

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Regular Meeting November 18, 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.

2013.11.18.01 Invocation. Caldwell County Christian Ministries.

Kyle Horton with Anchor of Hope Church opened the meeting with prayer.

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).
Judge Bonn led all present in the Pledge to both Flags.

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

Emergency Management Coordinator Jimmy Parker informed the court that it would be okay to let the emergency declaration expire at this time. There were three teams coming from FEMA this week to evaluate the area. Volunteer Coordinator Martin Ritchey read a list of the many entities that had come to the aid of the County during the emergency. A moment of silence was taken in honor of the two lives that had been lost in the flood.

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).

James Abshier, chairman for EPICC spoke in favor of an ordinance for landfills in Caldwell County. He asked the Commissioners to be expedient in preparing and approving one.

Sue Hemphill presented an e-mail from Dr. Linda Brown. She had taken the presentation from Green Group proposing the Landfill and broken it down by paragraph and had recommendations for the Commissioner concerning. She again asked the Commissioners to be expedient for an ordinance to protect our County.

Kathleen Clough spoke against the landfill speaking of the environmental damages that it would bring to our County. She was in favor of an ordinance preventing any other proposed landfills.

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Robin Schneider Executive Director Texas Campaign for the Environment spoke to the Court explaining that there is abundance of landfill space in Central Texas. She presented the Court with a handout titled "Municipal Solid Waste in Texas". She explained a graph in the handout and relate percentages with recycling and encouraged the ordinance and to promote recycling in our community.

Deborah Bissonnet spoke in favor of an ordinance. She encouraged growth in our community but would like to see positive growth not a landfill.

Frank Sugrue said that the landfill is not the type of growth that our county needs and encourages the Commissioners to prepare and pass an ordinance soon.

Jimmy Bertram questions why there has not been a public hearing for an ordinance and asks what the holdup is? He strongly encourages for this process to begin and said that he is strongly in favor. He says that this will put the citizens of our County back in the driver's seat.

2013.11.18.05 Commissioners Court Minutes. Approval of November 12, 2013 Minutes. Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve the minutes dated November 12, 2013. All Voting "Aye"

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. Chief Deputy David Brent advised the Court that the arrangements for training that Capt. Lane had discussed were still in effect. They are discussing and arranging training with 2 different entities to keep cost at a minimum for the tax-payers.

2013.11.18.10 Discussion/Action to canvass the November 5, 2013 Constitutional Amendment Election.
Joy Pardo from the Election Administration Office read the results from the Constitutional Amendment Election. Motion by Commissioner Muñoz, second by Commissioner Roland to approve canvass of the November 5, 2013 Constitutional Amendment Election. All Voting "Aye"

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- 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. Emergency Management Coordinator Jimmy Parker spoke to the Court updating the status of the County after the flooding. Motions made by Judge Bonn, second by Commissioner Muñoz to let the Declaration of Local Disaster expire. All Voting "Aye"
- 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. Commissioner Buchholtz made comment on the physical condition of the lift since the renovation. Judge Bonn would like to check into using the lift to check the windows on the Courthouse before sale. They were painted shut when the renovation was done. Commissioner Buchholtz will look into it. Unit Road Supervisor, Dwight Jeffrey explained that a "Grade-All" would be a substantial purchase and would not be used constantly as well. Motion made by Commissioner Madrigal, second by Commissioner Buchholtz to begin process to sell the self-propelled Genie lift located at the courthouse. All Voted "Aye"

Executive Session begins: 9:36 a.m.

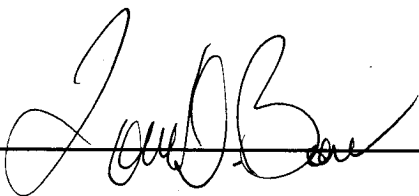
- 2013.11.18.13 EXECUTIVE SESSION** pursuant to section 551.071 of the Texas Government Code for consultations with attorney regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. No action will be taken in executive session.

Meeting Reconvenes: 10:06 a.m.

- 2013.11.18.14 Discussion/Action** regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. Motion made by Commissioner Roland, second by Commissioner Buchholtz to have a public hearing regarding proposed landfill in Caldwell County and regarding landfill siting ordinance. All Voting "Aye"
- 2013.11.18.15 Discussion** on comp hours, rolled vacation, and holiday earned hours currently due to Caldwell County employees. Human Resource Director Deborah Kortan explained the process that has been followed by past administrations. It had been to pay out the employee for the comp time not used, at the time of termination. But there had been times when it had been paid out while still employed. This had been discussed at different times the last few years but there was no policy in effect. Civil Attorney Mack Harrison had researched the topic and had a new policy to be placed in the Caldwell County Employee Handbook if approved by the Commissioners Court today.

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- 2013.11.18.16 Discussion/Action** to amend Caldwell County Personnel Policies Section 6.07 Compensatory Time.
County Attorney Mack Harrison presented an amendment to the Court. Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve Caldwell County Personnel Policies Section 6.07 Compensatory Time is amended to add the following:
Any compensatory time accrued by a county employee on or after November 18, 2013, is subject to the following restrictions:
1. A non-law enforcement employee is limited to a maximum of 80 hours of accumulated compensatory time. A law enforcement employee is limited to a maximum of 120 hours of accumulated compensatory time.
 2. Any 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.
 3. An employee must use any accrued compensatory time before the employee can use any accrued vacation leave.
 4. Payment for unused compensatory time upon termination of employment shall be calculated at the average rate of pay for the final three years of employment, or the final regular rate received by the employee, whichever is the higher.
- All Voting "Aye"
- 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.
No Action Taken
- 2013.11.18.18 Discussion/Action** to approve a workstation for courthouse security.
Motion made by Commissioner Roland, second by Commissioner Muñoz to approve a workstation for courthouse security to be in the center of the first floor of the courthouse facing the Northbound entrance. All Voting "Aye"
- 2013.11.18.19 Adjournment**
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge