

**CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Regular Meeting May 13, 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.

- 05.13.01 Invocation.** Caldwell County Christian Ministries.
A member of Caldwell County Christian Ministries opened the meeting with prayer.
- 05.13.02 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.
- 05.13.03 Announcements:** Items or comments from Court Members or Staff.
Former Commissioner, Charles Bullock, was present and recognized by Judge Bonn.
1. Concerning correspondence from Texas Association of Counties, regarding legal advice from their legal department, concerning a pending matter before the Commissioners Court.
The Texas Association of Counties has replied that they do not provide legal advice.
2. The Texas Attorney General released Opinion No. GA-1001, allowing a county commissioners court to change the designated day of the week it convenes during the county's current fiscal year.
The Attorney General's Office has responded that the Commissioners Court can change the day to convene.
- 05.13.04 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).
None
- 05.13.05 Commissioners Court Minutes.** Approval of April 22, 2013 and April 15, 2013 Minutes.
Motion made by Commissioner Madrigal, second by Commissioner Buchholtz to approve minutes dated April 22, 2013 and April 15, 2013. All Voting "Aye"

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- 05.13.06 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.** To approve the 2012 Short Form Return of Organization Exempt From Income Tax for Delhi Volunteer Fire Department as required by Paragraph 8 of the Rural Fire Protection Service Contract with Caldwell County to comply with the yearly reporting to the Caldwell County Judge's Office.
 - B.** To approve sale of nine surplus vehicles.
 - C.** To approve Budget Amendment No. 8 which transfers \$740,000.00 from reserves to TCDRS, which is the County's retirement system.
 - D.** Ratification of agreement with Sunrise Motion Pictures to film on County property.
 - E.** Approval of Interlocal agreement with City of Lockhart for Lockhart Fire Department to investigate mass gathering permit applications for Caldwell County.
 - F.** Approval of Resolution No. 15-2013 authorizing application by the Sheriff's Office for the Victim's Assistance Grant for the period of 09-01-2013 thru 08-31-2015.
 - G.** Pay Bills - \$431,732.90
Motion made by Commissioner Muñoz, second by Commissioner Roland to approve Consent Agenda. All Voting "Aye"

05.13.07 County Administrator Report/Presentation.

- A.** Septic and Subdivision Fees Report
 - B.** Federal Inmate Revenue Report
 - C.** Monthly Sales Tax Collection Report
- County Administrator Ron Heggemeier presented the reports to all present. Each report was favorable to the amounts that were budgeted for 2012-213.

05.13.08 Special Presentations.

Presentation given by James D. Bell, Ph.D., Director, Professional Development and Education, Texas State University at San Marcos concerning management principals.
James D. Bell, Ph.D., Director, Professional Development and Education, Texas State University at San Marcos spoke before the court concerning management principals. He asked the members of the court to write down common goals that they wanted the Commissioners Court to achieve. He said that two people can look at the same information but have two different perceptions. He handed out information about a 40-hr class on management skills that is taught at Texas State University at San Marcos. The Court thanked him for his time.

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(ALL OTHER AGENDA ITEMS)

- 05.13.09 Discussion/Action** to approve a Proclamation declaring May as Elder Abuse Prevention Month.
Judge Bonn read the Proclamation. Motion made by Commissioner Buchholtz, second by Commissioner Madrigal to approve a Proclamation declaring May as Elder Abuse Prevention Month. All Voting "Aye"
- 05.13.10 Discussion** concerning salaries for elected County and Precinct offices to be posted in the newspaper pursuant to § 152.013 of the Local Government Code. No vote will be taken as this is a discussion only item.
Judge Bonn asked the Commissioners if they wanted to proceed with the 5-year plan for the Caldwell County non-elected Employee Salary Survey. Commissioner Muñoz said that he would like to continue with the plan with some work on a few positions. Commissioner Buchholtz feels we should continue. Commissioner Madrigal we should continue. Commissioner Roland would like to see the plan continued.
For the elected employees Survey Plan, Commissioner Madrigal would like to see the Sheriff's salary adjusted and all agree. It's noted that Deborah Kortan, Human Resource Director is working at this time on some changes to be reviewed by Commissioners Court. Changes can be approved before the newspaper posting.
- 05.13.11 Discussion/Action** to approve having nine public members serve on the County Salary Grievance Committee pursuant to § 152.014(a) (2) of the Local Government Code. County judge will draw names of public members of County Salary Grievance Committee and alternates pursuant to § 152.015.
Motion made by Commissioner Madrigal, second by Commissioner Muñoz to approve having nine public members serve on the County Salary Grievance Committee pursuant to § 152.014(a)(2) of the Local Government Code. All Voting "Aye"

Nine names were drawn first and then 18 names were drawn as alternates if any of the first nine are unavailable.

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| 1. DAN BARNETT | 2. GERMAN KOTARA | 3. DONALD BARKMEYER |
| 4. RODNEY COKER | 5. MICHAEL JOHNSON | 6. JANICE GREEN |
| 7. ELLA M. COLLINS | 8. JOSIE SALAZAR | 9. JIMMY GREEN |

ALTERNATES

- | | | |
|----------------------|------------------------|------------------------|
| 1. RYAN HEGER | 2. MIKE BARNETT | 3. GABRIEL SIERRA |
| 4. EDWARD YOUSKEVICH | 5. THERESA VILLALPONDO | 6. VERONICA ESTRADA |
| 7. ROBERT D. HAILEY | 8. RENAE LEWIS | 9. ASHLEY N. HERNANDEZ |
| 10. MARY LOPEZ | 11. LINDA BARGER | 12. VIRGINIA HUGHES |
| 13. RENEE BELL | 14. AMY CODDINGTON | 15. WYATT FERRIS |
| 16. JIM DAVILA | 17. VERONICA MONTANA | 18. RUSSELL TINER |

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- 05.13.12 Discussion/Action** concerning salaries of non-elected employees which will be included in the 2013-2014 proposed budget and are derived from year two of the Employee Salary Plan proposed by the Human Resources Department and approved by the Commissioners Court on August 6, 2012.
Motion made by Commissioner Muñoz, second by Commissioner Madrigal to table this until May 20, 2013. All Voting "Aye"
- 05.13.13 Discussion** with Deborah Kortan from the Human Resource Department concerning Personnel Policies for Caldwell County. No vote will be taken as this is a discussion only item.
Motion made by Commissioner Madrigal, second by Commissioner Roland to table this item until Monday May 20, 2013. All Voting "Aye"
- 05.13.14 Discussion/Action** to request changes to Caldwell County Commissioners Court Rules of Procedure, Conduct and Decorum approved on November 14, 2011.
Motion made by Commissioner Madrigal second by Commissioner Roland to abandon the Caldwell County Agenda Item Request Form. Motion withdrew. Motion made by Commissioner Madrigal second by Commissioner Muñoz to table this item until May 20, 2013. All Voting "Aye"
- 05.13.15 Discussion/Action** regarding Burn Ban.
Motion made by Commissioner Roland, second by Commissioner Muñoz to leave the Burn Ban off at this time. All Voting "Aye"
Recess at 10:36 a.m. and to reconvene until 1:30 p.m. for Executive Session.

Executive Session to begin at 1:30 p.m.
- 05.13.16 EXECUTIVE SESSION AT 1:30 P.M.** with Legal Counsel pursuant to Section 551.071, Government Code Re: *Katharina Harper v. Caldwell County*, Cause Number 1:10-CV-00631 in the United States District Court for the Western District of Texas, Austin Division.
Executive Session ends 2:48 p.m.
- 05.13.17 Discussion/Action** to consider and take possible action regarding subject matter of Executive Session. **Cost:** TBD; **Speaker:** Judge Bonn/Robert T. Bass, Allison, Bass & Associates, L.L.P./Brian Gaddy, Texas Association of Counties Claims Manager
No Action taken.
- 05.13.18 Adjournment**
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge