

FILED this 14<sup>th</sup> day of NOV, 20 13  
3:40 P.M.  
CAROL HOLCOMB  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Allison Femy Deputy

**Notice of Meeting**  
**Commissioners Court of Caldwell County, Texas**

***Notice is hereby given that a meeting of the Caldwell County Commissioners Court will be held on the 18<sup>th</sup> day of November, 2013 at 9:00 A.M. in the Commissioners Courtroom located at 1403 Blackjack Street, Lockhart, Texas at which time the following subjects will be discussed, considered, passed or adopted, to wit:***

Note: Commissioners Court Meeting packets are prepared several days prior to each meeting. This information is reviewed and studied by the Court members, eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of the Court.

Start times for regular agenda items are tentative; some items may be held earlier or later than the scheduled time.

For the convenience and comfort of members of the public and Caldwell County officials and employees, the Commissioners Court may take a recess from 10:30-10:45 a.m. and from noon to 1:30 p.m.

**Agenda**

**Call Meeting to order.**

**2013.11.18.01 Invocation.** Caldwell County Christian Ministries.

**2013.11.18.02 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).

**2013.11.18.03 Announcements:** Items or comments from Court Members or Staff.

**2013.11.18.04 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).

**2013.11.18.05 Commissioners Court Minutes.** Approval of November 12, 2013 Minutes.

**2013.11.18.06 Consent Agenda.** (Any member of the Court may request that an item within the Consent Agenda to be moved to the Regular Agenda for further discussion and action).

**None**

2013.11.18.07 Reports. None.

2013.11.18.08 Special Presentations. None

**(ALL OTHER AGENDA ITEMS)**

2013.11.18.09 **Discussion** on Safety Training and Driver Training completed by all peace officers. **Cost:** TBD; **Speaker:** Judge Bonn; **Attachment:** None.

2013.11.18.10 **Discussion/Action** to canvass the November 5, 2013 Constitution Amendment Election. **Cost:** None; **Speaker:** Commissioner Munoz/Pamela Ohlendorf; **Backup:** Attached.

2013.11.18.11 **Discussion/Action** to approve and continue with the Declaration of Local Disaster issued on November 4, 2013 due to the severe damage resulting from a major rain and flooding event in Caldwell County on October 31, 2013. **Cost:** None; **Speaker:** Judge Bonn/Jim Parker; **Backup:** Attached.

2013.11.18.12 **Discussion/Action** concerning the sale of the self-propelled Genie lift located at the courthouse and use of the funds to purchase a "Grade-All" for the county. **Cost:** None; **Speaker:** Commissioner Madrigal; **Backup:** None.

2013.11.18.13 **EXECUTIVE SESSION** pursuant to section 551.071 of the Texas Government Code for consultations with attorney regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. No action will be taken in executive session.

2013.11.18.14 **Discussion/Action** regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. **Cost:** None; **Speaker:** Commissioner Roland; **Backup:** None.

2013.11.18.15 **Discussion** on comp hours, rolled vacation, and holiday earned hours currently due to Caldwell County employees. **Cost:** \$48,876.89; **Speaker:** Judge Bonn/Deborah Kortan; **Backup:** Attached.

2013.11.18.16 **Discussion/Action** to amend Caldwell County Personnel Policies Section 6.07 Compensatory Time. **Cost:** None; **Speaker:** Judge Bonn; **Backup:** Attached.

2013.11.18.17 **Discussion/Action** to pay out Joy Pardo from the Elections Office for 80 Hours (of her 180 Comp Hours) she has on the books. **Cost:** \$1,410.37; **Speaker:** Commissioner Muñoz; **Backup:** None.

2013.11.18.18 **Discussion/Action** to approve a workstation for courthouse security. **Cost:** TBD; **Speaker:** Judge Bonn; **Backup:** None.

2013.11.18.19 **Adjournment**

As authorized by the Texas Government Code, the Commissioners' Court of Caldwell, County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above as they may relate to Texas Government Code Section 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers);

Texas Government Code Section 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code);

Texas Government Code Section 551.072 (Deliberations About Real Property); Texas Government Code Section 551.073 (Deliberations about Gifts and Donations); Texas Government Code Section 551.074 (Personnel Matters); Texas Government Code Section 551.0745 (Deliberations about a County Advisory Body); Texas Government Code Section 551.076 (Deliberations about Security Devices); and Texas Government Code Section 551.087 (Economic Development Negotiations).

In the event that the Court adjourns into Executive Session, unless otherwise specified on the agenda, the Court will announce any other parties who are authorized to be present during the deliberations in Executive Session and will announce under what section of the Texas Government Code the Commissioner's Court is using as its authority to enter into an Executive Session. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the County Judge's office at 512-398-1808 for further information.

[www.co.caldwell.tx.us](http://www.co.caldwell.tx.us)

# **Invocation – Caldwell County Christian Ministries**

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**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).**

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## **Announcements:**

**Items or comments from Court  
Members or Staff.**

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## **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 comment will continue as the last agenda item of the day).

**2013.11.18.05 Commissioners Court  
Minutes. Approval of November 12,  
2013 Minutes.**

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CALDWELL COUNTY  
COMMISSIONERS COURT MINUTES  
1403 Blackjack Street, Lockhart, Texas  
Regular Meeting November 12, 2013 9:00 a.m.



**TOM D. BONN** County Judge  
**CAROL HOLCOMB** County Clerk

**ALFREDO MUÑOZ** Commissioner Pct. 1  
**FRED F. BUCHHOLTZ** Commissioner Pct. 2  
**NETO MADRIGAL** Commissioner Pct. 3  
**JOE IVAN ROLAND** Commissioner Pct. 4

**Call Meeting to order.**

**2013.11.12.01**     **Invocation.** Caldwell County Christian Ministries.  
John Griffin opened the meeting with prayer.

**2013.11.12.02**     **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 both Flags.

**2013.11.12.03**     **Announcements:** Items or comments from Court Members or Staff.  
Judge Bonn said that he and Commissioner Muñoz had met on this past  
Saturday with the Construction Manager, Architect and the representative  
from Data-Com. It seemed to be a successful meeting. He also attended the  
Veterans luncheon and commended the Chamber of Commerce for taking  
care of it. About 160 people were in attendance on the Courthouse Lawn. Maj.  
General Jimmy Wells was the chief speaker.  
Commissioner Roland said that Thursday night, he attended two meetings at  
the State Park clubhouse. One was a question and answer with Green Group  
Holdings LLC. There was also a report with Nick Dornak concerning the Hays-  
Caldwell HogOut. Commissioner Roland was very impressed with the extent  
of information provided. Commissioner Madrigal thanked all of the Unit Road  
employees, the volunteers from the community and all of the emergency  
rescue teams that were involved in the Halloween flood in our County. Judge  
Bonn gave an overview of the emergency in the Dove Trail Community on CR  
161 and recognized the cooperation of the entities and the volunteers that  
were involved.

**Update on Emergency Disaster Declaration for Caldwell County as  
presented by Judge Bonn, Jimmy Parker and Martin Ritchey.**

Martin Ritchey prepared and presented an overview of the tragedy and the  
cooperation between the different entities, himself and explained the  
beginning of the cleanup process and the FEMA updates for Caldwell County.  
He showed slides beginning with the alerts of the National Weather Service and  
ending with pictures of some of the aftermath. He thanked all those that were there to help, from  
the Emergency teams to anyone that brought food or encouragement.

## COMMISSIONERS COURT MINUTES

Regular Meeting on November 12, 2013

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### Brought forward

**2013.11.12.25 Discussion/Action** to approve and continue with the Declaration of Local Disaster issue on November 4, 2013 due to the severe damage resulting from a major rain and flooding event in Caldwell County on October 31, 2013. Motion made by Commissioner Madrigal, second by Commissioner Muñoz to approve and extend, through November 18, 2013 with the Declaration of Local Disaster issued on November 4, 2013 due to the severe damage resulting from a major rain and flooding event in Caldwell County on October 31, 2013. All Voting "Aye"

### Return to correct order

**2013.11.12.04 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).

Commissioner Madrigal read a letter sent to him by Diane Ohlendorf Peach that explained her view on the landfill and explains that she has kept her mind open and is in favor of the Host Agreement for the County and GreenGroup LLC.

Jimmy Bertram asked the Commissioners to work expeditiously on passing an ordinance against landfills and to protect Caldwell County. He asked that they not sign the Host Agreement with GreenGroup. Texas Government Code will protect the County. The Host Agreement is not going to make any difference.

Frank Sugrue spoke against the landfill and the Host Agreement. He spoke in support of the support of an immediate ordinance against all new landfills. He feels that the spread of contamination is spread thru rodents, and ground species. He said that he attended the same meeting that Commissioner Roland was at and comments that with the rapid breeding of the hogs that the contamination will be spread by them.

Sue Hemphill is very concerned with the transfer of not only air toxins but noting that she has extreme concerns with the water runoff and contamination to livestock, in particular the horses that she raises and trains. She provided an e-mail from Linda Brown, a PhD in Watershed Restoration & Ecology. It advised the Commissioners to do more research concerning ground barriers and ground water contamination.

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on November 12, 2013**

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- 2013.11.12.05 Commissioners Court Minutes.** Approval of October 28, 2013 Minutes. Motion made by Commissioner Buchholtz, second by Commissioner Roland to approve minutes dated October 28, 2013. All Voting "Aye"
- 2013.11.12.06 Consent Agenda.** (Any member of the Court may request that an item within the Consent Agenda to be moved to the Regular Agenda for further discussion and action).
- A. Pay Bills in the amount of \$156,644.11.
  - B. To approve Budget Amendments #18, 19, 20, 21, 22, and 23 for the fiscal year of 2012-2013 attached by County Auditor, Larry Roberson.
  - C. To approve the Certificate of successful completion of forty hours of continuing Education for Constables by Constable Zapata.
  - D. To approve Continuation Certificate Bond No. 15530860 for Court Clerk, Jenifer Watts, for Caldwell County in the amount of One Thousand for the term beginning December 11, 2013 and ending December 11, 2014.
  - E. To approve the Certificate of successful completion of continuing Judicial Education program for Probate Judges for County Judge Tom Bonn. Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve Consent Agenda. All Voting "Aye"

**2013.11.12.07 Reports.**

Septic and Subdivision – Kasi Miles, Sanitation Officer  
No report was given for Sanitation Department.

Federal Inmate Report , Sales Tax , Tax Collection Report October 2013  
General Fund Operating Statement  
Larry Roberson, County Auditor presented the reports listed above and spoke to the Court concerning the General Fund and will prepare a report for them showing historical data for collections.

Treasurer's Report Month Ending September 30, 2013  
Lori Rangel-Pompa, County Treasurer presented the report for September 2013.

Caldwell County Sheriff Department Accident Reports.  
Captain Mike Lane spoke to the court about the two recent collisions and the update on vehicles. Both were considered a total loss, since the airbag deployed in both. One was covered on insurance and one was not.

**2013.11.12.08 Special Presentations. None.**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on November 12, 2013**

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**(ALL OTHER AGENDA ITEMS)**

- 2013.11.12.09**     **Discussion** on Safety Training and Driver Training completed by all peace officers.  
Captain Mike Lane reported that there were eight deputies signed up for Safety Training and Driver Training for December. He is continuing to research more availability for training in the local area.
- 2013.11.12.10**     **Discussion/Action** to approve spending \$2,100 for engineering report on the roof of the Luling Annex.  
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to approve \$2,100.00 from 2010 Certificate of Obligation Funds for engineering report on the roof of the Luling Annex. All Voting "Aye" (Commissioner Madrigal stepped out during discussion but returned for the vote)
- 2013.11.12.11**     **Discussion/Action** concerning approval of the 2014 Caldwell County Employee Holiday Calendar.  
Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve the 2014 Caldwell County Employee Holiday Calendar. All Voting "Aye"
- 2013.11.12.12**     **Discussion/Action** to approve cancellation of the November 25, 2013 Commissioners Court due to time constraints occurring because of the Thanksgiving Holiday.  
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to approve cancellation of the November 25, 2013 Commissioners Court due to time constraints occurring because of the Thanksgiving Holiday. All Voting "Aye"
- 2013.11.12.13**     **Discussion/Action** to approve cancellation of the December 23, 2013 Commissioners Court due to time constraints occurring because of the Christmas Holiday.  
Motion made by Commissioner Roland, second by Commissioner Buchholtz to approve cancellation of the December 23, 2013 Commissioners Court due to time constraints occurring because of the Christmas Holiday. All Voting "Aye"
- 2013.11.12.14**     **Discussion/Action** to approve allowing the County Auditor to pay necessary bills for November and December as a result of cancellation of the November 25, 2013 and December 23, 2013 meetings because of time constraints for Thanksgiving and Christmas Holidays.  
Motion made by Commissioner Roland, second by Commissioner Madrigal to approve allowing the County Auditor to pay necessary bills for November and December as a result of cancellation of the November 25, 2013 and December 23, 2013 meetings because of time constraints for Thanksgiving and Christmas Holidays. All Voting "Aye"

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on November 12, 2013**

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- 2013.11.12.15** **Discussion/Action** to approve lease of 9675 State Highway 142 in Maxwell for Pct. 3 Justice of the Peace and Precinct 3 Constable offices.  
Motion made by Commissioner Madrigal, second by Commissioner Muñoz to approve a lease for 9675 State Highway 142 in Maxwell for Precinct 3 Justice of the Peace and Precinct 3 Constable offices at a cost of \$800 per month for five years. All Voting "Aye"
- 2013.11.12.16** **Discussion/Action** to approve order conveying water filtering system to Tri Community Water Supply Corp. under Interlocal agreement to administer state grant for water filtration project.  
Tommy Forester, Operations Manager told the Court that they had been in production since March of 2013 and he turned one well off when the flood occurred and after restart, the tests were perfect. Motion made by Commissioner Madrigal, second by Commissioner Buchholtz to approve order conveying water filtering system to Tri Community Water Supply Corp., under Interlocal agreement to administer state grant for water filtration project. All Voting "Aye" Commissioner Madrigal thanked the Tri-Community group.
- 2013.11.12.17** **Discussion/Action** to approve revised Interlocal agreement for subdivision regulation in Uhland ETJ.  
Motion made by Commissioner Madrigal, second by Commissioner Muñoz to approve revised Interlocal agreement for subdivision regulation in Uhland ETJ. All Voting "Aye"

Recess: 10:35

Executive Session began: 10:40 a.m.

- 2013.11.12.18** **EXECUTIVE SESSION** pursuant to section 551.071 of the Texas Government Code for consultations with attorney regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. No action will be taken in executive session.

Discussion on 2013.11.12.18 ended-11:16 a.m.

Began 2013.11.12.19- 11:18

- 2013.11.12.19** **EXECUTIVE SESSION** pursuant to section 551.071 of the Texas Government Code for consultations with attorney regarding contract with Tyler Technologies for software for county clerk. No action will be taken in executive session.

Executive Session Ended- 11:27 a.m.

Meeting Reconvened-11:29 a.m.

- 2013.11.12.20** **Discussion/Action** regarding proposed landfill in Caldwell County and regarding landfill siting ordinance.  
Motion made by Commissioner Roland, second by Commissioner Madrigal to direct our Attorney to come back next week on November 18, 2013 with an ordinance that can be published. All Voting "Aye"

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on November 12, 2013**

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**2013.11.12.21**    **Discussion/Action** regarding contract with Tyler Technologies for software for county clerk.  
Motion made by Judge Bonn, second by Commissioner Muñoz to direct Mack Harrison to check the contract for correspondence billing that has occurred to see if Tyler is in compliance. All Voting "Aye"

**2013.11.12.22**    **Workshop** discussion on the supervisory authority of the Commissioners Court by placing non-elected county department heads under supervision of individual members of the Commissioners Court as follows:

- County Judge: Emergency Management and Veterans Services
- Commissioner Pct. 1: Human Resources
- Commissioner Pct. 2: 911
- Commissioner Pct. 3: Unit Road and Code Inspector
- Commissioner Pct. 4: Maintenance

Departments not assigned: IT, Indigent Burials, Sanitation, Engineer and Elections

Judge Bonn reminds everyone that at the last meeting held at Zedler Mill, he asked the Commissioners to please write down what department that they would like to be in charge of and why. He hands out a sheet with his preferences to each of the Commissioners. Commissioner Madrigal reminds everyone about the position of Unit Road, but would like to be correspondent for them, also for the Code Inspector and Sanitation Department.

Commissioner Roland said that he would like the Maintenance Dpt. since he had managed them in the past. Judge Bonn believes that the maintenance should remain with the Judge due to any crisis and decisions needed on any county property. Commissioner Buchholtz would like to see the Commissioners work on projects as needed, not to be assigned to one department. Commissioner Madrigal reminds him that this is not to be an authority over a department. This is to help to run the County together.

Workshop ends-11:47 a.m.

**2013.11.12.23**    **Discussion/Action** to delegate the supervisory authority of the Commissioners Court by placing non-elected county department heads under supervision of individual members of the Commissioners Court.  
Motion made by Commissioner Muñoz, second by Commissioner Roland to place the following non-elected county department heads under supervision of individual members of the Commissioners Court.

- County Judge: IT, Emergency Management, Veterans Service Officer
- Commissioner Pct. 1: Human Resources
- Commissioner Pct. 2: County Engineer, Indigent Burial
- Commissioner Pct. 3: Code Inspector & Sanitation, contact person for Unit Road including Vehicle Maintenance
- Commissioner Pct. 4: Maintenance

Roll Vote: Commissioner Muñoz-Yes, Commissioner Buchholtz-Yes, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-No  
Motion Passed.

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on November 12, 2013**

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**2013.11.12.24**    **Discussion/Action** to pay out Joy Pardo from the Elections Office for 80 Hours (of her 180 Comp Hours) she has on the books. **Cost:** \$1,410.37  
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to table this item until November 18, 2013, or until a policy is in place concerning this. All Voting "Aye"

Citizen Comment (If longer than 30 minutes, then the balance of comments will continue as the last agenda item of the day).

W. G. Bledsoe spoke to the court with concerns about paving the road or having a bridge built. He has only lived in the area about five years but has seen the road wash away before. He also asked about any testing for health concerns from the ground matter that washes up on the road and through that area when it rains.

**2013.11.12.26**    **Adjournment**  
Motion made by Commissioner Buchholtz, second by Commissioner Roland to adjourn. All Voting "Aye"

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TOM D. BONN, County Judge

**2013.11.18.06 Consent Agenda.**

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

**NONE**



**2013.11.18.07 Reports. None.**

**2013.11.18.08 Special Presentations.**

**None**

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**2013.11.18.09 Discussion on Safety Training and Driver Training completed by all peace officers. Cost: None; Speaker: Judge Bonn; Attachment: None.**

**2013.11.18.10 Discussion/Action to canvass the November 5, 2013 Constitution Amendment Election. Cost: None; Speaker: Commissioner Munoz/Pamela Ohlendorf; Backup: Attached.**

## Caldwell County Agenda Item Request Form

**To: Caldwell County Administrator's Office** – Hand deliver or scan & email to: [ron.heggemeier@co.caldwell.tx.us](mailto:ron.heggemeier@co.caldwell.tx.us) and [maral.heggemeier@co.caldwell.tx.us](mailto:maral.heggemeier@co.caldwell.tx.us).  
Deadline is 5:00 p.m. Tuesday before the Regular meetings, however, please submit this completed form ASAP. "Anything missing will cause the Agenda Item to be held over to the next Regular meeting," according to our Rules & Procedures.

**1. What do you want to accomplish?**

Discussion & Action. What is the proposed motion?

CANVASS - NOV. 5<sup>TH</sup> ELECTION

Discussion Only, or  Executive Session. What is to be discussed?

**2. Costs:**

Actual Cost or  Estimated Cost \$ N/A

Is this cost included in the County Budget? N/A

Is a Budget Amendment being proposed? N/A

**3. Agenda Speakers:**

	Name	Representing	Title
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____

**4. Backup Materials:** |  Backup materials |  No backup materials

A total of 2 pages of backup materials are attached.

**5.** \_\_\_\_\_  
**Signature of Court Member** **Date**

SUMMARY REPORT

NOVEMBER 05, 2013  
GENERAL/JOINT ELECTION

CANVASS

RUN DATE:11/12/13 12:39 PM

VOTES PERCENT

PRECINCTS COUNTED (OF 42) . . . . .	42	100.00
REGISTERED VOTERS - TOTAL . . . . .	20,105	
BALLOTS CAST - TOTAL . . . . .	1,923	
VOTER TURNOUT - TOTAL . . . . .		9.56

PROPOSITION 1 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,566	84.83
AGAINST . . . . .	280	15.17

PROPOSITION 2 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,442	80.42
AGAINST . . . . .	351	19.58

PROPOSITION 3 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	861	48.81
AGAINST . . . . .	903	51.19

PROPOSITION 4 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,498	82.22
AGAINST . . . . .	324	17.78

PROPOSITION 5 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,035	57.53
AGAINST . . . . .	764	42.47

PROPOSITION 6 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,212	65.51
AGAINST . . . . .	638	34.49

PROPOSITION 7 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,282	71.42
AGAINST . . . . .	513	28.58

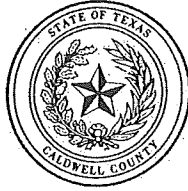
PROPOSITION 8 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,167	68.57
AGAINST . . . . .	535	31.43

PROPOSITION 9 CALDWELL COUNTYWIDE

VOTE FOR 1		
FOR . . . . .	1,456	81.48
AGAINST . . . . .	331	18.52

**2013.11.18.11 Discussion/Action** to approve and continue with the Declaration of Local Disaster issued on November 4, 2013 due to the severe damage resulting from a major rain and flooding event in Caldwell County on October 31, 2013. **Cost:** None;  
**Speaker:** Judge Bonn/Jim Parker;  
**Backup:** Attached.



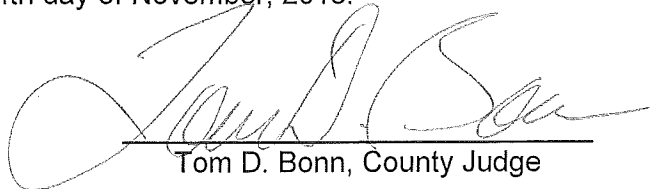
**DECLARATION OF A  
LOCAL DISASTER FOR CALDWELL COUNTY**

WHEREAS, the County of Caldwell on the 31<sup>st</sup> day of October, 2013 has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from a major rain and flooding event and;

WHEREAS, the judge of the County of Caldwell has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property;

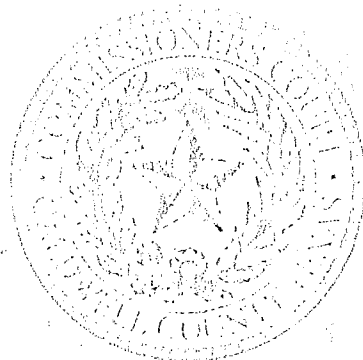
NOW, THEREFORE, BE IT PROCLAIMED BY THE JUDGE OF THE COUNTY OF CALDWELL COUNTY:

1. That a state of disaster is declared for the County of Caldwell.
  2. That the County's Emergency Management Plan has been implemented.
  3. That this state of disaster shall continue for a period of not more than seven days of the date hereof, unless the same is continued by consent of the Commissioners Court of the City/County of Caldwell, Texas.
  4. That this proclamation shall take effect immediately from and after its issuance.
- ORDERED this the 4th day of November, 2013.

  
\_\_\_\_\_  
Tom D. Bonn, County Judge

ATTEST:

  
\_\_\_\_\_  
Carol Holcomb, County Clerk





# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001  
512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
DAVID G. BAKER  
CHERYL MacBRIDE  
DEPUTY DIRECTORS



COMMISSION  
A. CYNTHIA LEON, CHAIR  
CARIN MARCY BARTH  
RANDY WATSON

November 7, 2013

The Honorable Tom D. Bonn  
County Judge, Caldwell County  
Caldwell County Courthouse  
110 South Main Street  
Lockhart, TX 78644

Dear Judge Bonn:

This letter acknowledges receipt of your Disaster Summary Outline (DSO), disaster declaration and your letter to the Governor dated November 5, 2013, requesting assistance for damages caused by severe flooding that occurred on October 31, 2013. My staff will contact your office regarding the Preliminary Damage Assessment.

Should you require additional assistance, please contact Eric Kuntz of my staff at (512) 486-6446.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Nim Kidd".

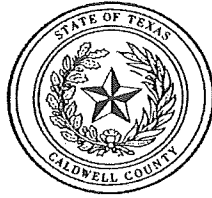
W. Nim Kidd, CEM®  
Assistant Director  
Texas Department of Public Safety  
Chief  
Texas Division of Emergency Management

WNK:stl

*Tom D. Bonn*  
County Judge  
512 398-1808

*Lori Rangel-Pompa*  
County Treasurer  
512 398-1800

*Larry Roberson*  
County Auditor  
512 398-1801



*Caldwell County Courthouse*  
110 South Main Street  
Lockhart, TX 78644  
Fax: 512 398-1828

*Alfredo R. Muñoz*  
Commissioner Precinct 1

*Fred Buchholtz*  
Commissioner Precinct 2

*Neto Madrigal*  
Commissioner Precinct 3

*Joe I. Roland*  
Commissioner Precinct 4

November 5, 2013

The Honorable Rick Perry  
Governor of Texas  
c/o State Coordinator  
Texas Department of Emergency Management  
P.O. Box 4087  
Austin, TX 78773-0001

Dear Governor Perry:

As a result flood event that occurred October 31, 2013 in Caldwell County is currently facing tremendous physical and economic losses. An estimated 61 homes and/or businesses have been flooded. Two businesses have sustained significant uninsured losses. These business losses have created a severe impact on jobs, production and revenue.

Likewise, public utilities have been impacted to the extent that 2,900 homes/businesses had been left without electricity. The public works and road situation in Caldwell County has been affected to an extent that 28 homes have been isolated due to impassable roads and water crossings. It is estimated that 56 roads were impassable; road and bridge damage will exceed \$1,237,640.00.

It is my belief the damage to homes, businesses, public works and utility systems due to the rain constitutes a public health and safety hazard. I have determined that this incident is of such severity and magnitude that an effective response is beyond Caldwell County's capability to recover without supplementary State and/or Federal assistance. Additionally, I certify that Caldwell County does not have local funding available to make the needed repairs and to provide these citizens with effective relief.

Your assistance in this emergency matter, as it affects the safety and health needs of our citizens would be appreciated.

Sincerely,

  
Tom D. Bonn  
Caldwell County Judge

**2013.11.18.12 Discussion/Action**

concerning the sale of the self-propelled Genie lift located at the courthouse and use of the funds to purchase a “Grade-All” for the county. **Cost:** None;

**Speaker:** Commissioner Madrigal;

**Backup:** None.

**2013.11.18.13 EXECUTIVE SESSION**

pursuant to section 551.071 of the Texas Government Code for consultations with attorney regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. No action will be taken in executive session.

**2013.11.18.14 Discussion/Action**  
regarding proposed landfill in Caldwell  
County and regarding landfill siting  
ordinance. **Cost: None; Speaker:**  
**Commissioner Roland; Backup: None.**

**2013.11.18.15 Discussion on comp hours, rolled vacation, and holiday earned hours currently due to Caldwell County employees. Cost: \$48,876.89: Speaker: Judge Bonn/Deborah Kortan; Backup: Attached.**

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### Holiday Earned Hours

Dept	Earned Hrs	Rate	Notes
<b>Current employees with earned holiday hours</b>			
Jailer	229.5	\$15.32	\$ 3,515.94
Jailer	172	\$15.32	\$ 2,635.04
Jail Sgt	184	\$18.77	\$ 3,453.68
Transport	4	\$16.59	\$ 66.36
Dispatch	2.5	\$17.22	\$ 43.05
<b>total</b>	<b>592</b>		<b>Total \$ 9,714.07</b>

### Comp Earned Hours

Dept	Earned hrs	Rate	Notes
Auditor	33.25	\$ 20.93	\$ 695.92
Tax Office	5.625	\$ 12.39	\$ 69.69
Tax Office	0.943	\$ 12.39	\$ 11.68
Tax Office	22.125	\$ 12.39	\$ 274.13
Elections	7.51	\$ 18.87	\$ 141.71
Elections	185.83	\$ 15.65	\$ 2,908.24
Court Reporter	23.5	\$ 37.42	\$ 879.37
County Clerk	0.25	\$ 13.31	\$ 3.33
County Clerk	0.13	\$ 15.53	\$ 2.02
Dist Clerk	0.36	\$ 15.65	\$ 5.63
DA	4.5	\$ 22.12	\$ 99.54
SO	85.69	\$ 26.61	\$ 2,280.21
SO	72.75	\$ 19.12	\$ 1,390.98
SO	45.75	\$ 18.84	\$ 861.93
SO	1	\$ 17.01	\$ 17.01
SO	25.5	\$ 17.22	\$ 439.11
SO	38.5	\$ 18.71	\$ 720.34
Jailer	119.75	\$ 15.32	\$ 1,834.57
Jailer	79.5	\$ 15.32	\$ 1,217.94
Jail Sgt	54.75	\$ 18.77	\$ 1,027.66
Maintenance	57	\$ 14.99	\$ 854.43
Maintenance	1.125	\$ 12.12	\$ 13.64
Maintenance	3.25	\$ 16.54	\$ 53.76
Veteran's officer	15	\$ 14.55	\$ 218.25
Enviromental	57.25	\$ 16.46	\$ 942.34
Agriculture	23.63	\$ 13.78	\$ 325.62
Unit Road	303.502	\$ 17.08	\$ 5,183.81
Unit Road	390.5	\$ 17.08	\$ 6,669.74
Unit Road	19	\$ 14.89	\$ 282.91
Unit Road	18.5	\$ 14.89	\$ 275.47
Unit Road	60.5	\$ 14.89	\$ 900.85
Unit Road	0.25	\$ 14.89	\$ 3.72
Unit Road	19.135	\$ 14.89	\$ 284.92
Unit Road	169.63	\$ 14.89	\$ 2,525.79

Unit Road	2.25	\$ 14.89	\$ 33.50
Unit Road	100.56	\$ 14.89	\$ 1,497.34
Unit Road	10	\$ 14.89	\$ 148.90
Unit Road	175	\$ 14.89	\$ 2,605.75
Unit Road	0.25	\$ 15.43	\$ 3.86
Unit Road	7.25	\$ 14.89	\$ 107.95
Unit Road	1	\$ 14.41	\$ 14.41
Unit Road	2.25	\$ 14.89	\$ 33.50
Unit Road	21.25	\$ 14.89	\$ 316.41
Unit Road	3	\$ 16.30	\$ 48.90
Unit Road	3	\$ 14.96	\$ 44.88
Bailiff	19.75	\$ 16.37	\$ 323.31
<b>Total</b>	<b>2,232.05</b>		<b>Total \$ 37,481.95</b>

### Balance of Rolled Vacation

Dept	Earned hrs	Rate	Notes
Court Reporter	32	\$ 37.42	\$ 1,197.44
JP	36	\$ 12.96	\$ 466.56
Bailiff	1	\$ 16.87	\$ 16.87
<b>Total</b>	<b>69</b>		<b>Total \$1,680.87</b>

<b>Grand Total</b>	<b>\$ 48,876.89</b>
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**2013.11.18.16 Discussion/Action to amend Caldwell County Personnel Policies Section 6.07 Compensatory Time. Cost: None; Speaker: Judge Bonn; Backup: Attached.**

All overtime services by employees covered under FLSA must be authorized in advance by the employee's supervisor and approved by the elected official or appointed department head.

6.05 EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION). Department heads and other executive, administrative, and professional employees are exempt from the overtime provisions of the FLSA and are expected to render necessary and reasonable overtime services with no additional compensation. The salaries of these positions are established with this condition in mind. Some additional County positions are exempt from FLSA because of the close relationship of the position and the elected official for whom the employee works. Extra hours worked by executive, administrative, and professional employees and elected officials' closest staff members may be used as a factor in granting or denying paid leave other than vacation or health leave.

6.06 OVERTIME COMPENSATION. Nonexempt employees are compensated for overtime worked by being given (listed in order of the County's policy preference):

1. Equal time off within the same work period; or
2. Compensatory time off in lieu of overtime pay in cash at the rate of one and one-half times the number of hours worked if specifically authorized by order of the Commissioners Court and approved by the department head, normally only in emergency situations.

6.07 COMPENSATORY TIME. The maximum compensatory time which may be accrued by any employee shall be 480 hours (i.e., not more than 320 hours of actual overtime hours worked) for those engaged in public safety, emergency response or seasonal activity, and 240 hours (i.e., not more than 160 hours of actual overtime hours worked) for all other employees for hours worked after April 15, 1986. An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation in cash for any additional overtime hours of work, as prescribed by the FLSA.

An employee shall be permitted to use accrued compensatory time within a reasonable period after it is requested if to do so would not unduly disrupt the operations of the department. Compensatory time may be used like vacation time with approval of the appropriate department head or elected official.

Payment for accrued compensatory time upon termination of employment shall be calculated at the average regular rate of pay for the final three years of employment, or the final regular rate received by the employee, whichever is the higher.

"Compensatory Time" and "Compensatory Time Off" are defined as hours when an employee is not working and which are paid for at the regular rate of pay. These hours are not counted as hours worked in the week in which they are paid.

**2013.11.18.17 Discussion/Action** to pay out Joy Pardo from the Elections Office for 80 Hours (of her 180 Comp Hours) she has on the books. **Cost:** \$1,410.37; **Speaker:** Commissioner Muñoz; **Backup:** None..

**2013.11.18.18 Discussion/Action to approve a workstation for courthouse security. Cost: TBD; Speaker: Judge Bonn; Backup: None.**

**2013.11.18.19 Adjournment**