

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Regular Meeting April 14, 2014 8:00 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

8:00 A.M.

WORKSHOP (No Action): Report from program manager on remodeling of the new Caldwell County Judicial and Service Center. No action will be taken at this time. Project Manager, Les Reddin provided updates for the new Judicial Center. He informs everyone that the project is on schedule and at present, the date of completion is November 23, 2014. The vendor for the furniture has been selected and the filing systems will be ordered soon. Other items of concerns have been addressed as agenda items. He shared that so far the City of Lockhart inspections have all passed on the first time and recognizes the local companies and sub-contractors from Caldwell County that have been hired for the work. There was an example of the benches for the Courtrooms shown and tested by Commissioner Madrigal, who said it was comfortable. They are being made of white oak and provided by American Pew, here in Caldwell County.

9:00 A.M.

REGULAR MEETING

Call Meeting to order.

2014.04.14.01

Invocation. Lockhart Ministry Alliance.
John Griffin, The Bread of Life Church opened the meeting with prayer.

2014.04.14.02

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 those present in the Pledge to both Flags.

2014.04.14.03

Announcements: Items or comments from Court Members or Staff.
Commissioner Muñoz congratulated Mid-County VFD, and Dale VFD for their fund raisers on April 5th and April 12th. He attended both. He said that there are some chairs at the old Judicial Center that need minor repairs. They are looking for someone from the community that may be able to help, to contact him. Commissioner Madrigal addressed the legality of turning right at Hwy 21 and FM1854. He has checked with TXDOT and it is legal to turn on the shoulder. It is dangerous to try and turn from the right lane if there is a large truck behind them. There have been people ticketed for this. Commissioner Buchholtz lets everyone know that the construction on Hwy 183 S between Lockhart and Luling is complete and invites everyone to visit Luling. Judge Bonn explains to anyone who was not present during the Workshop that the bench in the front of the room is an example of the pews for the new Judicial Center. It is manufactured by American Pew. This is part of the County's effort to give the local vendors a chance to participate in local business.

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2014.04.14.04 **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).

Susan Stewart spoke to the court with concerns about raising the speed limit on Hwy 183 between Lockhart and Luling. She called it "a fatality waiting to happen" and urged the court to not consider raising it. She also discussed the Engineer duties and the fact that Caldwell County has a "Unit Road Administrator, not a "Unit Road Engineer.

2014.04.14.05 **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 \$994,720.14 for April 14th, 2014.
- B. To approve Commissioners Court Minutes for March 24th, 2014.
- C. To approve Resolution No. 07-2014 Non-Residential Services Grant for the Fiscal Year 2014 for Caldwell County Juvenile Probation Department in the amount of \$38,400.
- D. To approve Caldwell County Budget Amendment #2013-07 in the amount of \$118,135 for the repair of the Oak Grove Road bridge. The project was approved in August 27, 2012 Commissioners Court meeting to be paid from reserves. The county is in receipt of a request for payment from TxDOT for the repair work.
- E. To approve Application and Certificate for Payment #3 for Braun and Butler Construction in the amount of \$625,205.45 for the Caldwell County Judicial Center.
Commissioner Buchholtz would like to remove item "B" from the Consent Agenda. Judge Bonn would like Item "A" removed. They will be discussed after the Reports (#7). Motion made by Commissioner Muñoz, second by Commissioner Roland to approve Consent Agenda. All Voting "Aye"

2014.04.14.06 **Reports.**

CAMPO Report – John Cyrier/Michael Aulick

Michael Aulick presented an update of the CAMPO meetings and talked about the Caldwell County Transportation Plans that are in the works for funds from CAMPO.

Juvenile Crime Referral Statistic Report – Jay Monkerud

Jay Monkerud updated the court on the progress for Juvenile Probation and explained that Caldwell County is in a very good position to receive the Grant that has been submitted.

Elections Department Report – Pamela Ohlendorf

Elections Administrator Pamela Ohlendorf, gave the Elections Department Report and asked for the use of Commissioners Court Area at the Scott Annex for early voting during the week of May 19, 2014. There will also be voting on May 27, 2014 at the designated polling locations.

Septic and Subdivision Report – Kasi Miles

Kasi Miles presented the Septic and Sanitation report for the month of March 2014. As of March 31, 2014 the budget has been exceeded by \$7,234.00.

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Treasurer's Report – Lori Rangel

Lori Rangel presented the Bank Reconciliation Report for the month ending 02/28/2014.

Accident Report – Constable Callihan – Precinct #2

Constable Richard Callihan, Pct. 2 reported that he had submitted the report to the Auditor's Office and he showed pictures to the Court of the damage to his vehicle that was due to weather conditions.

2014.04.14.07 Special Presentations. None.

Consent Agenda Items

B) To approve Commissioners Court Minutes for March 24th, 2014.

Commissioner Buchholtz would like to have the % entered into the minutes on # 2014.03.24.14., Commissioner Muñoz explains that although that would answer questions in the future, the minutes cannot be changed. Commissioner Buchholtz would like to have 2014.03.24.12 to be corrected to, "All Commissioners will visit with the Justice of the Peace in their Precinct and discuss the policy".

A) Judge Bonn discusses the payment of a bill for Air Conditioning costs. County Auditor Larry Roberson and Curtis Weber explain the reason and the need for the coolant that the County is being billed for.

Motion made by Commissioner Madrigal, second by Commissioner Muñoz to approve these items with changes discussed. All Voting "Aye"

(ALL OTHER AGENDA ITEMS)

- 2014.04.14.08 Discussion/Action** regarding Burn Ban for Caldwell County. Emergency Management Coordinator Martin Ritchey explains the restrictions that are set by TCEQ when the wind is high. Motion made by Commissioner Roland, second by Commissioner Madrigal to leave the Burn Ban off. All Voting "Aye"
- 2014.04.14.09 Discussion/Action** to approve file management vendor to provide equipment, installation and moving of records for new Caldwell County Judicial Center not to exceed \$177,131.44 (already budgeted). This will not affect the Guaranteed Maximum Price of the Judicial Center. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve file management vendor to provide equipment, installation and moving of records for new Caldwell County Judicial Center not to exceed \$177,131.44 (already budgeted). All Voting "Aye"
- 2014.04.14.10 Discussion/Action** to approve design and artwork for grand hallway floor of new Caldwell County Judicial Center not to exceed \$18,500 (originally budgeted at \$34,150). This will not affect the Guaranteed Maximum Price of the Judicial Center. Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to table this item until April 21, 2014. All Voting "Aye"
- 2014.04.14.11 Discussion/Action** to approve adding lighting circuits for grand hallway of new Caldwell County Judicial Center for future lighting needs not to exceed \$2,451.00 (from Owner's Contingency Fund). This will not affect the Guaranteed Maximum Price of the Judicial Center. **Cost:** \$2,451 Motion made by Commissioner Munoz, second by Commissioner Madrigal to approve adding lighting circuits for grand hallway of new Caldwell County Judicial Center for future lighting needs not to exceed \$2,451.00 (from Owner's Contingency Fund). All Voting "Aye" Judge Bonn adds the possibility for art to be rotated from the Oil Museum in Luling and other communities in the County.

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- 2014.04.14.12** **Discussion/Action** to approve roof replacement for new Caldwell County Judicial Center detention area not to exceed \$28,037 and roof repairs for Caldwell County Judicial Center not to exceed \$12,200 (total \$40,237 from Owner's Contingency Fund). This will not affect the Guaranteed Maximum Price of the Judicial Center.
Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve roof replacement for new Caldwell County Judicial Center detention area not to exceed \$28,037 and roof repairs for Caldwell County Judicial Center not to exceed \$12,200 not to exceed a total \$40,237 from Owner's Contingency Fund. All Voting "Aye"
- 2014.04.14.13** **Discussion/Action** to approve Family Land Grant exception to platting for Jose England & Elisandro Leos concerning property Williamson Road (Thomas J. Hatton Survey A-121).
Motion made by Commissioner Roland, second by Commissioner Buchholtz to approve Family Land Grant exception to platting for Jose England & Elisandro Leos concerning property Williamson Road (Thomas J. Hatton Survey A-121) . All Voting "Aye"
- 2014.04.14.14** **Discussion/Action** to accept Preliminary Plat of Sunrise Meadows, Phase 2 subdivision off Barth Road, described as a 113.98 Acre tract out of the Edward C. Pettus Survey A-231.
Kasi Miles explains to the Court that she has spoken to Bill Gardner and he approves the Preliminary Plat. Commissioner Roland explains that although he is concerned with the citizens in that area concerning the traffic, the developers have followed all of the rules and regulations per the County and he has no choice. Motion made by Commissioner Roland, second by Commissioner Buchholtz to accept Preliminary Plat of Sunrise Meadows, Phase 2 subdivision off Barth Road, described as a 113.98 Acre tract out of the Edward C. Pettus Survey A-231. All Voting "Aye"
- 2014.04.14.15** **Discussion/Action** to set public hearing for renaming of two roads in Sunrise Meadows Subdivision, Phase 1 for 9:45 a.m. on Monday, May 12, 2014, in the Caldwell County Commissioners Courtroom, 1403 Blackjack Street, Lockhart, Texas.
Motion made by Commissioner Buchholtz, second by Commissioner Roland to set public hearing for renaming of two roads in Sunrise Meadows Subdivision, Phase 1 for 9:45 a.m. on Monday, May 12, 2014, in the Caldwell County Commissioners Courtroom, 1403 Blackjack Street, Lockhart, Texas. All Voting "Aye" Kasi adds that this will be posted in the newspaper as well. Mr. McDonald added that he will be meeting with Dwight Jeffrey and they will be making a donation to the repair efforts of Barth Rd.
- 2014.04.14.16** **Discussion/Action** to approve Caldwell County Budget Amendment #2013-06 in the amount of \$35,000 for the hiring of the consulting firm of Aulick & Associates to assist in the implementation of the transportation plan. The firm will serve as an independent contractor.
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve Caldwell County Budget Amendment #2013-06 in the amount of \$35,000 for the hiring of the consulting firm of Aulick & Associates to assist in the implementation of the transportation plan. The firm will serve as an independent contractor. All Voting "Aye"
- 2014.04.14.17** **Discussion/Action** to approve Budget Amendment #2013-10 for moving new Justice Center project manager budget from Professional Services line item to Capital Projects line item for 2013-14 Fiscal Year.
County Auditor Larry Roberson explains that this is a housekeeping process to give these payments their own line item for accounting processes. The amounts are already being paid from the approved amounts. Commissioner Muñoz, second by Commissioner Madrigal to approve Budget Amendment #2013-10 for moving new Justice Center project manager budget from Professional Services line item to Capital Projects line item for 2013-14 Fiscal Year. All Voting "Aye"

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- 2014.04.14.18** **Discussion/Action** to approve tax abatement guidelines and criteria under Chapter 312 of the Texas Tax Code.
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve tax abatement guidelines and criteria under Chapter 312 of the Texas Tax Code. All Voting "Aye" Sandra Mauldin explains the guidelines. She explains the considerations that add up to the million dollar amount that is required. This is good for two years and then changes may be made.
- 2014.04.14.19** **Discussion/Action** to approve economic development incentive agreement with Fashion Glass and Mirror, L.L.C. under Chapter 381 of the Texas Local Government Code.
Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve economic development incentive agreement with Fashion Glass and Mirror, L.L.C. under Chapter 381 of the Texas Local Government Code. All Voting "Aye"
- 2014.04.14.20** **Discussion/Action** to approve revised transportation planning and management services contract with Aulick and Associates L.L.C.
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to approve revised transportation planning and management services contract with Aulick and Associates L.L.C. All Voting "Aye"
- 2014.04.14.21** **Discussion/Action** to open and award bids for the sale of the salvage air conditioner units removed during the renovation of the new Justice Center. The Commissioners Court may accept or reject any bids.
County Auditor Larry Roberson submitted the two envelopes to Judge Bonn. There were two (2) bids read. 1) Reyes Salvage- \$1,776.00, and James Holder Salvage- \$2500.00. Motion made by Commissioner Roland, second by Commissioner Buchholtz to accept the offer from James Holder Salvage in the amount of \$2,500.00. All Voting "Aye"
- 2014.04.14.22** **Discussion/Action** to proceed with the contract for the Texas Department of Transportation (TxDOT) for the County Transportation Infrastructure Fund Grant Program - Notice of Eligible Grant Award in the amount of \$1.1M. **Cost:** \$112,796.20
Motion made by Commissioner Buchholtz, second by Commissioner Roland to proceed with the contract for the Texas Department of Transportation (TxDOT) for the County Transportation Infrastructure Fund Grant Program. All Voting "Aye"
- 2014.04.14.23** **Discussion/Action** to request that TxDOT take necessary steps to order an increase in the speed limit on Highway 183 between Luling and Lockhart from 65 mph to 70 mph.
Commissioner Madrigal voices concerns for the safety of not only drivers on the road but the citizens entering and exiting the driveways along that stretch of the highway. The difference in traveling time that 5mph would make is not worth the safety of the citizens. Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to request that TxDOT take necessary steps to order an increase in the speed limit on Highway 183 between Luling and Lockhart from 65 mph to 70 mph. Commissioner Muñoz comments that he seconds to enable discussion. Roll Vote: Commissioner Muñoz-No, Commissioner Buchholtz- Yes, Commissioner Madrigal-No, Commissioner Roland-No, Judge Bonn-Yes. Motion Failed
- 2014.04.14.24** **Discussion/Action** to amend the Indigent Burial Policy for Caldwell County.
This item was changed to **Discussion Only** by the Court.
Commissioner Madrigal said that he had talked to Judge Keily and Judge DeLeon and they only used other options when necessary. There will be more discussion and the policy is being discussed for revisions. This will be discussed at a future meeting.

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- 2014.04.14.25** **Discussion/Action** to approve the job description for the position of County Engineer.
Motion made by Commissioner Madrigal, second by Judge Bonn to table this item indefinitely. All Voting "Aye" Kasi Miles asked if she is able to contact Loomis for engineering decisions for any plats submitted. She consults with the Auditor.
- 2014.04.14.26** **Adjournment**
Motion made by Commissioner Muñoz, second by Commissioner Roland to Adjourn. All Voting "Aye"

 TOM D. BONN, County Judge