

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting August 10, 2015 9:00 a.m.



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|---------------|--------------|-----------------|---------------------|
| KEN SCHAWÉ | County Judge | ALFREDO MUÑOZ | Commissioner Pct. 1 |
| CAROL HOLCOMB | County Clerk | EDDIE MOSES | Commissioner Pct. 2 |
| | | NETO MADRIGAL | Commissioner Pct. 3 |
| | | JOE IVAN ROLAND | Commissioner Pct. 4 |

Call Meeting to Order. Meeting called to order by Judge Schawe at 9:00 a.m. All members of the Court were present.

2015.08.10.01 Invocation. Lockhart Ministerial Alliance.

Judge Schawe opened the meeting with prayer.

2015.08.10.02 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 Schawe led all present in the pledge to both flags.

2015.08.10.03 Announcements. Items or comments from Court Members or Staff.

Commissioner Muñoz congratulated Seton Care-A-Van on their successful event. He also reminded others about the Economic Summit event they are hosting with the Greater San Marcos Partnership on Friday, August 14th. Commissioner Moses also attended the Gala and stated it was a nice event. He also announced that the Greater San Marcos Partnership will be coming to Luling for a meeting this week to look at what the City of Luling has to offer. Commissioner Madrigal agreed that Seton did a great job with this year's Gala and thanked those who made the event successful. Commissioner Roland apologized for not being able to attend the Gala this year. Judge Schawe attended his first Habitat for Humanity event as well as the Seton Gala. He thanked Bluebonnet Electric for having him at their table. He also thanked the employees of Caldwell County for working on conserving energy.

2015.08.10.04 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).

Oscar Fogle announced his appreciation for Civil Attorney, Jordan Powell for her services to the County. He expressed gratitude for her knowledge of the law and her articulate way of using and explaining it as well.

Nick Dornak announced the Plum Creek Watershed Partnership semi-annual meeting will be held this Thursday evening, August 13th in Umland. He also wanted to let the County know about an upcoming project kick-off meeting for the improvements at the Justice Center. He then thanked all the Commissioners as well as the volunteers of the Caldwell County Feral Hog Task Force.

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Sandra Mauldin wanted to add to Commissioner Muñoz's Announcement stating she has also been a member of the Greater San Marcos Partnership and encourages others to attend the meeting this Friday. She stated the meeting will go over opportunities and challenges of Economic Development.

2015.08.10.05

Consent Agenda. (The following consent items may be acted upon in one motion. Any member of the Court may request that an item within the Consent Agenda be pulled for separate discussion and/or action).

A. To pay county invoices in the amount of \$455,820.14.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda item A. All Voting "Aye"

2015.08.10.06

Special Presentation.

Keep Lockhart Beautiful—Sandra Mauldin (Keep Lockhart Beautiful Committee)

Sandra Mauldin explained the Governor's Community Achievement Award won during the Keep Texas Beautiful conference this past June. She stated this is the third year achieving high ratings. Also received was a \$160,000 grant for landscaping. She then introduced Mike McGregor who announced the committee's members as well as its partners. Nick Dornak then presented a slide show presentation of the Keep Lockhart Beautiful Committee's achievements. Member of Keep Texas Beautiful, Dennis Hobbs also spoke stating this award is a big accomplishment for the City of Lockhart.

(ALL OTHER AGENDA ITEMS)

2015.08.10.07

Discussion/Action regarding Contract for Emergency Medical Services (Interlocal Agreement) with the City of Lockhart entered on July 15, 2008 to provide Emergency Medical Services in Northern Caldwell County. Speakers:

City Manager, Vance Rodgers explained the changes with the agreement between Seton and EMS Services. With the new agreement, the funding process will change. He mentioned the savings to the County were close to \$500,000. He also explained other advantages to continue an agreement with Seton. Commissioner Moses asked if this new agreement was signed by the City. Vance Rodgers explained that this agreement will go before the City later this week and would like approval from the County before that meeting. Civil Attorney, Jordan Powell looked over the agreement and stated she did not see any red flags.

Motion made by Commissioner Muñoz, second by Commissioner Roland to approve Contract for Emergency Medical Services (Interlocal Agreement) with the City of Lockhart entered on July 15, 2008 to provide Emergency Medical Services in Northern Caldwell County. All Voting "Aye"

2015.08.10.08

Discussion/Action to set a public hearing for August 17, 2015 at 9:30am for consideration of approval of a Final plat for Lone Star Subdivision located off FM 20 & Callihan Road.

Kasi Miles asked to set a Public Hearing for next Monday at 9:30 a.m. in regards to the Lone Star Subdivision.

Motion made by Commissioner Madrigal, second by Commissioner Muñoz to set a public hearing for August 17, 2015 at 9:30am for consideration of approval of a Final plat for Lone Star Subdivision located off FM 20 & Callihan Road. All Voting "Aye"

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2015.08.10.09

Discussion/Action to reinstate Aulick and Associates, LLC's contract for transportation planning and management services for purposes of the SH 130 concession projects.

Commissioner Muñoz commends Aulick and Associates, LLC for their work for the County and expresses the importance of them for future projects.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to reinstate Aulick and Associates, LLC's contract for transportation planning and management services for purposes of the SH 130 concession projects.

Judge Schawe mentioned a possible need for a County Engineer. He also expressed his concerns about payment of services. Commissioner Madrigal agrees with Commissioner Muñoz that Aulick and Associates, LLC serves as a third set of eyes. Commissioner Roland suggested tabling the item until next week after discussion of the budget.

Motion withdrawn by Commissioner Muñoz.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to table the item of reinstating Aulick and Associates, LLC's contract for transportation planning and management services for purposes of the SH 130 concession projects until next meeting. All Voting "Aye"

2015.08.10.10

Discussion/Action to consider consolidation of County election precincts for the November 3, 2015 State constitutional amendment election.

Pam Ohlendorf from the Elections Office addressed the Court to discuss the number of polls to be used in the County during next election. She is requesting the County use 13 polls for the upcoming election not including the two early voting polls.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve consolidating the County election precincts for the November 3, 2015 State constitutional amendment election to 13 poll locations. All Voting "Aye"

2015.08.10.11

Discussion/Action regarding the burn ban for Caldwell County.

Martin Richey explains the expected weather conditions to continue being dry and suggests keeping the burn ban on.

Motion made by Commissioner Roland, second by Commissioner Madrigal to keep the burn ban on. All voting "Aye"

2015.08.10.12

Discussion/Action to approve the 2016 Sheriff and Constable fees report as required by Texas Local Government Code Section 118.131.

Judge Schawe announces that Sheriff Danny Law is out on vacation and recommends tabling the item.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to table this item of discussion/action to approve the 2016 Sheriff and Constable fees report as required by Texas Local Government Code Section 118.131. All voting "Aye"

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2015.08.10.13 **Discussion/Action** concerning adoption of order setting the salaries, expenses, or allowances for elected county and precinct officials pursuant to Section 152.013(a) of the Texas Local Government Code.

Commissioner Muñoz expressed his concerns about raises and believes that any proposed raises should be equal across the board, thus the Sheriff should not get a raise due to the tight budget. He stated that if there weren't enough funds to give to other employees, then why provide raises for any elected officials. He believes it is bad precedent to pick one person to award a raise. Commissioner Moses and Commissioner Madrigal also agreed that no raises should be given at this time due to the amount of cutbacks the County needs to do. Commissioner Madrigal stated that the biggest concern lately has been the employees who make less than \$20,000 and that those employees should be the focus.

Motion made by Commissioner Muñoz, second by Commissioner Moses to adopt the order setting the salaries as they were in 2015 with no increases. Commissioner Muñoz, Commissioner Moses, Commissioner Madrigal voting "Aye". Commissioner Roland voting "No".

2015.08.10.14 **Discussion/Action** to approve insurance renewal premiums for Caldwell County employees as provided by the Texas Association of Counties.

Human Resource Director, Deborah Kortan addressed the Court asking for approval to renew TAC insurance premiums. She stated a new percentage rate of 8.85%. Judge Schawe said he wants to look into different options of health insurance for next year.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve insurance renewal premiums for Caldwell County employees as provided by the Texas Association of Counties. All voting "Aye"

2015.08.10.15 **Discussion** on the 2015 effective and rollback tax rate for fiscal year 2015-2016.

Judge Schawe announced tax rate for fiscal year 2015-2016.

2015 Effective Tax Rate 0.7175/\$100. No discussion was requested. No action taken.

2015.08.10.16 **Discussion/Action** to consider imposing optional fees relating to registration of vehicles in Caldwell County for the calendar year 2016.

Judge Schawe explained two of the optional fees relating to registration of vehicles. Already in affect is the Road and Bridge Fee in the amount of \$10.00. Discussed was the option to add an additional fee of \$1.50 for a child seat. This would bring in an estimated \$50,000 that could be used for things like drug abuse programs, child safety, and health nutrition. Chief Deputy Brent also confirmed what purposes the additional funds could be used for. Commissioner Muñoz suggested not adding the additional fee to Caldwell County residents.

Motion made by Commissioner Muñoz, second by Commissioner Moses to not impose \$1.50 fee relating to registration of vehicles in Caldwell County for the calendar year 2016. All voting "Aye"

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2015.08.10.17

Discussion/Action to receive the District Court Judge's order setting the County Auditor's salary, travel expenses, and other allowances, and the number of Auditor Assistants and their salaries and benefits.

Civil Attorney, Jordan Powell explained to the Court the new legislation in regards to the Auditor's salary. She explained that the suggested salary given by the District Judge must be approved in Commissioners Court to be effective in light of the County now fitting into an exception in the Local Government Code. She also stated the importance of the Court clarifying they are only receiving the order at this time and will discuss the order at a later time.

Motion made by Commissioner Muñoz, second by Commissioner Moses to receive the District Court Judge's order setting the County Auditor's salary, travel expenses, and other allowances, and the number of Auditor Assistants and their salaries and benefits. All voting "Aye"

2015.08.10.18

Discussion/Action to appoint a representative to the Bluebonnet Trails Community Services Board of Trustees, to serve a two year term beginning September 1, 2015.

Executive Director of Bluebonnet Trails, Andrea Richardson explained to the Court the importance of its services to Caldwell County. She asked the Court for their consideration in reinstating Tom Bonn as Board Representative for Bluebonnet Trails.

Motion made by Commissioner Roland, second by Commissioner Madrigal to appoint Tom Bonn as representative to the Bluebonnet Trails, Community Services Board of Trustees, to serve a two year term beginning September 1, 2015. All voting "Aye"

2015.08.10.19

Discussion/Action regarding 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW and related matters. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].**

Executive Session beginning at 10:26 a.m.

Persons present in the executive session were: Commissioner Muñoz, Commissioner Moses, Commissioner Madrigal, Commissioner Roland, Judge Schawe, Civil Attorney, Jordan Powell and Eric Magee with Allison, Bass, and Magee.

Executive Session ended at 11:18 a.m.

Judge Schawe announces back in session at 11:27 a.m.

No action was taken in closed court. No action was taken in open court.

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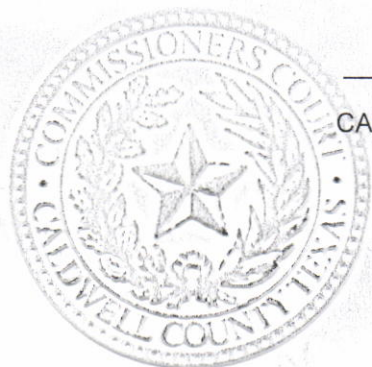
BUDGET WORKSHOP: Regarding the 2015-2016 proposed annual budget.

Judge Schawe explained to the Court that the Oil Field industry has taken a toll on this year's revenues. He also stated he is proposing a 1.92% increase to the tax rate. Information given by the tax office shows an increase in Ag exempt properties by 8%. Judge Schawe explained to the Court that he is working with other departments to save on costs. Commissioner Muñoz addressed the Court giving his requests and suggestions including moving funds into Economic Development. He requested placing a cap on the Auditors salary at \$57,000. He also mentioned the desire to continue working with the Greater San Marcos Partnership as well as teaming up with the Lone Star Well District. Judge Schawe announced he is still working on getting more funds to add to the budget and requested the Commissioners tell him where they would like funds added without cutting costs in other departments. Commissioner Madrigal stated his top priority was giving raises however that would not be possible this year but would look into it for next year's budget. He then asked for an explanation of the raises that were proposed, shown in this year's budget. Judge Schawe explained in regards to the Emergency Management position, there is a new law that will affect those who are exempt employees. Civil Attorney, Jordan Powell explained this new law. A list was given to the Commissioners listing exempt employees and Judge Schawe added the importance of raising the salary in order to avoid paying overtime and acknowledged he would separate the Code Enforcer position from Emergency Management. Judge Schawe then said he is waiting for confirmation on a list of revenues from the Sheriff to accurately add that to this year's budget. Commissioner Moses expressed his thoughts about saving money on equipment and machinery for Unit Road. He also mentioned the need for a stipend for the Sheriff's Office and jailers to be used for uniforms. Judge Schawe responded to Commissioner Moses stating he does not agree with leasing Unit Road Equipment but instead would like to see the equipment be purchased. Commissioner Roland expressed his concern for subdivision fees and sanitation permits. He believes the budget for those items are too low. Judge Schawe agreed with Commissioner Roland and went over the changes he plans to make to the budget for the next meeting.

2015.08.10.20

Adjournment. Motion made by Commissioner Muñoz, second by Commissioner Moses to adjourn. All voting "Aye" Meeting adjourned at 12:23 p.m.

I, CAROL HOLCOMB, COUNTY CLERK AND EXOFFICIO 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 August 10, 2015.



Carol Holcomb

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