

**CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
December 17, 2012**



TOM D. BONN County Judge
CAROL HOLCOMB County Clerk

JOHN P. CYRIER Commissioner Pct. 1
FRED F. BUCHHOLTZ Commissioner Pct. 2
NETO MADRIGAL Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct. 4

Call Meeting to order.

A moment of silence was taken for the children and families in the shooting in up-state New York.

12.17.01 Invocation- Caldwell County Christian Ministries.

No member in attendance.

12.17.02 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 Bonn led all present in the Pledge to the Flags.

12.17.03 Announcements: Items or comments from Court Members or Staff.
Commissioner Cyrier commented that it was his last meeting after three years and although bittersweet, he is thankful for the time on the Court and the many people that he met and has worked with these past three years. He is looking forward to Alfredo taking his place. Judge Bonn thanked him for his service. Commissioner Madrigal expressed although there were disagreements and differences of decision, it was an honor to have served with him. Commissioner Roland recalls that even with the difference of opinions, there are no hard feelings and wishes him well. Commissioner Buchholtz adds that his intelligence and wisdom has been an asset to the community. Commissioner Cyrier says that he will walk away with many friends.
Judge Bonn spoke about the meeting that he had attended with the area and district engineering supervisors and County Engineer Bill Gardner concerning some of the traffic conditions in the County. There are a few problem traffic lights and the speed limits that are confusing due to the opening of SH -130. They are being addressed with the Transportation Plan.

12.17.04 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).

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Citizens Comments:

Kathy Sellers thanked Commissioner Cyrier for his service as Commissioner Pct. 1 and wished him well in his future endeavors. Susan Stewart said that even in difference of decisions and not always agreeing with her, she appreciated that the constituents and the voters have been treated with respect. She wished him well for the future. County Auditor Larry Roberson recognized the position and the hard work that Debra French had done since being appointed to her position in the Tax Assessors Office last January. He thanked Commissioner Cyrier for his service to the County and looks forward to continuing to work with him. Emergency Management Jimmy Parker spoke thanking Commissioner Cyrier and recognized him for using his plane during the Labor Day fires last September. Norman Chambliss addressed the Court concerning the condition of the county roads and the dust control issue. Linda Hinkle thanked Commissioner Cyrier for his service and enjoyed working with him.

12.17.05 Commissioners Court Minutes. Approval of December 10, 2012 Minutes. Motion made by Commissioner Buchholtz, second by Commissioner Madrigal to approve the December 10, 2012 minutes. All Voting "Aye"

12.17.06 Consent Agenda. (Any member of the Court may request that an item within the Consent Agenda be moved to the Regular Agenda for further discussion and action).

A. Approve the following Surety bonds and continuation certificates for the following Caldwell County employees.

Darla Law, Tax Collector, Official Bond and Oath Bond Number LSM0476004 in the sum of \$100,000.00 made payable to the Governor of Texas for a term of four years commencing on the 1st day of January, 2013. Cost: \$1,917.00.

Darla Law, Tax Collector, Official Bond and Oath Bond Number LSM0476008 in the sum of \$100,000.00 made payable to the Caldwell County Commissioners Court for a term of four years commencing on the 1st day of January, 2013. Cost: \$1,917.00.

Alfredo R. Munoz, Commissioner Precinct 1, Official Bond and Oath No. 61539070 in the sum of \$3,000.00 made payable to the Caldwell County Treasurer for a term of four years commencing on the 1st day of January, 2013. Cost: \$177.50.

Motion made by Commissioner Buchholtz, second by Commissioner Cyrier to approve Consent Agenda, Item "A". All Voting "Aye"

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12.17.07 County Administrator Report/Presentation.

County Administrator Ron Heggemeier informs the Court that Caldwell County will receive possession to the Wetlands Park early in 2013. Judge Bonn adds that it will be for pedestrian use only. Ron Heggemeier also reports that it was short notice but that three of the County employees were able to attend a management training class last week. They were Diana Contreras, Curtis Weber and James Turner.

12.17.08 Special Presentations.

- A.** Presentation given by Kathy Green, Senior Director of Advocacy and Public Policy, on the interaction of the Capital Area Food Bank and Caldwell County.

Kathy Green gave an overview of the Capital Area Food Bank explaining the areas that are assisted and the many programs and ways that they facilitate not only Caldwell County but the Central Texas area. They provide programs, classes as well as grocery assistance. She gave some information to the Court members.

- B.** Presentation given by Jaclyn Archer, 911 Addressing/GIS, Caldwell County Appraisal District on the 911 addressing in Caldwell County. Jaclyn Archer gave an overview of the 911 addressing process and reported the progress that has been made updating the maps for the emergency responders. She answered questions that the Court might have and agreed to put together a package to provide information guiding new residents or entities to the process for a new address.

Item removed from Consent Agenda

- B.** To approve re-appointing Lucy Knight and Peter Reinecke to the Plum Creek Conservation District Board to serve a four year term beginning January 1, 2013.

Commissioner Buchholtz would like to see a procedure in place to let the public know when a position like this becomes available. It will be looked into at a later time. Motion made by Commissioner Madrigal, second by Commissioner Roland to approve re-appointing Lucy Knight and Peter Reinecke to the Plum Creek Conservation District Board to serve a four year term beginning January 1, 2013. All Voting "Aye"

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(ALL OTHER AGENDA ITEMS)

- 12.17.09 Discussion/Action** concerning selection of the Construction Manager at Risk for the Walmart remodel.
Motion made by Commissioner Cyrier, second by Commissioner Madrigal to make recommendation for the Construction Manager at Risk for the Walmart remodel being Braun & Butler. Roll Call Vote: Commissioner Cyrier-Yes, Commissioner Buchholtz-Yes, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-Yes. Motion Passed

Recess-10:37
Reconvene-10:50

- 12.17.10 Discussion/Action** to waive fees and grant variance from requirements of Caldwell County Development Ordinance for conveyance from Tom E. Blackwell to Mid-County Fire Department of 2.00-acre parcel in John A. Neill Survey A-20, on FM 1322 between Young Lane and Burdette Wells Road without a Short Form Plat (See Ordinance Section 3.7).
County Engineer Bill Gardner gives overview of the reason for the request for variance. Commissioner Cyrier explains that Mid-County Fire Department is still fund raising but the donation of the land from Mr. Blackwell and Linda Hinkle surveying is a big part. Motion made by Commissioner Buchholtz, second by Commissioner Cyrier to approve to waive fees and grant variance from requirements of Caldwell County Development Ordinance for conveyance from Tom E. Blackwell to Mid-County Fire Department of 2.00-acre parcel in John A. Neill Survey A-20, on FM 1322 between Young Lane and Burdette Wells Road without a Short Form Plat (See Ordinance Section 3.7). All Voting "Aye"
- 12.17.11 Discussion/Action** to approve Resolution No. 31-2012 supporting legislation to create Cotton Center Municipal Utility District No. 2 near Martindale.
Motion made by Commissioner Madrigal, second by Commissioner Cyrier to approve Resolution No. 31-2012 supporting legislation to create Cotton Center Municipal Utility District No. 2 near Martindale. All Voting "Aye"
- 12.17.12 Discussion/Action** to approve lease of property at 1403 Blackjack in Lockhart to Texas Health & Human Services Commission.
Motion made by Commissioner Roland, second by Commissioner Buchholtz to approve lease of property at 1403 Blackjack in Lockhart to Texas Health & Human Services Commission. All Voting "AYE"

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- 12.17.13 Discussion/Action** to approve Interlocal agreement with City of Mustang Ridge for subdivision regulation within that city's extraterritorial jurisdiction. Motion made by Commissioner Madrigal, second by Commissioner Roland to approve the Interlocal agreement with City of Mustang Ridge for subdivision regulation within that city's extraterritorial jurisdiction. All Voting "Aye"
- 12.17.14 Discussion/Action** to approve Interlocal agreement with the City of Martindale for subdivision regulation within that city's extraterritorial jurisdiction. Motion made by Commissioner Madrigal to approve the Interlocal agreement with City of Martindale for subdivision regulation within that city's ETJ and giving the City of Martindale the option to overlook it and approve the changes, to negotiate. The Mayor of Martindale has asked for it to be tabled. Motion withdrew after discussion. Motion made by Commissioner Madrigal, second by Commissioner Roland to table this item until the first meeting in January. All Voting "Aye"
- 12.17.15 Discussion/Action** concerning reappointment of Commissioner John Cyrier to represent Caldwell County on the CAMPO (Capital Area Metropolitan Planning Organization) Board. Motion made by Commissioner Buchholtz, second by Commissioner Roland to reappointment of Commissioner John Cyrier to represent Caldwell County on the CAMPO (Capital Area Metropolitan Planning Organization) Board, limited to a term of one year. A friendly amendment to the motion from Commissioner Madrigal to add Commissioner Roland as his alternate if for any reason he is unable to attend. It is accepted. All Voting "Aye"
- 12.17.16 Discussion/Action** regarding approval of Final Budget Amendments No. 20 and No. 21 for Fiscal Year 2012. Motion made by Commissioner Buchholtz, second by Commissioner Madrigal to approve Final Budget Amendments No. 20 and No. 21 for Fiscal Year 2012. All Voting "Aye"
- 12.17.17 Discussion/Action** regarding Outdoor Burning Ban for Caldwell County. Emergency Management Coordinator Jimmy Parker spoke to the Court about weather conditions and the levels of moisture that the County has received. He asks the local newspapers to alert the citizens to use precaution on low humidity days. Motion made by Commissioner Roland, second by Commissioner Buchholtz to leave the burn ban off. Judge Bonn will still be able to put it in effect if conditions warrant. All Voting "Aye"

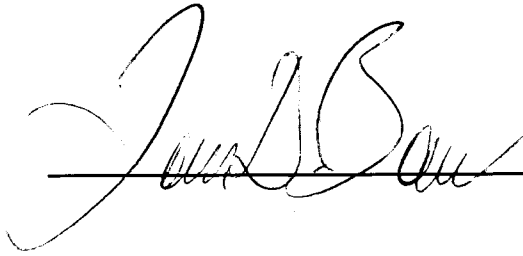
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12.17.18 Pay Bills - \$199,803.46

Motion made by Commissioner Cyrier, second by Commissioner Buchholtz to pay the bills in the amount of \$199,803.46. All Voting "Aye"

12.17.19 Adjournment

Motion made by Commissioner Cyrier, second by Commissioner Buchholtz to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge