

# COMMISSIONERS COURT MINUTES

Regular Meeting on July 26, 2010

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RONNIE DUESTERHEFT 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

## 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 Roland, seconded by Commissioner Madrigal, to approve the minutes of the Regular meeting on July 19, 2010. 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.

Judge Duesterheft started the meeting with a moment of silence in memory of Caldwell County employee Rachel Anzaluda and her son who passed away last week.

### A-5

**Discussion/Action concerning joint project with Guadalupe County to replace the bridge located on 240B, Scull Crossing Bridge – Commissioner Madrigal-Commissioner Cesareo Guadarrama, Guadalupe County.** Judge Duesterheft introduced Guadalupe County Commissioner Cesareo Guadarrama and also introduced Larry Timmerman who has been approved by Guadalupe County to construct the bridge at Scull Crossing whenever Caldwell County approves the Scull Crossing bridge replacement. Judge Duesterheft stated that emergency vehicles hesitate to use the Scull Crossing bridge because of its deteriorating condition. The history of the bridge replacement at Scull Crossing was explained. TxDot had the bridge replacement on their agenda but at the time there was a disagreement about the bank to bank placement of the bridge. Commissioner Guadarrama explained that Guadalupe County represented the Sculls property rights concerning the bridge replacement at the time. Guadalupe County was in agreement with the placement of the bridge ½ mile down the river and problems developed on the Caldwell County property owners side and the bridge replacement plans fell apart again. The TxDot grant monies for the Scull Crossing bridge replacement were lost. Commissioner Guadarrama stated that Guadalupe County is seeing tremendous growth on their side of the river with future subdivision development. He explained that Guadalupe County Commissioners Court has already approved the Scull Crossing bridge replacement. It was explained that Caldwell County owns the Scull Crossing bridge and Guadalupe County maintains and repairs the bridge. Martindale Mayor Loraine Harrison stated she only heard about this meeting from friends. Commissioner Madrigal explained he talks to someone at the City of Martindale weekly and was sorry she was unaware of today's meeting. This item has already been placed on the Martindale council agenda. Larry Timmerman explained the proposed bridge replacement that will take approximately two months to build. The consensus of Caldwell Commissioners Court is that this will be a very good project but Caldwell County Commissioners will first meet with the City of Martindale for their approval of the bridge replacement and the road construction to the bridge. No action taken.

### A-3

#### Approve the Caldwell County Reports

##### A. Indigent Health Care Financial Report for the month of June 2010

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Indigent Health Care Coordinator Rhoda Chavira presented her report. Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to approve the Indigent Health Care Financial Report for the month of June 2010.

## **B. Caldwell County Bank Reconciliation Month ending April 30, 2010**

County Treasurer Lori Rangel-Pompa presented her report. Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to approve the Caldwell County Bank Reconciliation Report for the month ending April 30, 2010. Motion carried unanimously.

## **A-4**

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

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

## **A-6**

### **Discussion/Action regarding a request from the Democratic Party Chair to hold an early voting polling place at Gary Job Corps located in San Marcos for the November 2, 2010 Election – Commissioner Madrigal.**

Commissioner Madrigal stated he wanted to clarify that the Democratic Party Chair did not request this item for consideration and that there was a call and letter from Gary Job Corp. Fred Bucholze stated that he feels if Caldwell County wants to expand the early voting for its residents, it should set up early voting in Martindale or McMahan or have later hours at the two present early voting places. Election Administrator Vicky Gonzales stated she has not received any required petitions for early voting and if she did receive a petition it would have to be precleared through the Justice Department. The two early voting places that are normally available to the voters in Lockhart and Luling are already in place for the November election. Alfonso Campos stated he feels the voters at Gary are not accessible to the candidates because he cannot enter Gary Job Corps to talk to the voters. Loraine Harrison stated that Gary Job Corps is federal property and Caldwell County should not be accommodating the voters there. Candidate Mark George stated if Caldwell County does for one it should do for all and this would be opening up a can of worms. Resident Carol Peters mentioned that not all voters at Gary Job Corps are transient voters. Kathy Bliss stated the nature of the voting location at Gary Job Corps is such that no one else can go there to vote which over the years has been a great concern. J.P Judge DeLeon stated he is for expanding early voting to other areas. Howard Berg stated he sees the Gary Job Corps personnel in buses and they could be bused out into the community to vote. Democratic Party Chair Philip Ruiz stated it is regrettable that Caldwell County has only two early voting locations and wishes early voting could be extended to local grocery stores. Election Administrator Vicky Gonzales stated she would have to hire additional election personnel if a petition for additional early voting is received by her office. Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, to table this item. Motion carried unanimously.

## **A-7**

### **Discussion/Action to give permission to Silly Bunny Pictures to use Courthouse lawn on August 11, 2010, for a short scene on the low budget film titled Abrupt Decision – Judge Duesterheft.**

Motion made by Commissioner Cyrier, seconded by Judge Duesterheft, to give permission to Silly Bunny Pictures to use the Courthouse lawn on August 11, 2010, for a short scene on the low budget film titled Abrupt Decision. Motion carried unanimously.

## **A-8**

### **Discussion/Action to set 2011 Sheriffs' and Constables' Fees to take effect on January 1, 2011 – Judge Duesterheft.**

Motion made by Commissioner Bullock, seconded by Commissioner Madrigal, to table this item. Motion carried unanimously.

## **A-9**

### **Discussion/Action concerning request for Juvenile Probation Department to exempt inscription requirement on vehicles – Judge Duesterheft – Jay Monkerud.**

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Chief Juvenile Probation Officer Jay Monkerud presented a request to exempt inscription requirement on the four vehicles used by Juvenile Probation. His officers will carry the law concerning this exemption and the approval by Commissioners Court to the exemption in each vehicle. Motion made by Commissioner Madrigal, seconded by Commissioner Roland, to approve the request for Juvenile Probation Department to exempt the inscription requirement on vehicles. Motion carried unanimously.

## A-10

**Discussion/Action concerning settlement of the lawsuit styled Stacia Obermeyer v. Caldwell County et al; Civil Action Number 1:1-cv-281, filed in the United States District Court for the Western Division of Texas, Austin Division – Ron Heggemeier/Judge Duesterheft.**

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, to table this item. Motion carried unanimously.

## A-11

**Discussion/Action regarding a request from Lori Rangel-Pompa, County Treasurer to make it mandatory for employees, Department Head and Supervisors to attend Sexual Harassment Training on January 26, 2011 and January 27, 2011 – Lori Rangel Pompa**

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier, to approve the request from Lori Rangel-Pompa, County Treasurer, to make it mandatory for employees, department heads and supervisors to attend sexual harassment training on January 26, 2011 and January 27, 2011. Motion carried unanimously.

## A-12

**Discussion/Action regarding a renewal service contract with Galbraith's Clocks for maintenance of the tower clock at the Courthouse for the year 2010-2011 – Judge Duesterheft.**

Motion made by Commissioner Bullock, seconded by Commissioner Cyrier, to approve the renewal service contract with Galbraith's Clocks for maintenance of the tower clock at the Courthouse for the year 2010-2011. Motion carried unanimously.

## A-13

**Discussion/Action regarding a request from Rad-Tec Inc., Reedville, a scrap Tire Facility Processor, to provide written documentation in support that the proposed facility will be designed in accordance with applicable codes – Judge Duesterheft.**

Judge Duesterheft explained that this business is located where the old Reedville grainery was located and manufactures items out of shredded tires. Motion made by Commissioner Madrigal, seconded by Commissioner Roland, to approve the request from Rad-Tec Inc. in Reedville to provide written documentation in support that the proposed facility will be designed in accordance with applicable codes. Motion carried unanimously.

## A-14

**Discussion/Action concerning a Resolution of support for the City of San Marcos to develop and improve the San Marcos Airport – Commissioner Cyrier.**

Commissioner Cyrier explained that San Marcos recently put out Request for Proposal to improve their airport and ask Caldwell County to do this Resolution to support the project. Motion made by Commissioner Madrigal, seconded by Commissioner Bullock, to approve the Resolution of Support for the City of San Marcos to Develop and Improve the San Marcos Airport. Motion carried unanimously.

## A-15

**Update on Employees Safety Committee Meetings – Lori Rangel Pompa.**

County Treasurer Lori Rangel Pompa gave a brief update on the June meeting of the Employees Safety Committee Meeting. The Courthouse stairway and Courthouse security were major concerns. There were questions concerning use of the back stairways in the Courthouse. Lack of Courthouse security with bailiff especially during lunch and at closing time was questioned for the security of all employees in the Courthouse.

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## A-16

### Workshop to receive and hear details of report entitled "Caldwell County Needs Assessment for Judicial Facilities" – Broaduss & Associates.

Doug Abraham and Terry Whitman of Broaduss & Associates were present and gave the report on Caldwell County needs assessment for a judicial facility. Options were presented with projected costs of each option. Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal, to approve this report brought to Commissioners Court by Broaduss & Associates. Motion carried unanimously. Commissioners Court agreed that no further work concerning a new justice center will be voted on by this Commissioners Court until after the November election.

## A-17

### Budget Amendment # 2 Subdivision Ordinance Revisions (Loomis Partners and Kelly, Hart & Hallman and for services related to planning new justice Center Broaduss Planning)

County Auditor Sonny Rougeou explained that this budget amendment is needed to pay for the report approved in agenda item 16 by Broaduss & Associates and also to pay for work done on the County Subdivision Regulations. Motion made by Commissioner Cyrier, seconded by Commissioner Roland, to approve budget amendment # 2. Motion carried unanimously.

## A-18

### Pay Bills.

Motion made by Commissioner Roland, seconded by Commissioner Madrigal, to approve bills totaling \$177,962.51. Motion carried unanimously.

## Adjourn.

Motion made at 10:55 A.M. by Commissioner Bullock, seconded by Commissioner Cyrier, to adjourn. Motion carried unanimously.



Ronnie Duesterheft, County Judge