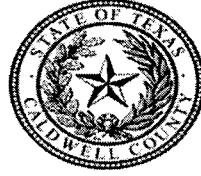


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting July 23, 2018 9:00 a.m.



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

Rick Johnson 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 had eye surgery and has reviewed the agenda.

Commissioner Theriot says Development Ordinance amendments will be on the agenda today.

Commissioner Moses says he has Greater San Marcos Partnership and CAPCOG Aging Advisory Committee meetings coming up and that he visited Lavender Farms outside of Luling. He also discusses the Fox Lane fire and that today will be County Civil Attorney Jordan Powell's last Commissioners Court.

Commissioner Wright acknowledges that today will be both Jordan Powell and Emergency Management Coordinator Martin Ritchey's last Commissioners Court and that Hays and Bastrop Counties' Auditors assisted Martin Ritchey, Bob Bush, and himself regarding the Purchasing Agent and Grant Writer positions.

Martin Ritchey recounts details from weekend events including fires off of Fox Lane and FM 1322 as well as Float Fest and recognizes the work of all first responders. He also says there are concerns of contaminants in the river after a fire in San Marcos.

Bob Bush announces that Open Enrollment will be August 9th and 10th in the Commissioners Courtroom from 9:00 a.m. to 4:00 p.m.

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Judge Schawe announces that the jail has passed the Texas Jail Standards inspection and that Carine Chalfoun is appointed to Interim Emergency Management Coordinator.

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 \$ 303,257.35.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. \$ 317,849.71 (Payroll for 07/01/2018 - 07/15/2018)
 - B. \$ 95,962.22 (Payroll Tax for 07/01/2018 – 07/15/2018)
 - C. \$ 39,773.59 (Utilities)
 - D. \$ 152,218.87 (Department of Motor Vehicle Fees)
 - E. \$ 402,801.30 (Texas Motor Vehicle Sales/Use Tax and Surcharge)
 - F. \$ 17,057.11 (Texas Motor Vehicle Registration Surcharge/Title Application Fees)
 - G. \$ 1,799.45 (Texas Boat and Boat Motor Sales and Use Tax Report)
3. **Approve June 2018 Tax Collection Report submitted by the Caldwell County Appraisal District.**
4. **Accept ESD financial reporting from Emergency Services District No. 2 (ESD #2) for Fiscal Year Ending December 31, 2017.**

Motion made by Commissioner Moses, second by Commissioner Wright to accept Consent Agenda items 1-4. All voting "Aye".

SPECIAL PRESENTATION

Julie Zimmerman – Recognition of members of the Ag Committee.

Julie Zimmerman introduces Committee members and recognizes Bill Watson, Robert Martinez, and Rick Johnson for their years of service to the program.

AGENDA ACTION ITEMS

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

Martin Ritchey recommends the Judge's Order be extended for 90 days.

Motion made by Commissioner Roland, second by Commissioner Theriot that we accept the Judge's Order and leave the burn ban on for 90 days. All voting "Aye".

6. **Discussion/Action** regarding the allocation of remaining SH130 Concession Funds for improvements on Caldwell County roads and authorizing the County Judge to request approval of such from TxDOT's District Engineer. **Cost: None; Speaker: Judge Schawe / Jacque Thomas; Backup: 6.**

Jacque Thomas explains the source of the funds, TxDOT's stipulations for their use, the roads being recommended for the allocations, and the next step in the process.

Motion made by Commissioner Theriot, second by Commissioner Roland that we accept the recommendation of the County Staff and authorize the Judge to submit these projects. All voting "Aye".

7. **Discussion/Action** regarding the imposition of optional county fees through the Texas Department of Motor Vehicles for the 2019 calendar year. **Cost: None; Speaker: Judge Schawe; Backup: 3.**

Motion made by Commissioner Moses, second by Commissioner Wright to accept the fees as they are. All voting "Aye".

12. **PUBLIC HEARING at 9:30AM:** for the purpose of receiving public comment regarding the adoption of proposed amendments to the Caldwell County Development Ordinance. **Cost: None; Speaker: Commissioner Theriot; Backup: 83.**

Public Hearing begins at 9:29 a.m.

Linda Hinkle discusses potential changes to the Development Ordinance with Commissioner Theriot.

Byron Friedrich acknowledges the work done by the Development Ordinance Committee.

Public Hearing closes at 9:34 a.m.

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8. **Discussion/Action** to approve Budget Amendment #21 decreasing budget line item 002-1101-4630 / Seal Coating in the amount of (\$6,500) and increasing budget line item 002-1101-5310 / Machinery and Equipment in the amount of \$6,500 netting a \$0 cost to Unit Road Unit Road purchase. **Cost: None; Speaker: Judge Schawe / Donald LeClerc; Backup: 1.**

Judge Schawe reads the agenda item and says he is looking for a motion to approve. So moved by Commissioner Moses, second by Commissioner Roland. All voting "Aye".

9. **Discussion/Action** regarding the procurement of unit road vehicles and radios totaling \$89,997.37. **Cost: None; Speaker: Judge Schawe / Barbara Gonzales; Backup: 2.**

Judge Schawe explains the agenda item and says he is looking for a motion to approve. So moved by Commissioner Moses, second by Commissioner Theriot. All voting "Aye".

10. **Discussion/Action** to approve Budget Amendment #22 increased budget line item 001-6000-0940 / Reimbursed Revenue in the amount of \$10,695 and increasing budget line item 001-6510-3220 / Economic Development in the amount of \$8,021 netting a \$0 cost to Non-Departmental. **Cost: None; Speaker: Judge Schawe / Barbara Gonzales; Backup: 1.**

Judge Schawe introduces Barbara Gonzales who explains the Budget Amendment. Motion made by Commissioner Theriot, second by Commissioner Moses to approve. All voting "Aye".

11. **Discussion/Action** authorizing Commissioners Court to submit an Antiquities Permit Application to the Texas Historical Commission for purposes of constructing a Caldwell County Trail Drivers marker on the Caldwell County Courthouse grounds. **Cost: None; Speaker: Commissioner Theriot / Ronda Reagan; Backup: 4.**

Commissioner Theriot introduces the agenda item and Ronda Reagan with Caldwell County Historical Commission who explains why the plaque would belong in Lockhart, which two local committees have recommended it be placed here, and that the County would not have to pay anything.

Motion made by Commissioner Theriot, second by Commissioner Roland to submit the permit application. All voting "Aye".

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- 13. Discussion/Action** to adopt the proposed amendments to the Caldwell County Development Ordinance. **Cost: None; Speaker: Commissioner Theriot; Backup: 83.**

Commissioner Theriot explains the agenda item and lists the members of the Development Ordinance Review Committee. He says attorney Charles Zech has done a Takings Analysis, that action can be taken today, and lists certain amendments he recommends if action is taken.

Court members discuss tabling the item for further review along with some of the recommended changes to the Development Ordinance.

Judge Schawe asks for a motion to table. Motion made by Commissioner Wright, second by Commissioner Moses. Jordan Powell and Commissioner Theriot discuss some recommendations included in the Takings Analysis. All voting "Aye".

- 14. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for the Re-Plat of Lot # 43 in Austin Skyline Subdivision located off Calder Road (CR 192). **Cost: None; Speaker: Commissioner Theriot / Kasi Miles; Backup: 12.**

Kasi Miles explains that all requirements are met and says she recommends approval. Motion made by Commissioner Theriot, second by Commissioner Roland that we go with staff's recommendation for approval of the amendment. All voting "Aye".

- 15. EXECUTIVE SESSION** Pursuant to Sections 551.071, 551.076 and 551.089 of the Texas Government Code: consultation with counsel and deliberation regarding the County's Threat and Hazard Identification, Risk Assessment (THIRA); State Preparedness Report (SPR); security assessments related to information resources technologies; critical infrastructure; and general security audit. Possible action may follow in open court. **Cost: None; Speaker: Judge Schawe / Martin Ritchey; Backup: None.**

Executive Session begins at 10:07 a.m.

Commissioner Wright, Commissioner Moses, Judge Schawe, Commissioner Theriot, Commissioner Roland, Jordan Powell, Martin Ritchey, Kirk Kuykendoll, and Carine Chalfoun are all present.

Executive Session ends at 11:39 a.m. No action is taken.

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18. **Discussion/Action** regarding the renewal of the County Employee Health Benefits for Plan Year 2018-2019. **Cost: TBD; Speaker: Judge Schawe; Backup: 1.**

Texas Association of Counties Representative Ashley Cureton and Human Resources Coordinator Bob Bush discuss the renewal options for Employee Health Benefits with the court.

Motion made by Commissioner Moses, second by Commissioner Wright to do alternate four. All voting "Aye".

16. **BUDGET WORKSHOP** **Cost: None; Speaker: Judge Schawe; Backup: None.**

Workshop begins at 11:56 a.m.

Judge Schawe lists items departments have requested that are not currently included in the budget. Court members and Barbara Gonzales discusses them, pending funds, and waiting to make certain budget decisions until the final numbers have come back from an ongoing audit.

Workshop ends at 12:14 p.m.

17. **Discussion/Action** regarding notice of Elected Officials' proposed salaries. **Cost: TBD; Speaker: Judge Schawe; Backup: 1.**

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

19. **Adjournment.**

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

Court adjourns at 12:15 p.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 July 23, 2018.

Carol Holcomb

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



