

# COMMISSIONERS COURT MINUTES

Regular Meeting on June 14, 2010

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**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.

Motion made by Judge Duesterheft, seconded by Commissioner Madrigal, to approve the minutes of the Regular meeting on May 24, 2010 with the request for the addition on A-8 that the acceptance of the Resolution No. 06-2010 for redistricting means that Caldwell County has accepted Bickerstaff Heath Delgado Acosta LLP of Austin for redistricting. Motion carried unanimously.

## 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.

Commissioner Madrigal thanked all that worked with the Lockhart Chisholm Trail Round-up last weekend.

## Approve the Caldwell County Reports

### A. AgriLife Extension Services Report Month Ending May 2010 – Jeff Watts/Carissa Wilhelm.

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the AgriLife Extension Agents Reports for the month ending May 2010. Motion carried unanimously.

### B. Tax Collection Report for the Month of May 2010

The Tax Collection Report for the month of May 2010 was reviewed. Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the Tax Collection Report for the month of May 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/Action concerning a request from Community Health Coalition of Caldwell County to submit letter of support for the new grant application for the Telehealth Network Grant Program – Judge Duesterheft/Cynthia Barrera.

Cynthia Barrera requested from the Community Health Coalition of Caldwell County a letter of support for the Telehealth Network Grant Program. Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to approve a letter of support from Caldwell County for the grant application for the Telehealth Network Grant Program. Motion carried unanimously.

## A-6

### Discussion on Caldwell County Community Collection Event scheduled for Saturday, July 17, 2020 from 10:00 AM to 2:00 PM, at the Justice of the Peace, Precinct 3, 9677 Highway 142, Maxwell, TX

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Motion made by Commissioner Madrigal, seconded by Commissioner Roland, to approve the Caldwell County Community Collection Event scheduled for Saturday, July 17, 2010 from 10:00 A.M. to 2:00 P.M. at the Justice of the Peace, Precinct 3 Building, 9677 Highway 142, Maxwell, Texas. Motion carried unanimously.

**A-7**

**Discussion/Action to consider sending a letter of support for the Lone Star Gun Range Improvement grant application to the Texas Parks and Wildlife – Commissioner Roland.**

Matt Billingsly of Lone Star Gun Range asked for a letter of support for a grant to make improvements on the gun range. Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve a letter of support from Caldwell County for the Lone Star Gun Range Improvement Grant to Texas Parks and Wildlife. Motion carried unanimously.

**A-8**

**Discussion/Action to set public Hearing date and time for the proposed Delhi Forest Subdivision located on FM 713 – Commissioner Bullock (June 28, 2010 at 9:15)**

Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to set June 28, 2010 at 9:15 A.M. as the date for a public hearing on the proposed Delhi Forest Subdivision located on FM 713. Motion carried unanimously.

**A-9**

**Discussion/Action to set public hearing for the proposed Spanish Oaks Estates Subdivision located on Sierra Drive (CR 113) – Commissioner Madrigal. (June 28, 2010 at 9:30)**

Motion made by Commissioner Madrigal, seconded by Commissioner Roland, to table setting a public hearing for the proposed Spanish Oaks Estates Subdivision located on Sierra Drive (CR 113) because corrections are needed. Motion carried unanimously.

**A-10**

**Discussion/Action to approve Resolution No. 08-2010 to appoint a director to fill the unexpired term of Judge H. T. Wright and to serve on the Capital Area Housing Finance Corporation until October 21, 2013, or until his successor is duly appointed and qualifies – Judge Duesterheft.**

Motion made by Commissioner Madrigal, seconded by Commissioner Roland, to appoint Commissioner John Cyrier as a director to fill the unexpired term of Judge H. T. Wright and to serve on the Capital Area Housing Finance Corporation until October 21, 2013, or until his successor is duly appointed and qualifies. Motion carried unanimously.

**A-11**

**Discussion/Action regarding the possibility of entering into a Joint Resolution with the City of Lockhart to rename the Plum Creek Wetlands Park to the H. T. Wright Memorial Park – Judge Duesterheft.**

Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve the Joint Resolution with the City of Lockhart to rename the Plum Creek Wetlands Park as the H. T. Wright Memorial Park. Motion carried unanimously.

**A-12**

**Discussion/Action concerning annual audit report due June 1, 2010 from the Hays/Caldwell Emergency Service District – Judge Duesterheft.**

The annual audit report due June 1, 2010 from the Hays/Caldwell Emergency Service District has not been received. Pete Clendennan, Treasurer of the District's Commissioners was present and said he would see to getting the report filed.

**A-13**

**Discussion/Action regarding presentation of Caldwell County annual financial report for the fiscal year ending September 30, 2009 – Wayne Beyer/Sonny Rougeou.**

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Wayne Beyer presented the Caldwell County annual financial report for the fiscal year ending September 30, 2009.

## A-14

### **Discussion/Action to set deadline for specific items on the agenda by noon Wednesday prior to the regular meeting- Judge Duesterheft.**

Judge Duesterheft asked that a deadline be required of Wednesday before Commissioners meetings to place items on the agenda. Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, that a deadline of Wednesday before Commissioners Court meetings is required for any item to be placed on the agenda, with exceptions made for emergencies that are determined and added by the County Judge's office. Motion carried unanimously.

## A-15

### **Pay Bills.**

Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve bills totaling \$195,421.00. Motion carried unanimously.

**Commissioner Court recessed the Regular meeting and went into Executive Session.**

## A-16

**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 pending litigation, same being Cause No. 1:10-cv-281 in the United States District Court for the Western District of Texas, styled Stacia Obermeyer v. Caldwell County, Caldwell County Sheriff's Office, and Daniel C. Law a suit in which Caldwell County appears as a Defendant, including any appeal or request for post-order/judgment relief, and further, 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: Cause No. 1:10-cv-281 in the United States District Court for the Western District of Texas styled Stacia Overmeyer v. Caldwell County, Caldwell County Sheriff's Office, and Daniel C. Law a pending suit in which Caldwell County appears as a Defendant, including any appeal or request for post-order/judgment relief.

**Commissioners Court adjourned the Executive Session and went back into Regular meeting.**

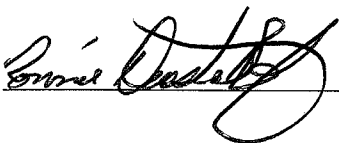
## A-17

**DISCUSSION, CONSIDERATION, OR POTENTIAL ACTION** – Discussion, consideration, or potential action shall occur regarding the following matter: Cause No. 10-cv-281 in the United States District Court for the Western District of Texas, styled Stacia Obermeyer v. Caldwell County, Caldwell County Sheriff's Office, and Daniel C. Law, a pending suit in which Caldwell County appears as a Defendant, including any appeal or request for post-order/judgment relief.

No action taken.

### **Adjourn.**

Commissioners Court adjourned.



Ronnie Duesterheft, County Judge