion made by Commissioner Muñoz, second by Commissioner Moses to adjourn. All voting "Aye".

Meeting Adjourned at 9:57 a.m.

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I, CAROL HOLCOMB, COUNTY CLERK AND EXOFFICIO 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 May 9, 2016.



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

