

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Regular Meeting October 23, 2017 9:00 a.m.



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KEN SCHAWA	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. All members are present.

**Invocation.** Lockhart Ministerial Alliance

Reverend Steve Digby with First Christian Church 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** attended a CAMPO meeting. **Commissioner Moses** attended a Greater San Marcos Partnership meeting as well as a Chili cook-off and auction for Delhi on Saturday. They should be in their new Fire Station next year. He reminds everyone that early voting starts this morning. **Commissioner Theriot** attended the Greater San Marcos Partnership function Saturday. **Commissioner Roland** says good morning and that he hopes the Astros win the World Series. **Martin Ritchey** attended the National Transportation Safety Board Meeting where they reviewed the findings in the 2016 hot air balloon crash. He says Caldwell County was declared a disaster area and qualifies for County-wide and individual assistance. October 31<sup>st</sup> is the deadline to file. Commissioner Theriot, Judge Schawe, and Commissioner Moses discuss disaster assistance details. **Judge Schawe** thanks Luling High School for letting him speak to students. He attended an LCRA annual update meeting. On November 1<sup>st</sup> Lockhart ISD will host State of Northern Caldwell County.

**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).

**Robert Kohler** owns property in Dale. He references Hurricane Harvey's effect on the area and Commissioner Court minutes from 2015. He communicates disappointment with Commissioner Haden, says the County is unequipped to handle the issues associated with a landfill, and the County should not negotiate a Host Agreement until Green Group has complied with basic requirements.

**Byron Friedrich** owns a home site next to the landfill site and was advised to leave for his safety if the landfill is opened. He is disappointed the court got out of the contested case and that the Host Agreement Committee meeting was canceled. He believes there are backroom politics involved and as an effected party would like to know what is happening.

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**Frank Sughrue** owns property near the landfill site. He says as a member is the Host Agreement Committee he had received an email about a meeting with David Green on October 25<sup>th</sup>, but is confused by the email from Civil Attorney Jordan Powell stating that going forward it would be best to handle the matter in front of Commissioners Court rather than the Host Agreement Committee.

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

1. **Approve payment of County invoices in the amount of \$ 389,640.17.**
2. **Ratify re-occurring County payments in the amount of:**
  - A. **\$ 285,340.76 (Payroll)**
  - B. **\$ 41,298.27 (Utilities)**
  - C. **\$ 138,189.42 (Department of Motor Vehicle Fees collected from 9/11/2017 to 10/1/2017).**
3. **Accept the September 2017 Tax Collection Report submitted by the Caldwell County Appraisal District.**
4. **Accept and approve the Rider Increasing Surety Bond for Kenneth Schawe, County Judge of Caldwell County, Bond # 62242829.**
5. **Approve Budget Amendment #16 for the Constables Office, Precinct Four in the amount of \$873.00 to cover costs of Group Medical that went over budget and uniform costs. Funds are being transferred from 001-4324-4810 (Training) and 001-4324-5310 (Machinery & Equipment) to 001-4324-2020 (Group Medical) and 001-4324-2140 (Uniforms).**
6. **Approve Budget Amendment #17 for the Records Preservation Fund (County Clerk) in the amount of \$23,890 to cover costs for software maintenance and records preservation. Funds are being transferred from Line Items 003-3000-5325 (Computer Software), 003- 3000-5615 (Binding) to Line Item 003-3000-4520 (Software Maintenance) and from 001- 6510-4860 (Contingency) to Line Item 003-3000-5615 (Binding).**

County Auditor Barbara Gonzales discusses Consent Agenda item five with the court along with steps the Auditor's Office is taking to prevent overages in the future. Motion made by Commissioner Roland, second by Commissioner Theriot to approved Consent Agenda items 1-6. All voting "Aye".

**ACTION AGENDA ITEMS**

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

Martin Ritchey says the Technology Center at 901 Bois D'Arc will be open for FEMA tomorrow and extended hours will be Monday-Saturday from 9:00 a.m. to 7:00 p.m. and Sunday from 12:00 p.m. to 5:00 p.m. He does not recommend the burn ban at this time. Motion made by Commissioner Roland, second by Commissioner Haden to keep the burn ban off. All voting "Aye".

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8. **Discussion/Action** regarding a report on the additional funding provided for detention expenditures for FY 2017 to the Juvenile Probation Department. **Cost: TBD; Speaker: Judge Schawe/Jay Monkerud; Backup: 1.**

Jay Monkerud reports on the funds requested and received from the court. Of the \$20,000.00 provided \$3,710.00 remains and will be returned to the County. No action is taken.

9. **Discussion/Action** to award the bid for the Intersection Improvement Project at the intersection of SH 21 and County Road 176 in Caldwell County. **Cost: None; Speaker: Commissioner Theriot/Jacque Thomas; Backup: 1.**

Commissioner Theriot asks County Engineer Jacque Thomas for an update. She says the bids are being reviewed. Motion made by Commissioner Theriot, second by Commissioner Haden to table. All voting "Aye".

10. **Discussion/Action** regarding the engagement letter with Rutledge, Crain & Company, PC for the purposes of financial statements auditing. **Cost: TBD; Speaker: Judge Schawe/Barbara Gonzales; Backup: 8.**

Barbara Gonzales recommends keeping Rutledge, Crain & Company, PC for financial statements auditing. So moved by Commissioner Haden, second by Commissioner Theriot. All voting "Aye".

11. **Discussion/Action** to consider possible next steps in communicating with Green Group Holdings regarding a possible host agreement related to 130 Environmental Park. **Cost: None; Speaker: Commissioner Haden; Backup: None.**

Commissioner Haden and Civil Attorney Jordan Powell explain why the Host Agreement Committee could not meet with David Green and the court discusses a Workshop in Commissioners Court. Motion made by Commissioner Haden, second by Commissioner Theriot that we have a workshop to discuss those two items and anything we might need to discuss beyond that. All voting "Aye". Jordan Powell confirms with Commissioner Haden that he will coordinate a time with Green Group for a Workshop.

12. **Discussion/Action** to accept a donation from Carl Ohlendorf in the amount of \$250.00 for the purpose of replacing the courthouse flags. **Cost: None; Speaker: Commissioner Haden; Backup: None.**

Motion made by Commissioner Theriot, second by Commissioner Moses to accept the donation and forward a thank-you to Mr. Ohlendorf. All voting "Aye".

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13. **Discussion/Action** to approve the Amendment/Ratification of the Oil and Gas Lease with OAG Holdings II Texas, LLC. **Cost: None; Speaker: Judge Schawe; Backup: 5.**

Leslie Wheeler with OAG Holdings II Texas, LLC explains the need for the Amendment/Ratification. Judge Schawe asks that the item is approved with the changes on the document the Commissioners received. So moved by Commissioner Haden, second by Commissioner Moses. All voting "Aye".

14. **Discussion/Action** to renew the appointments of Jacque Thomas and Commissioner Ed Theriot to the Technical Advisory Committee for CAMPO for the year 2018. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe explains the agenda item. Motion made by Commissioner Theriot, second by Commissioner Haden to approve that. All voting "Aye".

15. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Spiller Compound located off Acorn Road (CR 126). **Cost: None; Speaker: Commissioner Theriot/ Kasi Miles; Backup: 17.**

Kasi Miles explains the plat and is asking for its approval. So moved by Commissioner Theriot, second by Commissioner Haden. All voting "Aye".

16. **Discussion/Action** to approve the Revised Employee Handbook. **Cost: None; Speaker: Judge Schawe; Backup: 77.**

Human Resources Coordinator Bob Bush says he has made the revisions to the Employee Handbook and is asking for the court to approve it. Judge Schawe recommends the court approve the Revised Handbook. So moved by Commissioner Haden, second by Commissioner Moses to accept the current version of the Employee Handbook. All voting "Aye". Bob Bush will send the Handbook to be distributed to employees.

17. **Adjournment.**

Judge Schawe ask for a motion to adjourn. So moved by Commissioner Moses, second by Commissioner Theriot. All voting "Aye".

Meeting adjourns at 10:12 a.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 October 23, 2017.



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

