

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Regular Meeting August 14, 2017 9:00 a.m.



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KEN SCHAWÉ	County Judge	HOPPY HADEN	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

**Call Meeting to Order.**

Judge Schawe calls the meeting to order at 9:00 a.m. \*Commissioner Joe Roland is not present.

**Invocation.** Lockhart Ministerial Alliance

Judge Schawe opens the meeting in prayer.

**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 leads all present in the pledge to both flags.

**Announcements.** Items or comments from Court members or staff.

**Commissioner Haden** says a meeting of the Host Agreement Committee was held and a lot of progress was made on the list of items for a Host Agreement.

\*Commissioner Roland enters and takes his seat.

**Commissioner Moses** says he went to a CARTS meeting on July 27<sup>th</sup> and they will be moving some vehicles to the area for ride assistance. The next CARTS meeting is August 31<sup>st</sup>. McNeil Community Cemetery will have an ice cream super Saturday night. The 23<sup>rd</sup> of September Plum Creek Watershed Partnership is going to have a collections day at the Precinct 2 barn.

**Commissioner Theriot** says Judge Schawe and he met with TxDot regarding the closeout of the Schuelke Road property, which was the last of four projects the County had initiated with the 130 Concession funds. Some projects came in under cost and he hopes that the reallocation of any remaining funds will be discussed in the future. There will be a Development Review Committee meeting tomorrow at 1:00 p.m. to look at regulations in the County. He would like to discuss the possibility of suspending citations related to burn bans during rainy periods.

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**Commissioner Roland** says good morning and that he has two doctors' appointments this morning so he will have to leave early. It is important to him that he attends all regular meetings. He met with Judge Schawe, Donald LeClerc, and a Commissioner from Bastrop County about fixing adjacent county roads. He says he is in favor of giving the sheriff what he is asking for in his budget.

**Judge Schawe** says they are working to crown the roads. He also says the constables are out patrolling and ticketing for violations, including on the river.

**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).

**Mary Faye Barnes** is a Caldwell County resident and has been an Election Judge. She would like the County to get new voting equipment. She is in favor of the equipment from ES&S and a reduction in unused ballots.

**Linda Hinkle** worked over five elections and says the elections equipment needs to be replaced. She shares some issues that have resulted from the outdated equipment and says no matter what changes are made in the Elections Office the equipment itself will still be an issue.

**Jane Jessop** has served in several positions for multiple elections. She would like the new equipment. Her only concern is that some people do not like electronic voting. She says Pam Ohlendorf has done a great job and she would hate to see that office close.

**Dr. Jerry Cooke** has worked elections since 2007. He says the current machines' technology is too simple and could be compromised. He would like the new system; stating it addresses all of his concerns and has the best safe guards.

**Kathy Haigler** is Caldwell County's Republican Party Chair. She and the Executive Committee agree the current electronic equipment is a concern. She says that while paper ballots are good, she would like the ES&S equipment and asks the County to purchase enough units for primaries.

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- 17. PUBLIC HEARING AT 9:30AM** regarding the possible re-location of stop signs in Prairie Lea, Precinct Two, located at the intersection of St. Joseph St. and School St.  
**Cost: TBD; Speaker: Commissioner Moses; Backup:1.**

Judge Schawe opens the Public Hearing at 9:27 a.m. Commissioner Moses explains there have been some complaints since the stop signs were installed and opens the floor to anyone who would like to speak.

**Andrew McClish** would like the stop signs removed and he has 58 signatures on a petition for their removal. He quotes standards he says are required for stop sign installation and thinks that the problem would be solved if the intersection was put back the way it was three years ago.

**Marty Magaflin** is a Prairie Lea resident who is thankful the court installed the stop signs. He says they have slowed traffic.

**James Sampson** is a Prairie Lea resident who owns three homes in the stop sign zone. He would like the stop signs to be relocated to St. Joseph Street and Waters Street. He says the stop sign results in litter and loud music late at night outside of his home.

Judge Schawe closes the Public Hearing at 9:37 a.m.

**CONSENT AGENDA.** (The following consent items may be acted upon in one motion).

- 1. Approve payment of County invoices in the amount of \$266,060.85.**
- 2. Accept the July 2017 Tax Collection Report submitted by the Caldwell County Appraisal District.**
- 3. Accept the Proposed 2018 Appraisal and Collection Budgets for the Caldwell County Appraisal District.**
- 4. Accept the Community Supervision and Corrections Department (CSCD) of Caldwell, Comal and Hays County Biennium Budgets Fiscal Year 2018 and 2019 pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice – Community Justice Assistance Diversions Financial Management Manual.**
- 5. Accept the Caldwell County Jail Commissary Fund Audit conducted by the Office of the County Auditor and completed on June 27, 2017.**

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6. **Accept the Criminal District Attorney's Office 2017-2018 budget for forfeited funds. Speaker: Commissioner Haden; Backup: 1.**
7. **Accept Financial Audit Reports of Emergency Services Districts pursuant to Section 775.082 of the Health and Safety Code: Caldwell Hays Emergency Services District # 1 (Chisholm Trail Fire Rescue), ESD # 3 (Martindale VFD).**

Motion made by Commissioner Haden, second by Commissioner Moses to approve consent agenda. All voting "Aye".

**SPECIAL PRESENTATIONS**

**Chris Moody: ES&S Election Equipment**

**Chris Moody** with Elections Systems and Software demonstrates the equipment that the County is considering purchasing including the voting machine itself and a video of the ballot reading machine. He reviews advantages of the system and his company.

**ACTION AGENDA ITEMS**

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

Martin Ritchey reports that Chief Mark Mendez of the Nixon VFD was critically injured while fighting a wild fire. Prayers and thoughts are with his friends and family and the community of Nixon.

Martin Ritchey explains types of fuel classes and potential ways to burn legally even when a burn ban is on. He asks for the court to continue the burn ban.

Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban on. Commissioner Theriot and Martin Ritchey discuss suspending citations during substantial county-wide rains.

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- 9. Discussion/Action** to reappoint Tom Bonn to the Bluebonnet Trails Community Services Board of Trustees. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

\*Commissioner Roland exits. Judge Schawe says he received a letter from Bluebonnet Trails Community requesting the court reappoint Tom Bonn. So moved by Commissioner Moses, second by Commissioner Haden to reappoint Tom Bonn. All present voting "Aye".

- 10. Discussion/Action** to nominate a candidate to fill the vacancy on the Caldwell County Appraisal District Board of Directors. **Cost: None; Speaker: Judge Schawe; Backup: 3.**

Judge Schawe explains the agenda item. Commissioner Moses and Judge Schawe discuss who can and/or will be nominating someone for the Board and the time limit to name a nominee. No action is taken.

- 11. Discussion/Action** to approve Resolution No. 08-2017 regarding Grant No. 3464501, Project "Caldwell County Sheriff's Office Co-morbidity Initiative Phase 1." **Cost: None; Speakers: Judge Schawe/Sgt. Anthony Hardee; Backup: 1.**

Judge Schawe introduces Sgt. Anthony Hardee who explains the grant's benefits. He answers Judge Schawe's questions about veterans in the jail and programs they are using. Sgt. Hardee tells Commissioner Theriot the amount of the grant and explains wording in the resolution. Motion made by Commissioner Haden, second by Commissioner Moses that we go ahead with this grant. All present voting "Aye".

- 12. Discussion/Action** regarding the discontinuation of the Employee Long-Term Disability Benefit Policy. **Cost: None; Speaker: Judge Schawe; Backup: None.**

Judge Schawe says this program costs the County money every year, does not get much use, and benefits employees little. Commissioner Haden and Judge Schawe discuss replacing the program. Human Resources Coordinator Bob Bush reiterates Judge Schawe's points and says he would like it replaced with a program that would benefit employees. Commissioner Haden asks to delay the item for employees to study the policy and share their opinions with the court. Motion made by Commissioner Theriot, second by Commissioner Haden to table until the next regular Commissioners Court Meeting. All present voting "Aye".

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- 13. Discussion/Action** to approve a donation in the amount of \$900.00 to the Caldwell-Travis Soil & Water Conservation District. **Cost: Approximately \$900.00; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe explains this is a donation in the budget continuing from previous years. So moved by Commissioner Moses, second by Commissioner Haden. All present voting "Aye".

- 14. Discussion/Action** to approve a donation to CARTS in an amount not to exceed \$3,000.00. **Cost: Not to exceed \$3,000.00; Speaker: Commissioner Moses; Backup: 1.**

Commissioner Moses explains the agenda item. Motion made by Commissioner Moses that we donate \$3,000.00 to CARTS, not to exceed \$3,000.00. Judge Schawe is concerned about what is left in the donation budget. Motion dies for lack of second. Moved by Commissioner Moses, second by Commissioner Theriot to table the item. All present voting "Aye".

- 15. Discussion/Action** regarding the installation of school zone signs for the Lockhart Montessori School on Westwood Road. **Cost: TBD; Speaker: Commissioner Haden; Backup: 1.**

Motion made by Commissioner Haden, second by Commissioner Theriot that we install those signs at the Montessori School the hours would be 7:00 a.m. to 4:00 p.m. and the speed limit 20 miles per hour. All present voting "Aye".

- 16. Discussion/Action** to approve adding the position of Docent for the Caldwell County Jail Museum as a part-time County employee and accept salary reimbursement to the County by the Caldwell County Historical Commission. **Cost: TBD; Speaker: Judge Schawe; Backup: None.**

Judge Schawe invites Coyle Buhler, CCHC Chairman, to explain the agenda item. \*Commissioner Theriot exits and returns twice during the agenda item's discussion. Liability for the potential employee, financial exchanges between Caldwell County and CCHC, and supervision of the employee are discussed. Civil attorney Jordan Powell is uncertain about liability and recommends clarifying if the position is part-time permanent or temporary. Mary Faye Baker says she is in favor of the position. Judge Schawe asks for a motion to table until he can talk to the auditor about exact costs to the County. So moved by Commissioner Haden, second by Commissioner Theriot. All present voting "Aye".

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- 18. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Jack's Acres located off Crooked Road (CR 170).  
**Cost: None; Speakers: Commissioner Roland/Kasi Miles; Backup: 14.**

\*Commissioner Haden exits. Kasi Miles says everything is in order and she is asking for approval from the court. So moved by Commissioner Moses, second by Commissioner Theriot. All present voting "Aye".

- 19. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Sloan Annex located off Catfish Lane (PR 2065).**Cost: None; Speakers: Commissioner Moses /Kasi Miles; Backup: 17.**

Kasi Miles explains the plat and says she is asking for approval. So moved by Commissioner Moses. \*Commissioner Haden returns. Judge Schawe asks about road ownership and Linda Hinkle details the ownership and plans for the property. She and Commissioner Theriot state the Development Review Committee is working to change guidelines for subdivisions but until the changes are in effect this plat is allowed. Martin Ritchey speaks about emergency services responding on Catfish Lane and the amount of development on a private road. Commissioner Theriot and Linda Hinkle discuss issues and solutions related to developing off of a private road. Second by Commissioner Theriot. All present voting "Aye".

- 20. Discussion/Action** regarding the selection and purchase of election equipment. **Cost: TBD; Speaker: Judge Schawe; Backup: 4.**

\*Commissioner Moses exits. Judge Schawe and Commissioner Theriot discuss combining item 20 and item 21, deciding to keep them separate. Chris Moody and the court review the services and products his company will provide along with the cost and payment. \*Commissioner Moses returns. The court discusses time frames for purchase and implementation of the new system with Chris Moody and Elections Administrator Pam Ohlendorf. So moved by Commissioner Theriot, second by Commissioner Haden to table until they hear back from the Elections Committee. All present voting "Aye".

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- 21. Discussion/Action** to request the Caldwell County Elections Committee to schedule a meeting to evaluate the operations, equipment, personnel, and overall functionality of the Caldwell County Elections Office. **Cost: None; Speaker: Commissioner Theriot; Backup: None.**

Commissioner Theriot reviews the agenda item and who all is on the Caldwell County Elections Commission. Moved by Commissioner Theriot, second by Commissioner Haden to ask that committee to convene and provide us with the recommendation requested. All present voting "Aye".

- 22. Discussion/Action** regarding the tax rate and voting on the proposed tax rate. If the tax rate exceeds the roll back rate or effective tax rate (whichever is lower), take record vote and schedule two public hearings. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reviews the agenda item. So moved by Commissioner Haden, second by Commissioner Theriot to approve the rate. Judge Schawe requests a roll call vote and Commissioner Haden votes in favor, Commissioner Moses votes in favor, Commissioner Theriot votes in favor and Judge Schawe votes in favor. Motion passes. Judge Schawe schedules two Public Hearings. One for August 28<sup>th</sup> at 9:30 a.m. and one on September 11<sup>th</sup> at 9:30 a.m. Judge Schawe asks all in favor of the Public Hearing times to say "Aye". Commissioner Haden, Commissioner Moses, and Commissioner Theriot say "Aye". Motion passes.

- 23. Discussion/Action** regarding approval of the salaries, expenses or other allowances for elected county and precinct officials pursuant to §152.013(a) of the Local Government Code. **Cost: TBD; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe says he has put in for a 3% increase. The court discusses increases specifically for the County Sheriff and the County Judge. Commissioners Theriot and Haden would like more information and for the increases to be addressed in the next budget cycle. During today's workshop they will discuss increases in the current budget. So moved by Commissioner Haden, second by Commissioner Moses to table. All present voting "Aye".



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**24. BUDGET WORKSHOP: Budget Workshop concerning the 2017-2018 proposed annual budget. No action will be taken at this time.**

Judge Schawe opens the workshop for comments and discussion. Chief Deputy Mike Lane discusses budget requests from the Sheriff's Office and answers questions from the court. Elections Administrator Pamela Ohlendorf requests a budget increase based on new legislation and answers questions from the court. Unit Road Administrator Donald LeClerc overviews his requests for budget increases and answers questions from the court. Chief Deputy Mike Lane asks for a budget addition he had forgotten previously. Commissioner Theriot explains a budget increase request email was received from District Attorney Fred Weber and Civil Attorney Jordan Powell elaborates on the request and answers questions from the court. Fred Weber arrives and adds to Jordan Powell's explanation.

**25. Adjournment.**

So moved by Commissioner Haden, second by Commissioner Theriot to adjourn. All voting "Aye".

Meeting adjourned at 1:00 p.m.

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I, CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO 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 August 14, 2017.

*Carol Holcomb*

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



**CALDWELL COUNTY HOST AGREEMENT COMMITTEE MEETING MINUTES**  
**110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas**  
**August 17, 2017 11:00 a.m.**



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JOE ROLAND      Commissioner Pct. 4  
OSCAR FOGLE  
LINDA HINKLE  
KENWOOD MAEKER

HOPPY HADEN      Commissioner Pct. 1  
FRANK SUGHRUE  
KENNETH SNEED

**Call Meeting to Order.**

Commissioner Haden calls the meeting to order at 11:02 a.m.

**Citizens' Comments.** At this time any person may speak to the Committee if they have filled out a 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 Committee. The Committee 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).

No citizens' comments.

**AGENDA ITEMS**

1. **Discussion/Action** regarding the Committee's requirements for a possible Host Agreement with Green Group Holdings. **Backup: None.**

**Commissioner Haden** and the committee discuss the next meeting. It will be Wednesday August 23, 2017 at 9:00 a.m. He and Frank Sughrue have added the committee's suggestions to the previous list and forwarded it to District Attorney Fred Webber. He hopes to have it back before the next meeting. He requests everyone read through the document and let him know if anything needs to be added and the committee discusses the formatting of the document.

Kenneth Sneed takes a phone call, steps away and right back.

**Commissioner Haden** reads the list submitted by Martin Ritchey to include in the Host Agreement. The committee discusses what libraries are included in the agreement's 60k donation.

**Frank Sughrue** and Commissioner Haden explain changes are needed by the committee meeting on the 23<sup>rd</sup> because the document has to go to Fred Webber before it can go to the Commissioners Court for approval. The next Commissioners Court date is August 28, 2017. Only after it is approved by Commissioners Court can it go to Green Group for approval. It needs to go to Green Group before TCEQ has their Commissioners Court on September 6, 2017.

**CALDWELL COUNTY HOST AGREEMENT COMMITTEE**  
**Meeting August 17, 2017**

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**2. Adjournment.**

Motion made by Kenwood Maeker, second by Frank Sughrue to adjourn. All voting "Aye". Meeting adjourns at 11:20 a.m.

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I, CAROL HOLCOMB, COUNTY CLERK, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Caldwell County Host Agreement Committee Meeting on August 17, 2017.

*Carol Holcomb*

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CAROL HOLCOMB, COUNTY CLERK  
CALDWELL COUNTY, TEXAS