

# COMMISSIONERS COURT MINUTES

Regular Meeting on March 15, 2010

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H. T. WRIGHT County Judge  
NINA S. SELLS County Clerk

JOHN P. CYRIER Commissioner Pct 1  
CHARLES BULLOCK Commissioner Pct 2  
NETO MADRIGAL Commissioner Pct 3  
JOE IVAN ROLAND Commissioner Pct 4

Commissioner Neto Madrigal was absent from this meeting.

## Call to order.

The meeting was called to order at 9:00 A.M.

### A-1

#### Approve Minutes of Previous Meeting.

Motion made by Commissioner Cyrier, seconded by Commissioner Roland, to approve the minutes of the Regular meeting on March 8, 2010 with correction to Citizens Comments (Mr. Lewis addressed Commissioners Court concerning his road in precinct 2, not precinct 3). Motion carried unanimously.

### A-2

#### Citizens' Comment: (At This Time Any Person With Business Before the Commissioners Court, Not Scheduled On The Agenda, May Speak To The Commissioners Court. Comments Will Be Limited to Three (3) To Five (5) Minutes Per Person.

County residents again addressed Commissioners Court concerning county road 140 in precinct 2. They gave information statistics and requested the Court to come out and see the condition of their road.

County landowner Bill Cardwell requested information concerning the feral hog program by helicopter and whether the program has occurred in Caldwell County. He was told that it had occurred and to contact the County Agent.

### A-3

#### Approve the Caldwell County Reports

##### A. Environmental Control Operator report for the month of February 2010

Environmental Control Operator Mike Bittner presented his report. Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to approve the Environmental Control Operator report for the month of February 2010. Motion carried unanimously.

##### B. Treasurer's monthly report for months ending December 31, 2009 and January 31, 2010 – Lori Rangel-Pompa.

County Treasurer Lori Rangel-Pompa presented the Treasurer's monthly reports. Motion made by Commissioner Bullock, seconded by Commissioner Cyrier to approve the Treasurer's Reports for the months ending December 31, 2009 and January 31, 2010. Motion carried unanimously.

##### C. Tax Collection Report for February 2010

The Tax Collection Report was reviewed. Motion made by Commissioner Bullock, seconded by Commissioner Roland, to approve the Tax Collection Report for February 2010. Motion carried unanimously.

### A-4

#### Discussion/Action to consider Outdoor Burning Ban for Caldwell County – Judge Wright.

Motion made by Commissioner Roland, seconded by Commissioner Cyrier, to leave the Outdoor Burning Ban off for Caldwell County. Motion carried unanimously.

### A-5

Discussion/Action on budget amendment to the Caldwell County Appraisal District Fiscal Year budget as reflected in a Resolution of the Board of Directors of the Caldwell County Appraisal District – Judge Wright/Carlton Pape

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Chief Appraiser Carlton Pape and Assistant Appraiser Mary were present to answer questions concerning this budget amendment. It was explained that the appraiser who received the \$4000 raise did not receive the raise again the next year and only received the educational step raise of \$1000. Motion made by Commissioner Roland, seconded by Commissioner Cyrier, to approve the budget amendment of the Caldwell County Appraisal District Fiscal Year budget as reflected in the Resolution of the Board of Directors of the Caldwell County Appraisal District. Motion carried unanimously.

**A-6**

**Discussion/Action concerning the Air Condition Unit located at 100 East Market Street servicing Adult Probation – Curtis Weber/Sonny Rougeou.**

Maintenance Director Curtis Weber explained the proposals received to replace the air condition unit at Adult Probation. Motion made by Commissioner Cyrier, seconded by Commissioner Bullock, to approve the proposal of Chapman Services to replace the air condition unit at 100 East Market Street for Adult Probation at a cost of \$11,000. Motion carried unanimously.

**A-7**

**Discussion/Action resulting from Executive Session regarding pending litigation (Cause 4992, Caldwell County Texas v Suzon Spiller Kemp) including, without limitation matters relating to a condemnation suit.**

Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to approve the settlement in Cause No. 4992, Caldwell County vs. Suzon Spiller Kemp in the amount of \$8000 to be paid through Suzon Spiller Kemp's attorney of record. Motion carried unanimously.

**A-8**

**Discussion/Action to appoint a representative to the Advisory Committee for the Caldwell County Wildfire Protection Plan – Jim Parker.**

Emergency Manager Jimmy Parker explained that other counties have put these types of plans together to help protect residents and their neighbors against wildfires. Sandra Taylor and Danna Ribley of the Texas Forest Service gave information concerning this procedure and information about any grants available. Commissioner Roland offered to be appointed to this committee. Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to allow Commissioner Roland to serve on the Advisory Committee for the Caldwell County Wildfire Protection Plan. Motion carried unanimously.

**A-9**

**Discussion/Action concerning 2007 Homeland Security Grant Funds for Luling Dispatch console – Jim Parker.**

Jimmy Parker explained that CAPCOG found \$16,000 in leftover funds to bring the Luling Dispatch console "up to par". Motion made by Commissioner Bullock, seconded by Commissioner Roland, to approve the acceptance of the funds (\$16,000) to upgrade the Luling Dispatch console. Motion carried unanimously.

**A-10**

**Discussion/Action to approve a Proclamation declaring April as Child Abuse Prevention – Commissioner Roland/Lydia Serna.**

Motion made by Commissioner Roland, seconded by Commissioner Bullock, to table item A-10. Motion carried unanimously.

**A-11**

**Discussion/Action to approve an order of special election for the creation of Caldwell County Emergency District No. 2 – Judge Wright.**

Motion made by Commissioner Roland, seconded by Commissioner Cyrier, to approve the Order of Special Election for the creation of a Caldwell County Emergency District No. 2. Motion carried unanimously.

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**A-14**

**Pay Bills.**

Motion made by Commissioner Roland, seconded by Commissioner Bullock, to approve bills totaling \$114,963.12.  
Motion carried unanimously.

Commissioners Court recessed the Regular meeting at 10:00 A.M. to go into Executive Session.

**A-12**

**Executive Session:**

**Consult with attorney J. Eric Magee with the firm of Allison, Bass & Associates, LLP, in executive session held in accordance with Texas Government Codes S 551.071(1)(A),(2), regarding pending and/or contemplated litigation, i.e. Chad Forbes v. Mike Allen et al; Cause No. A08CA532LY in the U.S. District Court for the Western District of Texas, Austin Division.**

Commissioners Court adjourned the Executive Session and went back into Regular meeting.

**A-13**

**Take action, if necessary, in open session concerning matters, including but not limited to offers of settlement, authorization of litigation or alternative dispute resolution, courter-claims or other appropriate legal action.**  
No action taken.

**Adjourn.**

Commissioners Court adjourned.

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H. T. Wright, County Judge