

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting July 25, 2016 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. Commissioner Madrigal absent.

2016.07.25.01 **Invocation.** Lockhart Ministerial Alliance.

Kenneth Sneed opened the meeting with prayer.

2016.07.25.02 **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.

2016.07.25.03 **Announcements.** Items or comments from Court Members or Staff.

Commissioner Muñoz reported on behalf of Commissioner Madrigal that 65 citations were issued this past weekend on the river. He hopes to see changes on the river soon. He congratulated the County's Game Warden JoAnn Mayberry, for her appearance on Animal Planet's Lone Star Laws. He completed a walkthrough with Jones & Carter on the roads that are being paved. He congratulated Lockhart Motor Company on its new building and 90+ years of business. He also attended a meeting with the Austin / San Antonio Corridor Council and discussed the Lone Star Rail District. Commissioner Moses reported the Float Fest being trouble. He said he only saw two tubes with trash bags attached and shared concern for the amount of trash. He said the county needs to get control of the current situation. Commissioner Roland thanked all those present in court. Judge Schawe stated he is still working on the budget and shared concern for the county jail that is short staffed. He stated the Tax Office building sold for \$312,274.04 with a net amount of \$55,000.00 to the county. The Old Judicial Center sold for \$660,000.00 with a net of \$615,477.04. He said a good meeting was held in regards to the issues on the San Marcos River. Commissioner Muñoz added that he hopes the additional citations send a message to future guests who use the San Marcos River.

2016.07.25.04 **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).

Wayne Dolcefino with Dolcefino Consulting stated he assists counties in their fight against the Green Group. He said the court should be able to handle public information requests without legal assistance. He stated Allison, Bass and Magee, LLC are violating their contract with the county and using them is wasting money.

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2016.07.25.05

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 \$225,807.27.
- B. Approve payment of a donation to CAMPO in the amount of \$1,130.00

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

SPECIAL PRESENTATIONS - Introduction of 4-H State Roundup Participants and recognize scholarship recipients by County Extension Agent, Julie Zimmerman

County Extension Agent, Julie Zimmerman introduced participants of the 4H program and each spoke about their involvement. Julie Zimmerman presented the students with awards. The students present were Scott Heller, Kiersten Reed, Molly Smith, Grant Hinckley and Trey Von Dohlen.

(ALL OTHER AGENDA ITEMS)

2016.07.25.06

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

Martin Ritchey explained a 50 day burn ban is still in place and said no action needed to be taken.

No action taken.

2016.07.25.07

Discussion/Action to approve an agreement between the County Clerk's Office and iDocket.com to provide judicial information to the general public. **Speaker:** Judge Schawe/Carol Holcomb; **Cost:** None; **Backup:** 1.

County Clerk, Carol Holcomb introduced Fabiola Garcia who explained the services offered by iDocket. Fabiola Garcia stated that iDocket is a free service to the county and provides case information online to the public for criminal, civil and probate cases. She said a subscription is needed to access the information and prices range from \$10.00 to \$500.00. Commissioner Roland received clarification that the public may search for court settings using iDocket. Garcia said she intends on notifying the public by providing pamphlets and placing a link to iDocket on the county's website.

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve the agreement between the County Clerk's Office and iDocket.com to provide judicial information to the general public and to allow the Judge to sign the contract. All present voting "Aye".

2016.07.25.12

Discussion/Action regarding selection of the employee group health insurance benefits plan. **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** 1.

Ashley Cureton with the Texas Association of Counties discussed insurance benefit plans available to the county. She said county's current insurance plan rate will be increasing. She explained the different options available to the court. Judge Schawe suggested option 3 which would increase the deductible and prescription plan but lower the monthly rate. Commissioner Muñoz shared concern for the higher deductible. Judge Schawe stated there were a few amount of employees who met their deductible last year. Commissioner Roland recommended a special meeting to decide on this matter.

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

2016.07.25.08

Discussion/Action to consider adding the imposition of the Texas Department of Motor Vehicles Child Safety Fee pursuant to Section 502.403 of the Transportation Code. Fees collected must be used for school crossing guard services with any remaining funds to be used for child safety, health and nutrition programs. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 1.

Judge Schawe explained that the court has the option of imposing a child safety fee not to exceed \$1.50. He stated the court voted not to enforce this fee last year.

Motion made by Commissioner Muñoz, second by Commissioner Moses to add to the Texas Department of Motor Vehicles Child Safety Fee pursuant to Section 502.403 of the Transportation Code. Fees collected must be used for school crossing guard services with any remaining funds to be used for child safety, health and nutrition programs. All present voting "Aye".

2016.07.25.09

Discussion/Action to authorize the county judge to sign the Memorandum of Understanding between Texas A&M AgriLife Extension Service and Caldwell County for the purpose of detailing the completion of deliverables under TCEQ Contract #582-16-60279, Plum Creek Watershed Protection Plan Implementation of Low Impact Development for the Caldwell County Justice Center. **Speaker:** Judge Schawe/Nick Dornak; **Cost:** None; **Backup:** 4.

Nick Dornak stated the Memorandum of Understanding (MOU) is a requirement by TCEQ that will formalize the agreement between Texas A&M AgriLife and Caldwell County which is needed to complete the grant process. Commissioner Muñoz received clarification that the MOU pertains to the Justice Center and construction should begin in the fall or winter. The project totaled approximately \$370,000.

Motion made by Commissioner Muñoz, second by Commissioner Moses to authorize the county judge to sign the Memorandum of Understanding between Texas A&M AgriLife Extension Service and Caldwell County for the purpose of detailing the completion of deliverables under TCEQ Contract #582-16-60279, Plum Creek Watershed Protection Plan Implementation of Low Impact Development for the Caldwell County Justice Center. All present voting "Aye".

2016.07.25.10

Discussion/Action to move the office location of the Treasurer's Office to the current location of the Human Resources office. **Speaker:** Commissioner Munoz; **Cost:** None; **Backup:** None.

County Treasurer, Lori Rangel requested moving her office to the vacant Human Resources office. She explained the Treasurer's office is a two person office with the HR Department only being one person. She said they have outgrown their current office and need more space for new payroll files. The court shared concern for the amount of space needed for the filing cabinets. Commissioner Muñoz explained the importance of the Human Resources Department and suggested the County Treasurer continue with payroll functions.

Motion made by Commissioner Muñoz, second by Commissioner Roland to table this item until we get Curtis Weber to give us measurements on whether we can move these rooms. All present voting "Aye".

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2016.07.25.11

Discussion/Action to approve the amended Rural Fire Protection Contract. **Speaker:** Judge Schawe/Martin Ritchey; **Cost:** None; **Backup:** 4.

Martin Ritchey requested the court approve updates made to the Rural Fire Protection Contract. This would affect the five fire departments in the county including Dale, Delhi, Tri-Community, Southeast and McMahan that receive a monthly stipend from the county. He explained the new language changes that were made to the training information and certification detail. He recommended the court adopt the new contract and authorize the county judge to sign on behalf of the county with the fire departments that are currently in jurisdiction of commissioner's court.

Motion made by Commissioner Muñoz by stating "so moved", second by Commissioner Moses. All present voting "Aye."

Judge Schawe said that due to the loss of a few fire departments because of an ESD, those departments no longer receive the \$800.00 per month. He requested Commissioner Muñoz amend his motion to include moving the extra funds back into the remaining five fire departments.

Commissioner Muñoz accepted Judge Schawe's amendment.

2016.07.25.13

Discussion/Action regarding paying legal fees to Allison, Bass & Magee, LLC concerning the 130 Environmental Park contested case hearing and open records requests. **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** 16.

Judge Schawe requested the court approve paying Allison, Bass & Magee, LLC for their legal services from January and February in the amount of \$24,320. He said more invoices are being received and stated he has to budget for \$75,000 - \$100,000 in legal fees for next year's budget.

Motion made by Commissioner Muñoz, second by Commissioner Roland to pay the \$24,320 out of reserves. All present voting "Aye".

2016.07.25.14

Discussion/Action to further extend the period for final action on preliminary plat application of 130 Environmental Park as allowed by Section 3.4 (G) of the Caldwell County Development Ordinance. **Speaker:** Commissioner Roland/Kasi Miles; **Cost:** None; **Backup:** 2.

Kasi Miles explained she received a request on July 6, 2016 for an extension for a preliminary plat. She requested the court grant an extension that would be good until March 9, 2017.

Motion made by Commissioner Roland, second by Commissioner Muñoz to extend the period for final action on preliminary plat application of 130 Environmental Park as allowed by Section 3.4 (G) of the Caldwell County Development Ordinance. All present voting "Aye".

2016.07.25.15

Discussion/Action to accept the tax bid on the mobile home situated at 163 Cozy Oak Path. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 7.

Judge Schawe stated a tax bid has been received for a mobile home located in the county and is requesting approval.

Motion made by Commissioner Muñoz, second by Commissioner Moses to accept the tax bid on the mobile home situated at 163 Cozy Oak Path. All present voting "Aye".

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2016.07.25.16 **Budget Workshop** regarding the proposed 2016-17 budget. **Speaker:** Judge Schawe; **Backup:** None.

Judge Schawe said he is still needing a direction on health insurance and retirement. Commissioner Muñoz shared concern for the amount of employee's leaving. He asked about seeing a budget in which Judge Schawe said he is still working on items with large amounts that greatly affect the budget. Judge Schawe further explained the insurance options available to the county. County Treasurer, Lori Rangel also requested seeing the proposed budget.

2016.07.25.17 **Adjournment.** Motion made by Commissioner Muñoz, second by Commissioner Moses to adjourn. All voting "Aye".

Meeting Adjourned at 10:32 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 July 25, 2016.



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

