

**CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
1403 Blackjack Street, Lockhart, Texas
Regular Meeting May 28, 2013 9:00 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

Call Meeting to order.

Today is Judge Bonn's Birthday and those present wished him a Happy Birthday.

05.28.01 Invocation. Caldwell County Christian Ministries.

Former Bastrop County Judge Ronnie McDonald opened the meeting with prayer.

05.28.02 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 Bonn led all present in the pledge to both Flags.

05.28.03 Announcements: Items or comments from Court Members or Staff.

Judge Bonn thanked the Commissioners and all those who were involved with the Memorial Day service. It was the first one that had taken place inside the Courthouse. Commissioner Madrigal also mentioned that it was a good day. He thanked all the Veterans that were there and to say a prayer for those who gave their life for us. Commissioner Muñoz reminds everyone about the Community Collection Event on June 1, 2013, at the County Barn located on FM 2720 outside of town. It begins at 8:00 a.m.

05.28.04 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).

1. Susan Modrall spoke about how the taxpayer's money was being spent and that she was in favor of agenda item # 18.
2. Donna Votee spoke on the true test of a man's power. How it will be used for himself or will it be used for the people?
3. Kathy Haigler spoke about agenda item 05.28.21 and the amount of time that she feels the Commissioners work.

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4. Linda Hinkle spoke emphasizing that the amount of hours the Commissioners put in far exceeds 40 hours. She feels that they earn the benefits.

5. Dee Rogers spoke in favor of the County Administrator position and reminded the Court of the money that Mr. Heggemeier has saved the County already. She cautions the Court in removing this position. She asked who will have their back's?

Judge Bonn said that the reason that agenda item 05.28.21 is on the agenda is because it is not anywhere on the books, and he had been asked by citizens. That's why it will be discussed. Commissioner Madrigal reads a letter that was sent by the President of the Republican Party. It alerts citizens to agenda item 05.28.18 being on the agenda for today. He asks if the attendees are there for the concern of the County or if it has become political.

05.28.05 Commissioners Court Minutes. Approval of May 20, 2013 Minutes.
Motion made by Commissioner Muñoz, second by Commissioner Roland to approve the minutes dated May 20, 2013, with change discussed. All Voting "Aye"

05.28.06 Consent Agenda. (Any member of the Court may request that an item within the Consent Agenda be moved to the Regular Agenda for further discussion and action).

A. Approval of continuation of bonding for Ronda Lehman, Secretary, Caldwell County Extension Office, in the sum of \$1,000.00 made payable to Caldwell County for a term of one year commencing on the 20th day of June, 2013. Cost: \$50.00.

B. Pay Bills - \$373,416.45
Motion made by Commissioner Muñoz, second by Commissioner Buchholtz to approve the consent agenda. All Voting "Aye"

05.28.07 County Administrator Report/Presentation. None

05.28.08 Special Presentations.

Plum Creek Watershed Partnership Project Update for 2013. Nick Dornak, Watershed Coordinator, Plum Creek Watershed Partnership.

Nick Dornak thanked Court for time. He gave a brief overview of the past years activities and the events that have taken place to protect the Creek.

The goals of the plan are to reduce pollution and improve water quality. He invited everyone to the next meeting including free BBQ. It takes place at the Lockhart State Park, on August 8, 2013. Judge Bonn thanked him for his contribution and a very thorough report.

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- 05.28.09 Discussion/Action** approval of Resolution No. 16-2013 to adopt the Caldwell County Feral Hog Task Force as an official County Task Force.
Motion made by Commissioner Buchholtz, second by Commissioner Madrigal to approve Resolution No. 16-2013 to adopt the Caldwell County Feral Hog Task Force as an official County Task Force. All Voting "Aye"

(ALL OTHER AGENDA ITEMS)

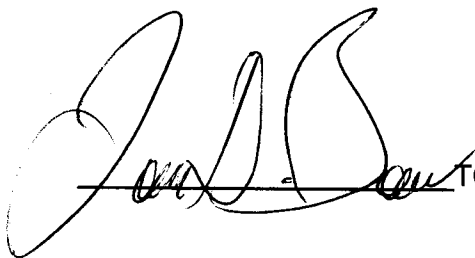
- 05.28.10 Discussion/Action** appointment of a Caldwell County Representative to the Caldwell County Feral Hog Task Force, Leadership Committee.
Motion made by Commissioner Roland, second by Commissioner Muñoz to appoint Judge Bonn to represent the County as a member of the Caldwell County Feral Hog Task Force, Leadership Committee. All Voting "Aye"
- 05.28.11 Discussion/Action** approval of the Emergency Management Plan for Caldwell County.
Emergency Management Coordinator Jimmy Parker, presented the Emergency Management Plan for Caldwell County. Motion made by Commissioner Buchholtz, second by Commissioner Roland to approve the Emergency Management Plan for Caldwell County. All Voting "Aye"
- 05.28.12 Discussion/Action** to approve request for bids for placement and service of vending machines in Caldwell County buildings.
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to approve request for bids for placement and service of vending machines in Caldwell County buildings. All Voting "Aye"
- 05.28.13 Discussion/Action** to increase the pay for Grand Jurors for the first day from \$10.00 to \$34.00.
Motion made by Commissioner Roland, second by Commissioner Buchholtz to approve to increase the pay for Grand Jurors that were selected for the first day from \$10.00 to \$34.00. All Voting "Aye"
- 05.28.14 Discussion/Action** regarding District Clerk's previous request for work orders on changing locks in her office.
District Clerk Tina Morgan, voiced her concerns about the security of her office. Motion made by Commissioner Roland, second by Judge Bonn to table this item and gather more information concerning who may have key to the various offices in County Buildings and the questions about the security. All Voting "Aye"

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- 05.28.15 Discussion/Action** concerning the requirement of the agenda request form for all items being placed on the Commissioner Court's Agenda.
Motion made by Commissioner Madrigal, second by Commissioner Roland to submit agenda requests over the phone until 5:00 p.m. on Wednesday. If there is backup it must be turned in no later than 5:00 p.m. If not the request will be removed from the agenda. Commissioner Buchholtz still feels to prevent any discrepancies it should still be in writing. Commissioner Muñoz would like to continue to put them in print. Judge Bonn feels with everyone being equipped with laptops and other forms of technology, it should remain in written form. Commissioner Muñoz, Commissioner Madrigal and Commissioner Roland Voting "Aye". Commissioner Buchholtz and Judge Bonn Voting "No". Motion Passed
- 05.28.16 Discussion** concerning salaries for elected County and Precinct offices to be posted in the newspaper pursuant to § 152.013 of the Local Government Code. No vote will be taken as this is a discussion only item.
There was no information provided in backup. No Discussion/No action taken
- 05.28.17 Executive Session** pursuant to Section 551.071(1) for consultations with Attorney concerning pending or contemplated litigation or settlement offers.
Recess- 10:26 a.m.
Reconvene-10:37 a.m.
There was not an Executive Session as the statute number was incorrect and no session was possible.
- 05.28.18 Discussion/Action** to abolish the County Administrator department.
Commissioner Roland explained that he did not dislike the County Administrator. He only felt that the position was not needed in a county of our size. He feels it is a duplication of Office. He is making the decision as a taxpayer as well as a Commissioner. Motion made by Commissioner Roland, second by Commissioner Madrigal to abolish the County Administrator department effective May 31, 2013., also that a budget Amendment be prepared to shift any remaining funds in the department to the Unit Road Department to be used on our County Roads.
Commissioner Buchholtz asked what Commissioner Roland has done to protect the County from liability. Commissioner Buchholtz feels that will cost the County 5 years and over \$800,000.00, and states that Mr. Heggemeier is in a protected class. Judge Bonn stated that Commissioner Roland will be opening the door for a lawsuit. There has already been one example of "at will" termination. Commissioner Muñoz said that the citizens and the voters are their bosses. Judge Bonn reminds everyone of the tax dollars that Mr. Heggemeier has saved and is very appreciative to the checks and balances that have come from this department and everything he has done. He gave a list of accomplishments from the County Administrators office. After much discussion, Roll Call Vote; Commissioner Muñoz-Yes, Commissioner Buchholtz-No, Commissioner Madrigal-Yes, Commissioner Roland-Yes.
Judge Bonn-No! With emphasis.
Judge Bonn cautioned the audience of disturbance. He said that it was a very serious matter and the discussion was about some ones livelihood.

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- 05.28.19 Discussion/Action** to keep the County Administrator department.
No Action Taken
- 05.28.20 Discussion/Action** to consider rescinding 3.03, paragraphs 4 and 5 of the Personnel Policy regarding appointment of staff of County Judge's Office. Motion made by Commissioner Roland second by Commissioner Munoz, for this paragraph to be included in the Personnel Policy, section 3.03., "The County Judge like every other Statutory Elected Official can hire his own staff, but any other hiring by the County Judge must be given him by the Commissioners Court on a case by case basis. Friendly amendment by Commissioner Madrigal that once the position is approved by the Court, the salary must be approved by the Court. Judge Bonn stated that this procedure has already been followed and is already in the policy. County Attorney Mack Harrison gives the section 3.01 where this is already in the Caldwell County Policy and Procedure Manuel, Judge Bonn said that this is redundant and does not need to be added. Roll Call Vote; Commissioner Muñoz-Yes, Commissioner Buchholtz-No, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-No and comments that it is redundant. Motion Passed
- 05.28.21 Discussion/Action** concerning payment of health insurance for part-time elected Commissioners while part-time employees are denied health coverage. Regular full time employees (30 hours plus per week) receive medical, hospitalization, life, and disability insurance.
No motion made. No action taken.
- 05.28.22 Discussion/Action** regarding Burn Ban
Emergency Management Coordinator Jimmy Parker recommended leaving the Burn Ban off. Motion made by Commissioner Roland, second by Commissioner Muñoz to leave the Burn Ban off. All Voting "Aye"
- 05.28.23 Adjournment**
Motion made by Commissioner Buchholtz, second by Commissioner Muñoz to adjourn. All Voting "Aye"



TOM D. BONN, County Judge