

# COMMISSIONERS COURT MINUTES

Regular Meeting on August 9, 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 Commissioner Roland, seconded by Commissioner Madrigal, to approve the minutes of the Regular meeting on July 26, 2010 with correction to A-6. 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.

No citizens comments. However, this agenda item was revisited later in this meeting.

## A-3

### Approve the Caldwell County Reports

#### A. Texas AgriLife Extension Service report for the month of July 2010 – Jeff Watts/Carissa Wilhelm.

Texas AgriLife Extension Agents Jeff Watts and Carissa Wilhelm presented their reports. Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to approve the Texas AgriLife Extension Service Reports for the month of July 2010. Motion carried unanimously.

#### B. Environmental Control Operator report for the months of June & July 2010 – Mike Bittner.

Environmental Control Operator Mike Bittner presented his report. Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to approve the Environmental Control Operator Report for the months of June and July 2010. Motion carried unanimously.

#### C. Maintenance report for the months of May, June & July 2010.

Maintenance Director Curtis Weber presented his reports. Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve the Maintenance Reports for the months of May, June and July 2010. Motion carried unanimously.

#### D. Quarterly Investment Report for quarter ending June 30, 2010 – Lori Rangel Pompa.

County Treasurer Lori Rangel-Pompa presented the Quarterly Investment Reports. Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to approve the Quarterly Investment Report for the quarter ending June 30, 2010. Motion carried unanimously.

## A-4

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

Environmental Control Officer Jimmy Parker presented information that Caldwell County is getting dry and if dry weather continues the burn ban would need to be put back on. Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to leave the Outdoor Burning Ban off for Caldwell County. Motion carried unanimously.

## A-5

Discussion/Action to adopt classification of Caldwell County Roads in accordance with §251.007 of Texas Transportation Code.

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Motion made by Commissioner Roland, seconded by Commissioner Cyrier, to adopt the classification of Caldwell County Roads in accordance with §251.007 of the Texas Transportation Code. Motion carried unanimously.

## A-2 continued

**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.**

Members and teachers of Gary Job Corps visited Commissioners Court to report that they are registering voters and teaching students to become good voters and will be voting in the November 2010 election.

## A-6

**Discussion/Action to appoint an Elected Official to CAPCOG's General Assembly – Judge Duesterheft.**  
Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to appoint Commissioner Joe Roland to CAPCOG's General Assembly. Motion carried unanimously.

## A-7

**Discussion/Action to approve settlement in Civil Action Number 1:1-cv-281 in the amount of \$8,390.40 and to authorize the auditor to send the check to our Attorney in the case, Allison, Bass & Associates, to be forwarded to Plaintiff's Counsel – Assistant District Attorney Ron Heggemeier.**

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the settlement in Civil Action Number 1:1-cv-281 in the amount of \$8,390.40 and to authorize the auditor to send the check to our Attorney in the case, Allison, Bass & Associates, to be forwarded to Plaintiff's Counsel. Motion carried unanimously.

## A-8

**Discussion/Action to set 2011 Sheriffs' and Constables' Fees to take effect on January 1, 2011 – Judge Duesterheft.**

Motion made by Commissioner Bullock, seconded by Commissioner Roland, to set the 2011 Sheriff's and Constables' Fees the same as the 2010 Sheriffs' and Constables' Fees to take effect on January 1, 2011. Motion carried unanimously.

## A-9

**Discussion/Action to approve the Final Plat for Delhi Estates Subdivision – Kasi Miles**

Motion made by Commissioner Bullock, seconded by Commissioner Roland, to approve the final plat for Delhi Estates Subdivision. Motion carried unanimously.

## A-10

**Discussion/Action of proposed tax rate, take record vote and set public hearing on proposed tax rate – Sonny Rougeou**

This item will be considered later in the meeting after discussion concerning the budget (budget workshop).

## A-11

**Discussion/Action regarding the 3 Air Conditioner Units at the Slater Building, Blue Bonnet Trails, located in Luling – Building Supervisor Curtis Weber.**

Maintenance Director Curtis Weber explained the work that has been done on the air conditioner units. He stated all units are inefficient but more bids for replacement will be needed. Motion made by Commissioner Bullock, seconded by Commissioner Madrigal, to table this item 11 and put back on the agenda for next week. Motion carried unanimously.

## A-12

**Pay Bills.**

Motion made by Commissioner Roland, seconded by commissioner Bullock, to approve bills totaling \$197,451.76. Motion carried unanimously.

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Commissioners Court recessed Regular meeting to go into Executive meeting. Assistant District Attorney Ron Heggemeier stated that the Executive Session A-13 should be pursuant to Section 551.071.

## A-13

**Executive Session pursuant to Section 551.71 concerning legal advice involving structural conditions in certain County Buildings.**

## A-14

**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 matter of unrecorded subdivisions occurring in Caldwell County, Texas.**

Commissioners Court adjourned the Executive Sessions and went back into Regular meeting at 10:25 A.M.

## A-15

### **Budget Workshop**

A Budget Workshop was held. Judge Duesterheft explained what has been done with the budget requests and explained where the budget may need changes before approval. Auditor Sonny Rougeou gave information on various options and tax rates and revenues to support each option. Differences in revenues and expenses of the previous budget were explained. It was the consensus of Commissioners Court to not approve a tax rate that would cost the taxpayers additional tax burden.

## A-10

**Discussion/Action of proposed tax rate, take record vote and set public hearing on proposed tax rate – Sonny Rougeo.**

Motion was made by Commissioner Bullock, seconded by Commissioner Roland, to propose a tax rate of .6910 with a recorded vote and set the scheduled public hearings on this proposed tax rate to be held August 23, 2010 and September 13, 2010. Motion carried with the following recorded vote:

Commissioner Pct 1 John Cyrier voted "Aye"  
Commissioner Pct 2 Charles Bullock voted "Aye"  
Commissioner Pct 3 Neto Madrigal voted "Aye"  
Commissioner Pct 4 Joe Roland voted "Aye"  
County Judge Ronnie Duesterheft voted "Aye"

The proposed tax rate and scheduled public hearings will be published in the newspaper. Another budget workshop will be on next week's Commissioners Court agenda (August 17, 2010) to discuss necessary changes to the proposed budget.

### **Adjourn.**

Motion made at 11:25 A.M. by Commissioner Bullock, seconded by Commissioner Madrigal, to adjourn. Motion carried unanimously.

  
County Judge Ronnie Duesterheft