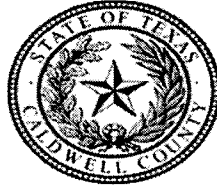


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting October 8, 2018 9:00 a.m.



KEN SCHAWÉ	County Judge	TERRY WRIGHT	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

Minister Steve Digby from First Christian Church Lockhart 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 Wright announces his mother is turning 89 and introduces Bob Bush.

Bob Bush introduces the three new County employees; Purchasing Agent Danielle Blake, Assistant Extension Agent Wayne Morse, and Grand Writer Dennis Engelke.

Commissioner Moses thanks Minister Digby and says he attended National Night Out events in Luling and McMahan, and fundraisers at McMahan's VFD and St. John's Catholic Church. He says upcoming events are Night in Old Luling, a quilt show, and Delhi VFD Cook off.

Commissioner Theriot says he attended a landowner meeting and a Martindale City Council Meeting, and that CAMPO has road funds open and is calling for project recommendations.

Commissioner Roland says happy birthday to Commissioner Wright's mother and that he attended multiple Night Out events, and has been very busy this election period.

Barbara Gonzales passes a document to court members (not provided to the County Clerk for minutes), discusses work on the budget, and says a FEMA representative met with her office and Dennis Engelke.

Judge Schawe says he has attended meetings regarding the Certificate of Obligation at the jail and that he appreciates Amanda Montgomery's assistance.

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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).

Ana McDonald is a Caldwell County resident who shares her contributions to the County and says the County Roads and protective flood berm near her home need repairing.

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

1. **Approve payment of County invoices in the amount of \$ 253,179.30.**
2. **Ratify re-occurring County payments in the amount of:**
 - A. \$ 320,447.58 (Payroll for 09/16/2018 - 09/30/2018)
 - B. \$ 100,426.79 (Payroll Tax for 09/16/2018 - 09/30/2018)
 - C. \$ 118,327.53 (Department of Motor Vehicle Fees)

Motion made by Commissioner Moses, second by Commissioner Theriot to accept Consent Agenda items 1-2. All voting "Aye".

AGENDA ACTION ITEMS

3. **Discussion/Action** regarding the burn ban. **Cost: None; Speaker: Judge Schawe / Carine Chalfoun; Backup: None.**

Motion made by Commissioner Roland, second by Commissioner Wright that we leave the burn ban off. All voting "Aye".

4. **Discussion/Action** to approve a Proclamation declaring October 7-13, 2018 as National 4-H Week in Texas. **Cost: None; Speaker: Judge Schawe / Elsie Lacey; Backup: 1.**

Toni Martinez is introduced and reads the Proclamation. Commissioner Theriot exits.

Motion made by Commissioner Moses, second by Commissioner Roland to approve the Proclamation. All present voting "Aye".

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5. **Discussion/Action** to approve a Proclamation declaring Texas Extension Education Association (TEEA) Week October 7-13, 2018. **Cost: None; Speaker: Judge Schawe / Elsie Lacey; Backup: 1.**

Elsie Lacey introduces the TEEA Club. Judy Wheeler explains the TEEA Club and reads the Proclamation. The Club members introduce themselves. Commissioner Theriot returns.

Motion made by Commissioner Roland, second by Commissioner Moses that we approve the Proclamation declaring Texas Extension Education Association Week as October 7-13, 2018.

17. **PUBLIC HEARING at 9:30AM:** concerning the approval of a Final Plat for Tower Meadows subdivision to include 23 lots on approximately 78.438 acres off Tower Road and Black Ankle Road. **Cost: None; Speaker: Commissioner Wright / Kasi Miles; Backup: 4.**

The Public Hearing opens at 9:33 a.m.

Kasi Miles provides background for the hearing, opens it to the public, and answers questions from court members.

Linda Hinkle, with Hinkle Surveyors, says the designs meet the new standard and that deed restrictions will be put into place.

Robert Lewis lives on Fox Lane and asks the court who will enforce the restrictions.

Jim Chisolm owns a ranch across from Tower Meadows and says he is concerned about the surrounding roads needing improvement and that the utilities required for a subdivision will affect his land.

Johnny Smith lives on Fox Lane and says he is concerned about the subdivision entrances, drainage, easements, well water, septic tanks, and regulations being enforced.

The Public Hearing ends at 9:46 a.m.

18. **Discussion/Action** to consider approval of a Final Plat for Tower Meadows subdivision to include 23 lots on approximately 78.438 acres located off Tower Road and Black Ankle Road. **Cost: None; Speaker: Commissioner Wright / Kasi Miles; Backup: 13.**

Commissioner Theriot, Kasi Miles, Judge Schawe, and Jacque Thomas discuss the concerns mentioned by the speakers in the Public Hearing. Kasi Miles confirms that she recommends approval.

Motion made by Commissioner Wright, second by Commissioner Theriot that we approve the Final Plat for Tower Meadows. All voting "Aye".

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6. **Discussion/Action** to approve a Proclamation declaring October as Domestic Violence Awareness Month. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Ashley Rios, Children's Counselor with HCWC, Cindy Gonzales, Victim's Assistance Coordinator in the District Attorney's Office, and Licia Edwards, Caldwell County Sheriff's Office Victim's Services introduce themselves and read the Proclamation.

So moved by Commissioner Moses, second by Commissioner Roland. All voting "Aye".

7. **Discussion/Action** to approve Resolution 14-2018 making an appointment to the Capital Area Housing Finance Corporation for a four year term. **Cost: None; Speaker: Judge Schawe; Backup: 1.**

Judge Schawe reads the Resolution and asks for a motion. Motion made by Commissioner Wright, second by Commissioner Roland. All voting "Aye".

Judge Schawe encourages people to contact Capital Area Housing Finance Corporation with suggestions for a donation they are planning.

8. **Discussion/ Action** to approve Resolution 15-2018 for participating in the 2019 - 2023 Austin - Round Rock Metropolitan Statistical Area (MSA) Regional Air Quality Plan. **Cost: \$3,850.00; Speaker: Judge Schawe; Backup: 3.**

Judge Schawe explains the item, and Commissioner Wright says he has attended their quarterly meeting.

Motion made by Commissioner Wright, second by Commissioner Theriot that we approve the resolution participating in the 2019 - 2023 Austin - Round Rock Metropolitan Statistical Area Regional Air Quality Plan.

Jacque Thomas inquires about the meetings' future attendance. Judge Schawe discusses local air quality and it's relation to government funding. All voting "Aye".

9. **Discussion/Action** on adding a phone stipend for the "Purchasing Agent" and "Grant Writer" Position(s) to the FY 2019 Budget. **Cost: TBD; Speaker: Judge Schawe; Backup: None.**

Judge Schawe introduces Barbara Gonzales to explain the item and discusses options with court members.

Motion made by Commissioner Wright, second by Commissioner Moses that we approve a phone stipend for these two positions at a start of \$35.00 per month. All voting "Aye".

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- 10. Discussion/Action** regarding the condition of the Justice Center roof. **Cost: TBD; Speaker: Judge Schawe; Backup: 11.**

Judge Schawe explains what has been done and what will be needed in the future, noting that finances should be planned for. Court members discuss the situation. No action is taken.

- 11. Discussion/Action** regarding the lease of the Slater Building in Luling with Texas Department of Public Safety (DPS). **Cost: None; Speaker: Judge Schawe; Backup: 13.**

The court discusses why the building is named Slater. Judge Schawe asks for a motion for himself and Amanda Montgomery to continue negotiations. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

- 12. Discussion/Action** regarding the renewal of the lease of 9675 State Highway 142 in Maxwell for Precinct 3 Justice of Peace. **Cost: TBD; Speaker: Judge Schawe; Backup: None.**

Judge Schawe explains the County is attempting to purchase the property or change the rental contract and asks for a motion to table. So moved by Commissioner Theriot, second by Commissioner Moses. All voting "Aye".

- 13. Discussion/Action** regarding the payout of 48.20 hours of accrued vacation time for the Sanitation Director. **Cost: TBD; Speaker: Judge Schawe; Backup: 3.**

Judge Schawe and Commissioner Theriot explain the situation and Judge Schawe asks for a motion to approve. Motion made by Commissioner Roland, second by Commissioner Moses.

Commissioner Wright, Judge Schawe, and Barbara Gonzales discuss the situation further including how it exists and is being corrected. All voting "Aye".

- 14. Discussion/Action** to approve the Caldwell County Employee Handbook as updated, effective October 1, 2018. **Cost: None; Speaker: Judge Schawe; Backup: 78.**

Bob Bush says the changes were included in the backup, reviews several of them, and requests approval.

Motion made by Commissioner Wright, second by Commissioner Theriot that we approve the changes to the Caldwell County Employee Handbook. All voting "Aye".

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15. **Discussion/Action** to schedule a special meeting for the purpose of canvassing the November 6, 2018 General Elections. **Cost: None; Speaker: Judge Schawe / Pamela Ohlendorf; Backup: None.**

Judge Schawe shares the dates the Elections Office requested and the court discusses Monday November the 19th.

So moved by Commissioner Roland, second by Commissioner Moses. Judge Schawe confirms the motion is to have the votes canvassed Monday November 19th. All voting "Aye".

16. **Discussion/Action** to reschedule the second meeting of Commissioners Court to meet the requirements for canvassing the November 6, 2018 General Elections. **Cost: None; Speaker: Judge Schawe / Pamela Ohlendorf; Backup: None.**

Passed. No action taken.

20. **EXECUTIVE SESSION** pursuant to Sections 551.071 and 551.087 of the Texas Government Code: to discuss a United States Department of Transportation Federal Railroad Administration (FRA) Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program application. **Cost: TBD; Speaker: Judge Schawe; Backup: None.**

The Executive Session begins at 10:37 a.m.

Commissioner Wright, Commissioner Moses, Judge Schawe, Commissioner Theriot, Commissioner Roland, Amanda Montgomery, Judy Langford, Michael Schroeder, and Dennis Engelke are all present.

No action is taken and the Executive Session ends at 11:15 a.m.

19. **Discussion/Action** to consider approval a Memorandum of Understanding with Texas Transportation Alliance and the County regarding the SMART Terminal Project. **Cost: TBD; Speaker: Judge Schawe/Commissioner Theriot; Backup: TBD**

Commissioner Theriot explains the background.

Motion made by Commissioner Theriot, second by Commissioner Moses, that we approve a Memorandum of Understanding with Texas Transportation Alliance. All voting "Aye".

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21. **Discussion/Action** to approve a resolution to approve the submission of a United States Department of Transportation Federal Railroad Administration (FRA) Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program application. **Cost: TBD; Speaker: Judge Schawe/Commissioner Theriot; Backup: TBD**

Recommendation made by Commissioner Theriot, second by Commissioner Moses to approve the resolution. All voting "Aye".

22. **Adjournment.**

Motion made by Commissioner Moses, second by Commissioner Wright to adjourn. All voting "Aye".

Court adjourns at 11:17 a.m.

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 8, 2018.

Carol Holcomb

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

