

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Regular Meeting March 12, 2018 9:00 a.m.



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KEN SCHAWA	County Judge	TERRY WRIGHT	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

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**Call Meeting to Order.**

Judge Schawe is not present. Commissioner Joe Roland is acting in his position as Judge Pro Tem and calls the meeting to order at 9:03 a.m.

**Invocation.** Lockhart Ministerial Alliance

Pastor James Greene of First Presbyterian Church Lockhart opens the meeting in prayer.

**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 Pro Tem Roland leads all present in the pledge to both flags.

**Announcements.** Items or comments from Court members or staff.

**Commissioner Wright** says on March 3<sup>rd</sup> both the Junior Livestock Show and the Hispanic Chamber of Commerce Banquet went well, on Thursday the Lockhart Chamber of Commerce has their monthly luncheon and Saturday at City Park Central Texas Tolbert Chili Group is hosting a cook-off.

**Commissioner Moses** thanks the Caldwell County Stock Show attendees and Pastor James Greene who is retiring. He says he attended Caldwell County night at the Houston Stock Show and that he will attend a CAMPO meeting today.

**Commissioner Theriot** congratulates the Caldwell County Stock Show participants, wishes Judge Schawe a speedy recovery on behalf of the court and says FEMA will be around this week regarding County reimbursements.

**Judge Pro Tem Roland** says he spoke to Judge Schawe and attended a meeting, the Livestock Show, and a Gala in Luling Saturday.

**Martin Ritchey** reviews some training that has taken place during recent weeks. He says he presented at an EMAT meeting and will attend a Hurricane Harvey recovery conference. At the Scott Annex on the 14<sup>th</sup> there is a weather spotting class as well as an open house at McMahan VFW this weekend.

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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 comments will continue as the last agenda item of the day).

**Frank Sughrue** says the Courthouse Square is 3.5 acres and would not be safe to shoot on. He would like the court to keep the ten acres in place.

**CONSENT AGENDA.** (The following consent items may be acted upon in one motion).

1. **Approve payment of County invoices in the amount of \$ 445,555.49.**
2. **Ratify re-occurring County payments in the amount of:**
  - A. **\$ 297,908.33 (Payroll)**
  - B. **\$ 35,075.20 (Utilities)**
3. **Accept and approve the renewal of Surety Bond for Deputy Clerk, Justice of the Peace, Precinct 4, Leticia Nino, Bond # 62344376.**
4. **Accept and approve payment of the renewal of Deputy Position Bond (50) for the Sheriff's Department, Bond # 70268962.**
5. **Accept and approve County Treasurers' Association of Texas Certificates of Compliance for the 2017 requirements pursuant to Section 83.003 of the Texas Local Government Code Continuing Education and pursuant to Chapter 2256 of the Texas Government Code, the Public Funds Investment Act, Section 2256.008, Investment Training; Local Governments, for County Treasurer, Lori Rangel.**
6. **Approve a donation to Capital Area Metropolitan Planning Organization (CAMPO) in the amount of \$1,130.00.**

Motion made by Commissioner Moses, second by Commissioner Theriot to accept Consent Agenda items 1-6. First Assistant Criminal District Attorney Amanda Montgomery reminds the court that a correction is needed in Consent Agenda item 2.A.

Judge Pro Tem reads the correction \$ 297,908.51 into the record. Motion by Commissioner Theriot, second by Commissioner Moses to approve the Consent Agenda as corrected. All present voting "Aye".

**SPECIAL PRESENTATION**

**Scott Walker - Caldwell County Caldwell Supervision Corrections Department Bond Supervision Report**

Pretrial Officer Scott Walker explains how the Bond Supervision Program works and reviews the statistical and monetary benefits of the program.

**ACTION AGENDA ITEMS**

7. **Discussion/Action** regarding the burn ban. **Cost: None; Speaker: Judge Schawe/Martin Ritchey; Backup: None.**

Martin Ritchey does not recommend the burn ban at this time. Motion made by Judge Pro Tem Roland, second by Commissioner Wright to leave the burn ban off. All present voting "Aye".

8. **Discussion/Action** to adopt an order restricting the use of fireworks for the San Jacinto Day Fireworks Period, April 16 - Midnight to April 21, 2018. **Cost: None; Speaker: Judge Schawe; Backup: 2.**

Martin Ritchey explains Texas has added to the list of holidays that fireworks can be sold for, San Jacinto Day is one, and recommends prohibiting sticks and fins within a 1 mile radius of Old Settlers Music Festival.

The court discusses other potential options for limits to fireworks sales and tabling the item to consider weather closer to the event. Motion made by Commissioner Theriot, second by Commissioner Moses to table this item until the next Commissioners Court Meeting on the 26<sup>th</sup>. All present voting "Aye".

9. **Discussion/Action** to adopt an Order Prohibiting the Discharge of Firearms on lots 2.1 acres or smaller located in the unincorporated area of the County, in a subdivision. **Cost: None; Speaker: Commissioner Theriot; Backup: 2.**

Commissioner Theriot gives the background of the agenda item and his recommendation. Motion made by Commissioner Theriot, second by Commissioner Moses to approve an Order Prohibiting the Discharge of Firearms on lots 2.1 acres or smaller located in the unincorporated area of the County, in a subdivision.

Court members have further discussion on the topic. Chief Mike Lane and Captain Kuykendoll answer questions from the court. Commissioner Wright, Commissioner Moses, and Commissioner Theriot vote in favor of the motion. Judge Pro Tem Roland votes against. Motion passes.

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10. **Discussion/Action** to discuss the Commissioners' priorities for the 2018-2019 Budget and to schedule a Workshop. **Cost: None; Speaker: Commissioner Theriot; Backup: None.**

Commissioner Theriot explains his asking for the Workshop and answers questions. Recommendation made by Commissioner Theriot, second by Commissioner Moses. Commissioner Moses says he would like the Workshop after Commissioners Court on March 26<sup>th</sup>. All present voting "Aye".

11. **Discussion/Action** to nominate a candidate to fill a vacancy on the Caldwell County Appraisal District Board of Directors and approve Resolution 06-2018 affirming the nomination. **Cost: None; Speaker: Judge Schawe; Backup: 6.**

Commissioner Moses would like to table the item and see who the Luling Schoolboard nominates. Motion made by Commissioner Moses, second by Commissioner Theriot to table this until our next meeting. All present voting "Aye".

12. **Discussion/Action** to approve Budget Transfer # 6 needed in reference to accounting for election workers in salary line items per IRS law. **Cost: TBD; Speaker: Judge Schawe; Backup: 1.**

County Auditor Barbara Gonzales explains the agenda item and the need for a transfer. So moved by Commissioner Moses, second by Commissioner Theriot. All present voting "Aye".

13. **Discussion/Action** to approve Budget Transfer # 7 needed in reference to unforeseen costs for older, critical machinery: broken down dump truck, maintainer, rear - end on a backhoe. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

County Auditor Barbara Gonzales and Unit Road Administrator Donald LeClerc explain the transfer. Motion made by Commissioner Wright, second by Commissioner Moses. All present voting "Aye".

14. **Discussion/Action** to approve Budget Transfer # 8 for FEMA Reimbursement. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Barbara Gonzales reviews the agenda item and she and Martin Ritchey answer questions from the court. Motion made by Commissioner Wright, second by Commissioner Moses. All present voting "Aye".

15. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Lots 3-A and 3-B of Austin Skyline Subdivision, Section Five located off Calder Road (CR 192) and Cross Roads Drive (CR 258). **Cost: None; Speaker: Commissioner Theriot/Kasi Miles; Backup: 11.**

Kasi Miles reviews the Final Plat information and asks for approval from the court. So moved by Commissioner Theriot, second by Commissioner Moses. All present voting "Aye".

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16. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Lots 4-A and 4-B of Austin Skyline Subdivision, Section Five located off Calder Road (CR 192). **Cost: None; Speaker: Commissioner Theriot/Kasi Miles; Backup: 9.**

Kasi Miles reviews the Final Plat information and asks for the court's approval. So moved by Commissioner Theriot, second by Commissioner Moses. All present voting "Aye".

17. **Discussion/Action** to consider a variance request from Section 3.7 Short Form Plats (C) of the Caldwell County Subdivision Ordinance for Countin Flowers Acres located on Red Wheel Ranch Road (PR 1028) # 2. **Cost: None; Speaker: Commissioner Moses/Linda Hinkle/Kasi Miles; Backup: 6.**

Kasi Miles and Linda Hinkle give details regarding variance request. Motion made Commissioner Moses, second by Commissioner Theriot. All present voting "Aye".

18. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Countin Flowers Acres located off Red Wheel Ranch Road (PR 1028). **Cost: None; Speaker: Commissioner Moses / Kasi Miles; Backup: 11.**

Motion made by Commissioner Moses. Kasi Miles confirms everything is in order. Second by Commissioner Theriot. All present voting "Aye".

19. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Paz Acres located on Homannville Trail (CR 179). **Cost: None; Speaker: Commissioner Roland/Kasi Miles; Backup: 21.**

Kasi Miles gives details and is looking for a recommendation. Motion made by Judge Pro Tem Roland, second by Commissioner Moses to approve item 19. All present voting "Aye".

20. **Adjournment.**

Judge Pro Tem Roland introduces his family and says he will entertain a motion to adjourn.

So moved by Commissioner Theriot, second by Commissioner Moses to adjourn. All present voting "Aye".

Meeting adjourns at 10:28 a.m.

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I, CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Caldwell County Commissioners' Court on March 12, 2018.

*Carol Holcomb*

CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
CALDWELL COUNTY, TEXAS



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