

COMMISSIONERS COURT MINUTES

Regular Meeting on October 25, 2010

RONNIE DUESTERHEFT County Judge
NINA S. SELLS County Clerk

JOHN P. CYRIER Commissioner Pct 1
CHARLES BULLOCK Commissioner Pct 2
NETO MADRIGAL Commissioner Pct 3
JOE IVAN ROLAND Commissioner Pct 4

Call to order.

The meeting was called to order at 9:00 A.M.

A-1

Approve Minutes of Previous Meeting.

No minutes approved at this meeting.

A-2

Citizens' Comment: (At This Time Any Person With Business Before the Commissioners Court, Not Scheduled On The Agenda, May Speak To The Commissioners Court. Comments Will Be Limited to Three (3) To Five (5) Minutes Per Person.

Several county residents voiced concern over the new development or subdivision ordinance that is being proposed for Caldwell County.

A-3

Approve the Caldwell County Reports

A. 911 Addressing Coordinator monthly report for the month of September 2010 – Darla Law.

911 Addressing Coordinator Darla Law presented her report. Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the 911 Addressing Coordinator Monthly Report for the month of September 2010. Motion carried unanimously.

B. Sanitation Officer monthly report for the month of September 2010 – Kasi Miles.

Sanitation Officer Kasi Miles presented her report. Motion made by Commissioner Bullock, seconded by Commissioner Madrigal, to approve the Sanitation Officer Monthly Report for the month of September 2010. Motion carried unanimously.

C. Indigent Health Care monthly report for the month of September 2010 – Rhoda Chavira.

Indigent Health Care Coordinator Rhoda Chavira presented her report. Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the Indigent Health Care Monthly Report for the month of September 2010. Motion carried unanimously.

D. Building Maintenance report for the month of September 2010 – Curtis Weber.

Building Maintenance Supervisor Curtis Weber presented his report. Motion made by Commissioner Roland, seconded by Commissioner Cyrier, to approve the Building Maintenance Report for the month of September 2010. Motion carried unanimously.

A-4

Discussion/Action to consider Outdoor Burning Ban for Caldwell County – Judge Duesterheft.

Motion made by Commissioner Roland, seconded by Commissioner Bullock, to leave the Outdoor Burning Ban off for Caldwell County. Motion carried unanimously.

A-5

Discussion to approve November 3, 2020 as Stephen F. Austin Day in recognition of his birthday and his many contributions to Texas.

Lee Schuelke, member of the Daughters of the Republic of Texas, presented information concerning an oak tree planted on the west side of the Caldwell County Courthouse in honor of Stephen F. Austin. The chapter would like to present Caldwell County with a plaque to install next to the tree so everyone would know the importance of this

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changes and additions to the proposal cost of \$542,378.00 to get Commissioners Court a firm bid on the repairs and renovation to the Caldwell County Courthouse. Motion carried unanimously.

The proposal for consultant from Broaddus & Associates was considered later in this meeting. Commissioner Cyrier commented on the proposal from Broaddus & Associates concerning their consultant proposal and the cost associated with the proposal. Commissioner Cyrier stated it was his opinion that Caldwell County should use Broaddus & Associates based on their proposal to define the scope of work needed on the Caldwell County Judicial Center. The cost break down of this proposal was read. Commissioner Roland stated that he has reservations concerning this action based on comments from his constituents in his precinct who are concerned that there is not more than one proposal presented and that the scope and repair costs have been presented by Alpha. Discussion concerning this agenda item continued later in this meeting. (see A-7 Continued)

A-5

Workshop on the proposed Caldwell County Development Ordinance.

Tracy Bratton with Loomis Partners presented more information on the proposed new Caldwell County Development Ordinance.

A-6

9:30 Public Hearing on the proposed Caldwell County Development Ordinance.

The public hearing was held at 9:40 A.M. Caldwell County residents asked questions concerning the new ordinance. Everyone was allowed to voice their concerns and everyone was allowed to report any proposed corrections that they feel needed to be included in the new ordinance.

A-7- Continued

Discussion/Action concerning proposals prepared by Broaddus & Associates and Alpha building Corporation for repairs of the Judicial Center and the repairs to the Caldwell County Courthouse – Commissioner Cyrier.

The normal procedure for going out for RFP's was explained. Motion was made by Commissioner Roland, seconded by Commissioner Madrigal, to table the repairs on the Judicial Center and work with negotiating on the price in the proposal with Broaddus & Associates. Motion carried unanimously.

A-8

Discussion/Action to approve resolution No. 18-2010 for approval of the Caldwell County tax roll for 2010 – Judge Duesterheft.

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, to approve Resolution No. 18-2010 for approval of the Caldwell County Tax Roll for 2010. Motion carried unanimously.

A-9

Discussion/Action to approve resolution No. 19-2010 acknowledging the worthy grand matron and the worthy grand patron to the District 5, Section 6 Order of the Eastern Star's School of instruction held in Lockhart, Texas – Judge Duesterheft.

Commissioner Cyrier read the Resolution. Motion made by Commissioner Cyrier, seconded by Commissioner Bullock, to approve Resolution No. 19-2010 Acknowledging the Worthy Grand Matron and Worthy Grand Patron to the District 5, Section 6 Order of the Eastern Star's School of Instruction held in Lockhart, Texas. Motion carried unanimously.

A-10

Discussion/Action to approve resolution No. 17-2010 encouraging LCRA to aggressively move efforts forward that will enhance water supplies for the lower basin and with utilization of all interests – Judge Duesterheft.

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, to table this item until next week. Motion carried unanimously.

A-11

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Discussion/Action to approve a new 5 year agreement for mutual aid for fire protection between the following entities jointly and individually: Mid County Volunteer Fire Department, Southeast Caldwell County Volunteer Fire Department, Tri-Community Volunteer Fire Department, Martindale Volunteer Fire Department, McMahan Volunteer Fire Department, Dale Volunteer Fire Department, Delhi Volunteer Fire Department, Caldwell Hays Emergency Services District No. 1 (and Chisholm Trail Fire Rescue), and Caldwell County Emergency Services District No. 2 (Maxwell Volunteer Fire Department) – Judge Duesterheft.

Motion made by Judge Duesterheft, seconded by Commissioner Cyrier, to approve the 5 year agreement for mutual aid for fire protection between the following entities jointly and individually: Mid County Volunteer Fire Department, Southeast Caldwell County Volunteer Fire Department, Tri-Community Volunteer Fire Department, Martindale Volunteer Fire Department, McMahan Volunteer Fire Department, Dale Volunteer Fire Department, Delhi Volunteer Fire Department, Caldwell Hays Emergency Services District No. 1 (and Chisholm Trail Fire Rescue), and Caldwell County Emergency Services District No. 2 (Maxwell Volunteer Fire Department.) and present the contract to the volunteer fire departments for approval. Motion carried unanimously.

A-14

Pay Bills.

Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve bills totaling \$170,482.02. Motion carried unanimously.

Commissioners Court recessed the Regular meeting to go into Executive/Closed Session.

A-12

Executive/Closed Session: A closed meeting will be held pursuant to Section 551.071 of the Texas Government Code in order for the Caldwell County Commissioners Court to consult with and seek advice from its attorney pursuant to and within the attorney/client privilege and the confidential attorney/client relationship, as defined by the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, Rule 503 of the Texas Rules of Evidence, and other authority, regarding the following matter, same being a matter in which the duty of the attorney to the governmental body under the aforesaid authority clearly conflicts with Chapter 551 of the Texas Government Code: term of appointment of County Judge Ronnie Duesterheft, timing and qualification of Commissioner for Precinct 1, including procedures and substantive legal principles and statutes related thereto.

Commissioners Court adjourned the Executive Session to go back into Regular Meeting.

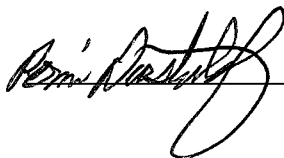
A-13

Discussion/Action resulting from the executive meeting.

Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to ask County Judge Duesterheft to stay on as County Judge of Caldwell County until December 31, 2010 (County Judge Duesterheft was voted by the Caldwell County Commissioners Court to fill the unexpired term of County Judge H. T. Wright until the County Judge's position is filled by the election on November 2, 2010.) Motion carried with Commissioner Cyrier, Commissioner Bullock, Commissioner Madrigal and Commissioner Roland voting "Aye" and County Judge Duesterheft "Abstained."

Adjourn.

The meeting was adjourned.



Ronnie Duesterheft, County Judge