

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting March 16, 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.

2015.03.16.01

Invocation. Lockhart Ministry Alliance.

Pastor Randall Frye with First Christian Church opened the meeting with prayer.

2015.03.16.02

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 to both Flags.

2015.03.16.03

Announcements. Items or comments from Court Members or Staff.

Commissioner Muñoz let everyone know that there would be a Countywide Job Fair at the Luling Civic Center on April 1st. There is no cost involved and Deborah Kortan will be present to speak with applicants. Commissioner Moses said that he had attended the Houston Livestock and Rodeo on Caldwell County night. It was a great turnout for Caldwell County. Commissioner Madrigal said that he had spoken to a few of the survey team that was working on the Caldwell County Road projects. He said that a few citizens were excited to see the projects begin.

2015.03.16.04

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. Kenwood Maeker is in favor of negotiating an agreement that would benefit the Caldwell County citizens. He does not want to see County money spent on litigation.

2. Byron Friedrich is in favor of the County requesting party status in the contested case hearing. He said when negotiations are passed up, you've given up your chance to be heard.

3. Frank L. Sughrue is in favor of the Court to take party status in the contested case hearing. He said that he voted for a Commissioner and would like them to speak on his behalf.

4. Jodie Friedrich urged the Court to take part in the status review hearing. She asked them not to give up a chance to speak for our County. She explained the guideline for the hearing and said that the County should represent their constituents.

5. Robert Kohler asked the Court to exercise their authority by having a place at the table. He said that citizens expect Caldwell County Commissioners to step forward.

6. Marisa Perales representing EPICC explained that her firm has been referred to as Anti-development. It is not. It is on the side of good healthy development opportunity. She is familiar with the consulting firm that has worked with Green Group Holdings. She encouraged Commissioners to step forward for the County.

7. Roger M. Williams said that Commissioners should be party to the contested case hearing. Because the cost to the effects to the County will be great.

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8. Lou Mac Nauton said that the effects and hazards caused by the landfill will not be helpful to the County. It will be negative growth that suppress local economy. Commissioners have spoken up for citizens in the past and now it is time to continue. The County does not need to instigate a lawsuit but be a party in the contested case hearing.

9. Linda Pittman encouraged the Court to look on Google Earth and look for any growth around the other landfills. She said that she doesn't see any. She urged Commissioners in joining the citizens to stand firm when speaking to TCEQ. She said that TCEQ only does something after complaints or problems arise.

- 2015.03.16.05** **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. Texas Department of Agriculture Grant Agreement – Judge Schawe approved to officially sign agreement.
 - B. To approve Budget Amendment number 2014-10
 - C. To approve Budget Amendment number 2014-11
 - D. To recognize letter of thanks from the City of Lockhart regarding the Lone Star Grand Prix race.
- Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda items A-D. All Voting "Aye"

- 2015.03.16.06** **Reports.**
Unit Road Systems Report – Dwight Jeffrey
Not Present

Veterans Service Report – David Francis
David Francis gave the Veterans Service Report for February 2015

Justice Center Summary of Cost – Larry Roberson
Larry Roberson gave the Justice Center Summary of Cost report. He said that the investment was a little over \$1.4 million dollars. He thanked all of the people that were involved for working well with the auditor's office.

- 2015.03.16.07** **Special Presentation.**
A. Central Texas Clean Air Coalition – Fred Blood
Fred Blood gave a brief overview of the Central Texas Clean Air Coalition. He explained the Ozone standards and the need for compliance and how growth and other environmental conditions can impact levels that lead to nonattainment.

(ALL OTHER AGENDA ITEMS)

- 2015.03.16.08** **Discussion/Action** to approve the audit report for the fiscal year 2013-2014 as presented by Rutledge & Crain, PC.
Lewis Crain with Rutledge & Crain, PC. gave an overview of the audit performed for the County. He said that he had seen the new Justice Center and it is very nice. He said that it had been a pleasure working with Larry and his office these past four years and looked forward to working with Debra French as the new auditor. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve the audit report for the fiscal year 2013-2014 as presented by Rutledge & Crain, PC. All Voting "Aye"

- 2015.03.16.09** **Discussion/Action** to authorize the County Judge to enter into an agreement with WBTB for use of County property for purposes of filming a television series.
Motion made by Commissioner Muñoz, second by Commissioner Moses to authorize the County Judge to enter into an agreement with WBTB for use of County property for purposes of filming a television series. Civil Attorney Jordan Powell will be working out the details of the contract. All Voting "Aye"

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- 2015.03.16.10** **Discussion** regarding County planned procedures for how the County will contact employees during emergencies and inclement weather with regards to employee safety. Martin Ritchey and Judge Schawe explained that from now on all County employees will be notified by e-mail or text of any late openings or office closures in the County by the County Judge's office. This procedure was not used during the bad weather days this year.
- 2015.03.16.11** **Discussion/Action** regarding the burn ban for Caldwell County. Martin Ritchey feels that soil moisture is high and recommends to leave the burn ban off. Motion made by Commissioner Roland, second by Commissioner Madrigal to leave the burn ban off at this time. All Voting "Aye"
- 2015.03.16.12** **Discussion/Action** to authorize the Human Resources Office to level their new office space to repaint and replace carpet and amend the budget accordingly. Cost: Not to exceed \$2,500.00.
Maintenance Supervisor Curtis Weber explained to the Court that there is already carpeting that had been purchased for another office but never used. The other repairs and painting can be done within the \$2,500.00 budget. Commissioner Muñoz asked if the Historical Society has to be contacted and Judge Schawe said that if needed, he would do that. Motion made by Commissioner Madrigal, second by Commissioner Muñoz to authorize the Human Resources Office to level their new office space to repaint and replace carpet and amend the budget accordingly. Not to exceed \$2,500.00. All Voting "Aye"
- 2015.03.16.13** **Discussion/Action** to consider waiving family land grant fees, residential construction fees, septic tank fees, and driveway permit fees associated with the construction of a home for Agustina Mandujano, as requested by Community Action, Inc., a non-profit organization.
Kasi Miles gave a brief overview of the situation and explained the fees that were involved with the construction of a home for Agustina Mandujano. She said that she had not met her but told the court her story. Chief Deputy Brent told the Court that he knew her and Ms. Mandujano was a very positive person. Motion made by Commissioner Moses, second by Commissioner Muñoz to waive family land grant fees, residential construction fees, septic tank fees, and driveway permit fees associated with the construction of a home for Agustina Mandujano, as requested by Community Action, Inc., a non-profit organization. All Voting "Aye"
- 2015.03.16.14** **Discussion/Action** to consider waiving all future subdivision fees associated with Sunrise Meadows, Phase Two subdivision located off Barth Road (aka CR 179).
Kasi Miles explained that the former engineer, Mr. Gardner had approved a preliminary plat that did not include a detention pond that is necessary. After review and loss of 5 lots to the developer, Kasi suggests to stay in good standings with the developer and waive all future subdivision fees associated with Sunrise Meadows, Phase Two subdivision located off Barth Road (aka CR 179). This does not include any future septic system fees or residential construction fees. Motion made by Commissioner Roland, second by Commissioner Madrigal to waive all future subdivision fees associated with Sunrise Meadows, Phase Two subdivision located off Barth Road (aka CR 179). All Voting "Aye"

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2015.03.16.15

Discussion/Action to consider requesting party status in the contested case hearing regarding 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW. Executive Session is requested pursuant to Section 551.071 of the Texas Government Code: consultation with counsel regarding pending and/or contemplated litigation involving Caldwell County.

Before going into Executive Session, Civil Attorney Jordan Powell requests considering the right to retain legal services of Allison, Bass & Magee, LLP, for the purposes of considering requesting party status. It would just be for today and it would be with Eric Magee with Allison, Bass & Magee, LLP. Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve that request from Jordan Powell. All Voting "Aye"

Executive Session Began: 10:45 a.m.

Executive Session ended: 12:20 p.m.

No Action Taken in Executive Session

Meeting Reconvened:12:22 p.m.

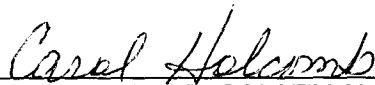
Motion made by Judge Schawe to take no action on this item.(to consider requesting party status in the contested case hearing regarding 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW.) Motion died for lack of second. Motion made by Commissioner Roland, second by Commissioner Madrigal to request party status in the contested case hearing regarding 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW. All Commissioners Voting "Aye;" Judge Voting "No" Motion Passed

2015.03.16.16

Adjournment.

Motion made by Commissioner Muñoz, second by Commissioner Moses to Adjourn. All Voting "Aye"

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 March 16, 2015.



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

