

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting December 28, 2015 9:00 a.m.



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.

2015.12.28.01 **Invocation.** Lockhart Ministerial Alliance.

Commissioner Madrigal opened the meeting with prayer.

2015.12.28.02 **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 of both flags

2015.12.28.03 **Announcements.** Items or comments from Court Members or Staff.

Commissioner Muñoz said he hoped everyone had a Merry Christmas and Happy New Year and wished a belated Happy Birthday to Commissioner Roland. Commissioner Moses thanked the Luling Fire Department for their banquet. He attended and enjoyed the Baker's Theater presentation of Tuna Christmas. He wished everyone a Happy New Year and asked for prayers for those affected by the storms in North Texas. Commissioner Madrigal thanked the county employees and wished everyone a Happy New Year. Commissioner Roland wished everyone a Happy New Year and announced he celebrated his 70th birthday. Judge Schawe wished everyone a Happy New Year and thanked Commissioners for making his first year enjoyable.

2015.12.28.04 **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).

Randy Laney spoke of item 11 on today's agenda and mentioned other roads that need improvements. He stated Countyline Road has heavy traffic, pot holes and needs to be paved. He announced the opening of a new store in Lytton Springs and thanked Judge Schawe, Commissioner Roland and Ray Chandler for attending the grand opening.

2015.12.28.05 **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. Approve payment of County invoices in the amount of \$316,167.01.
- B. Approve November 2015 Tax Collection Report.

COMMISSIONERS COURT MINUTES
Regular Meeting on December 28, 2015

- C. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #14938679 for the Unit Road Supervisor, Dwight Jeffrey, in the amount of \$50.00.
- D. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #18263303 for the County Clerk, Carol Holcomb, in the amount of \$350.00.
- E. Approve payment to Rucker Ohlendorf Insurance for renewal of bond #15530866 for Court Clerk for Justice of the Peace #2, Shanna Conley, in the amount of \$50.00

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda items A-E. All voting "Aye".

(ALL OTHER AGENDA ITEMS)

2015.12.28.06 **Discussion/Action** to adopt the decrease in IRS 2016 standard mileage rates for business, medical and moving purposes. **Cost: TBD. None. Speaker: Debra French/Judge Schawe. Backup: 1**

Judge Schawe stated this item is to decrease the current mileage rate of 57.5 cents per mile to 54 cents per mile for travel reimbursement purposes.

Motion made by Commissioner Muñoz, second by Commissioner Moses to adopt the decrease in IRS 2016 standard mileage rates for business, medical and moving purposes. All voting "Aye".

2015.12.28.07 **Discussion/Action** regarding the burn ban for Caldwell County. **Cost: None. Speakers: Judge Schawe/Carine Chalfoun. Backup: None.**

Carine Chalfoun wished everyone a Happy New Year and stated the KBDI index is favorable and does not see need for a burn ban at this time. She asked others to use caution with fireworks this weekend. She announced that the Caldwell County Emergency Management Department established a working relationship with the Texas State Guard. The Texas State Guard hosts an annual toy drive in which Caldwell County Emergency Management will now be a part of. She said she collected toys from the toy drive and brought to the Caldwell County Sheriff's office for use.

Motion made by Commissioner Roland, second by Commissioner Madrigal to approve leave the burn ban off. All voting "Aye".

2015.12.28.08 **Discussion/Action** to approve the appointment of Judge Schawe to the CAPCOG Clean Air Coalition Advisory Committee. **Cost: None. Speakers: Judge Schawe. Backup: None.**

Judge Schawe explained the purpose of this committee is to learn about the ozone and clean air.

Motion made by Commissioner Madrigal, second by Commissioner Roland to approve the appointment of Judge Schawe to the CAPCOG Clean Air Coalition Advisory Committee. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting on December 28, 2015

2015.12.28.09

Discussion/Action to appoint an interim Constable for the vacancy in Precinct 3.
Cost: TBD. None. Speaker: Commissioner Madrigal. Backup: None.

Commissioner Madrigal stated he'd like to appoint Michael Bell as Constable of Precinct 3 due to the passing of Constable Zapata and to begin on January 4, 2016. Civil Attorney, Jordan Powell asked Michael Bell questions to determine if he met all qualifications in order to be appointed. She clarified that the court must approve of a bond for Michael Bell before he can begin his position as Constable.

Motion made by Commissioner Madrigal, second by Commissioner Roland to appoint Michael Bell as interim Constable for the vacancy in Precinct 3.

Civil Attorney, Jordan Powell stated the bond amount may be set at today's meeting but another meeting will need to be set to approve of the bond.

Amended motion made by Commissioner Madrigal, second by Commissioner Roland to appoint Michael Bell as interim Constable for the vacancy in Precinct 3 with a bond of \$500 to \$1500.

Civil Attorney, Jordan Powell said the bond would need to be set at one fixed amount.

Amended motion made by Commissioner Madrigal, second by Commissioner Roland to appoint Michael Bell as interim Constable for the vacancy in Precinct 3 with a bond amount of \$1500. All voting "Aye".

2015.12.28.10

Discussion/Action to authorize the County Judge to sign a Telephone Maintenance and Support Agreement with North American Communications Resource (NACR).
Cost: TBD. None. Speaker: Judge Schawe. Backup: 1

Judge Schawe explained when phone systems were setup for the county last year, it came with a one year maintenance agreement. The county was given two options of renewing the maintenance agreement. One option included the county's ability to receive 24/7 support on all hardware and software related issues for \$11,307.00 per year. The other option discussed was for the county to receive 24/7 support on all software issues and support for all hardware on business days only of Monday through Friday for \$4,926.96 per year. Judge Schawe mentioned the county also has the option of not participating in a maintenance agreement. Mark Hinnenkamp with the IT department discussed these two options and mentioned the importance of a maintenance agreement in relation to system errors at the Sheriff's Office. He stated the county would be charged \$375 per hour if services are needed when not covered by a maintenance agreement. Judge Schawe recommended tabling this item until next meeting.

Motion made by Commissioner Muñoz, second by Commissioner Moses to table this item until next meeting. All voting "Aye".

2015.12.28.11

Discussion/Action to select and approve projects including low water crossings in Caldwell County for allocated federal STP MM transportation funding and authorize the County Judge to submit the list of projects to the CAMPO Transportation Policy Board. **Cost: TBD. Speakers: Commissioner Munoz/Michael Aulick/Dwight Jeffrey. Backup: 1.**

COMMISSIONERS COURT MINUTES
Regular Meeting on December 28, 2015

Transportation Consultant, Michael Aulick asked the court to approve projects that will be presented to CAMPO at their January 11, 2016 board meeting. He stated CAMPO will vote on projects at their meeting February 8, 2016. He discussed the road requirements needed to be eligible for funding from CAMPO. He recommended using the funds for a Luling study and the remainder for improvements of low water crossings. Unit Road Supervisor, Dwight Jeffrey compiled a list of 20 low water crossings that he considers priority. Michael Aulick consulted with Lockhart City Manager, Vance Rodgers and Judge Schawe in regards to City Line Road. Vance Rogers is requesting \$200,000 of the funding to be allocated for engineering design of City Line Road, making it a 4 lane road. Commissioner Roland agrees with the idea of using funds for City Line Road, also referring to it as CR 219. Dwight Jeffrey estimated \$300,000 to be used on the 20 low water crossings he listed. Michael Aulick stated there is a 20% match the county is responsible for and may be paid using county funds or transportation development credits. These credits are acquired by extra revenue from the toll road.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve the Luling study for \$225,130, approve \$200,000 for the City of Lockhart for City Line Road and \$471,519 for low water crossings. All voting "Aye".

2015.12.28.12

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease, or value of County-owned real property located at 100 E. Market Street. Possible action may follow in open court. **Speaker: Judge Schawe.**

Executive Session beginning at 9:36 a.m.

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

Executive Session ended at 10:13 a.m.

Judge Schawe announces back in session at 10:16 a.m.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to authorize Judge Schawe to communicate a counter offer in relation to a bid received on county property located at 100 E. Market Street as presented by council in closed session. All voting "Aye".

2015.12.28.13

Adjournment. Motion made by Commissioner Muñoz, second by Commissioner Roland to adjourn. All voting "Aye".

Meeting Adjourned at 10:17 a.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 December 28, 2015.

Carol Holcomb

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

