

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Regular Meeting August 8, 2016 9:00 a.m.



KEN SCHAWA
CAROL HOLCOMB

County Judge
County Clerk

ALFREDO MUÑOZ
EDDIE MOSES
NETO MADRIGAL
JOE IVAN ROLAND

Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4

Call Meeting to Order. Meeting called to order by Judge Schawe at 9:01 a.m. All members of the court present.

2016.08.08.01 Invocation. Lockhart Ministerial Alliance.

Pastor Bryan Dziadik-Willingham of Grace Lutheran Church opened the meeting with prayer.

2016.08.08.02 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 of both flags.

2016.08.08.03 Announcements. Items or comments from Court Members or Staff.

Commissioner Muñoz thanked emergency management for the memorial service that was put together to remember the victims of the hot air balloon accident. Commissioner Moses also thanked the emergency management department and the Sheriff's office for their professionalism. He announced the county will be losing an employee, Dwight Jeffrey of the unit road department, and thanked him for his service to the county. Commissioner Madrigal thanked all the volunteers and first responders who assisted during the hot air balloon accident. He thanked Dwight Jeffrey for doing an excellent job with the unit road department. Commissioner Roland thanked Dwight Jeffrey for all his hard work. Judge Schawe also thanked Dwight Jeffrey and all first responders and the emergency management department.

2016.08.08.04 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).

No Comments.

2016.08.08.05 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. Approve payment of County invoices in the amount of \$436,733.22.
- B. Accept River Duty Report from Chief Deputy Constable Steve Kenney of Precinct # 3

Motion made by Commissioner Muñoz, second by Commissioner Moses to approve Consent Agenda items A-B. All voting "Aye".

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SPECIAL PRESENTATION Balloon Accident, Martin Ritchey, Emergency Management Coordinator

Martin Ritchey gave a presentation on the hot air balloon accident that occurred Saturday, July 30, 2016. He named the agencies involved and thanked all first responders for their service. He gave a time line of events and described the memorial service that was held on Saturday, August 6, 2016.

(ALL OTHER AGENDA ITEMS)

2016.08.08.06 **Discussion/Action** regarding the burn ban for Caldwell County. **Speaker:** Judge Schawe/Martin Ritchey; **Cost:** None; **Backup:** None.

Martin Ritchey explained the county is facing dangerous weather conditions and recommended continuing the burn ban for another 30 days.

Motion made by Commissioner Roland, second by Commissioner Madrigal to leave the burn ban on. All voting "Aye".

2016.08.08.07 **Discussion/Action** regarding the selection of the employee group health insurance benefits plan. **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** 1.

Judge Schawe recommended option 3 of the available insurance plans stating the money saved will be used for employee raises. Commissioner Madrigal said he spoke with employees who stated they would rather have the insurance stay the same with only a 3% raise instead of the proposed 5%. Commissioner Moses said the employees affected by the insurance changes are those with family on their health coverage plans. He explained the amount of savings on each option and recommended option 1. Commissioner Muñoz shared concern that an employee's raise will be used for health care. Judge Schawe said only a few employees use their full deductible. Commissioner Roland agreed with Judge Schawe's recommendations. Judge Schawe explained the option to have an insurance pool for those that are affected by the increased rates. Ernesto Martinez with the Texas Association of Counties said he will need a decision today and explained that many other counties are having to make health coverage changes due to budget constraints. He said the option selected by the court will be set for one year and may not be changed until next fiscal year. He further explained the pool contribution purchase plan. Commissioner Roland said this was a difficult decision but that the court is doing the best they can. Commissioner Muñoz added that he hopes different plans will be available next year. Commissioner Moses thanked the employees for their input.

Motion made by Commissioner Roland, second by Commissioner Muñoz to take option 3 in the insurance plan. All voting "Aye".

2016.08.08.08 **Discussion/Action** regarding the selection of the 2016 County Election Officials as proposed by the 2016 Caldwell County Democratic Party Appointment. **Speaker:** Judge Schawe/Phillip Ruiz; **Cost:** None; **Backup:** 5.

Elections administrator, Pamela Ohlendorf asked the court for approval of the names submitted for the 2016 Caldwell County Democratic Party Appointment.

Motion made by Commissioner Muñoz, second by Commissioner Madrigal to approve the selection of the 2016 County Election Officials as proposed by the 2016 Caldwell County Democratic Party Appointment. All voting "Aye".

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2016.08.08.09 **Discussion/Action** regarding the selection of the 2016 County Election Officials as proposed by the 2016 Caldwell County Republican Party Appointment. **Speaker:** Judge Schawe/Kathy Haigler; **Cost:** None; **Backup:** 6.

Elections administrator, Pamela Ohlendorf asked the court for approval of the names submitted for the 2016 Caldwell County Republican Party Appointment.

Motion made by Commissioner Muñoz, second by Commissioner Roland to approve the selection of the 2016 County Election Officials as proposed by the 2016 Caldwell County Republican Party Appointment. All voting "Aye".

2016.08.08.10 **Discussion/Action** regarding the rate of pay for Deputy Constables. **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** None.

Judge Schawe explained the extra part time duties performed by the constables are currently getting a rate of \$10.50 per hour and are requesting a change to \$12.50 per hour. He stated this change has already been made into the proposed budget. Commissioner Madrigal said this money will be well spent and described the increase of citations made to those committing violations on the San Marcos River. He shared concern for the need of protection on the river.

Motion made by Commissioner Madrigal, second by Commissioner Muñoz.

Judge Schawe stated there was a motion and second to have the rate of pay for deputy constables at \$12.50. All voting "Aye".

2016.08.08.11 **Discussion/Action** regarding the Human Resources position. **Speaker:** Judge Schawe; **Cost:** TBD; **Backup:** None.

Commissioner Muñoz said they have interviewed six applicants for the human resources position and have agreed on a candidate who has over 12 years of experience. Daniel Fowler addressed the court stating he looks forward to being hired as the county's human resources director and making a positive impact. Commissioner Muñoz said a priority will be a wellness program.

Motion made by Commissioner Muñoz, second by Commissioner Moses to hire Daniel Patrick Fowler. All voting "Aye".

Judge Schawe said the salary for this position is \$65,000.

2016.08.08.12 **Discussion/Action** to accept a tax resale bid on .216 acres out of Lot 1, Block 7, Josey's North Addition to the City of Luling, tax account number 25942. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 6.

Motion made by Commissioner Muñoz, second by Commissioner Moses to accept a tax resale bid on .216 acres out of Lot 1, Block 7, Josey's North Addition to the City of Luling, tax account number 25942. All voting "Aye".

2016.08.08.13 **Discussion** concerning the effective and rollback tax rate for Fiscal Year 2016-2017. **Speaker:** Judge Schawe; **Cost:** None; **Backup:** 6.

Judge Schawe proposed a new tax rate of \$0.7754 from the current effective tax rate of \$0.7102. No further discussion.

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2016.08.08.14

EXECUTIVE SESSION Consultation with legal counsel concerning status of 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 Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]. **Speaker:** Commissioner Roland/J. Eric Magee; **Backup:** None.

Persons present in the executive session were: Judge Schawe, Commissioner Muñoz, Commissioner Moses, Commissioner Madrigal, Commissioner Roland, Civil Attorney Jordan Powell, and J. Eric Magee from Allison, Bass & Magee, LLP.

Executive Session began: 9:55 a.m.

Executive Session ended: 10:29 a.m.

Judge Schawe announced back in session: 10:32 a.m.

No action taken in closed court.

No action taken in open court.

2016.08.08.15

Budget Workshop regarding the proposed 2016-2017 budget. **Speaker:** Judge Schawe; **Backup:** None.

Judge Schawe said he is still working on a few issues. He said the District Judge ordered a few salary changes. The sheriff also has changes to his department that are being worked on. He mentioned he is working with the county's insurance agency in regards to the hot air balloon accident. Commissioner Muñoz asked Judge Schawe to clarify probate matters. Judge Schawe stated he has decided to hear probate, guardianship and civil cases. He said he has completed classes and has met with Judge Jarrett whom he said is swamped and stays very busy. He said he is looking at getting a county engineer or planner. Commissioner Muñoz would like to see Kasi Miles with the sanitation department receive help in her department. Commissioner Madrigal stated the previous engineer did not work out. Kasi Miles stated she does not believe the county needs a county engineer. She said she would need someone experienced in her department in order to help effectively. She stated issues her department has and gave options for improvement. She suggested hiring a part time planner and moving to full time next year. She said the subdivision fees must be increased and ordinances need to be updated. Commissioner Muñoz agreed to have a part time hired to assist Kasi Miles. He requested the title be changed from county engineer to planner. Commissioner Madrigal agreed with this change. Commissioner Moses requested an increased salary for the Sheriff and suggested giving the Auditor's salary a 5% increase only. County Treasurer, Lori Rangel mentioned errors on the listed salaries in which Judge Schawe said there have been amendments and he is getting those corrected. Commissioner Moses received clarification on the county's reserves and total expenditures.

2016.08.08.16

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

Meeting Adjourned at 11:21 a.m.

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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 August 8, 2016.

Carol Holcomb

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

