



Notice of Meeting
Commissioners Court of Caldwell County, Texas

Notice is hereby given that a meeting of the Caldwell County Commissioners Court will be held on the 15th day August, 2011 at 9:00 A.M. in the Commissioners Courtroom located at 1403 Blackjack Street, Lockhart, Texas at which time the following subject will be discussed, considered, passed or adopted, to Wit:

Agenda

Call Meeting to order.

1. 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).
2. Approve Minutes of Previous Meeting **(August 8th, 2011).**
3. Citizen's comments: at this time any person with business before the Commissioners Court, not scheduled on the agenda, may speak to the Commissioners Court. Comments will be limited to three (3) to (5) minutes per person.
4. **Approve the Caldwell County Reports for the month of June and July 2011:**
 - A. Environmental Investigator Report -Mike Bittner
 - B. Texas Agrilife Extension Service Report -Carissa Wilhelm
 - C. Veterans Officer report -David Francis
 - D. Building Maintenance report -Curtis Weber
 - E. Emergency Management report -Jimmy Parker
 - F. 911 Addressing Coordinator -Darla Law
 - G. Sanitation Officer monthly report -Kasi Miles
 - H. Indigent Health Care and Indigent Burial-Rhoda Chavira
 - I. Caldwell County Unit Road Systems Report -Dwight Jeffrey
 - J. Caldwell County Tax Collection Report
 - K. Caldwell County Bank Reconciliation Report-Lori Rangel-Pompa
5. Recess to go to the east side of Courthouse Building-Commissioner Buchholtz.
6. Reconvene at Commissioners Courtroom.
7. Discussion/Action on what limbs may be trimmed on Courthouse Grounds-Commissioner Buchholtz.
8. Pay Bills

FILED this 11th day of Aug. 2011
4:40 P.M.
CAROL HOLCOMB
COUNTY CLERK, CALDWELL COUNTY, TEXAS
By Kathrene Hamby Deputy

Adjourn

As authorized by the Texas Government Code, the Commissioners' Court of Caldwell County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above as they may relate to Texas Government Code Section 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers); Texas Government Code Section 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code); Texas Government Code Section 551.072 (Deliberations About Real Property); Texas Government Code Section 551.073 (Deliberations about Gifts and Donations); Texas Government Code Section 551.074 (Personnel Matters), Texas Government Code Section 551.0745 (Deliberations about a County Advisory Body); Texas Government Code Section 551.076 (Deliberations about Security Devices); and Texas Government Code Section 551.087 (Economic Development Negotiations)

In the event that the Court adjourns into Executive Session, unless otherwise specified on the agenda, the Court will announce any other parties who are authorized to be present during the deliberations in Executive Session and will announce under what section of the Texas Government Code the Commissioner's Court is using as its authority to enter into an Executive Session.

The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the County Judge's office at 512 398-1808 for further information.

Pledge

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I Pledge Allegiance to the flag of the United States of
America and to the Republic for which it stands,
one Nation under God,
indivisible, with liberty and justice for all.



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Honor the Texas flag;
I pledge allegiance to thee,
Texas, one state under God, one and indivisible

Minutes

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COMMISSIONERS COURT MINUTES
Regular Meeting August 8, 2011



TOM D. BONN County Judge
CAROL HOLCOMB County Clerk

JOHN P. CYRIER Commissioner Pct 1
FRED F. BUCHHOLTZ Commissioner Pct 2
NETO MADRIGAL Commissioner Pct 3
JOE IVAN ROLAND Commissioner Pct 4

Call Meeting to order.

1. 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 Bonn led the Pledge to the United States and Texas Flag.

2. Approve Minutes of Previous Meeting July 25, 2011 July 29, 2011

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal to approve the minutes from the previous meeting which was July 25, 2011. All voting "Aye". MOTION PASSED. Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to approve the minutes from the Public Hearing dated July 29, 2011. All voting "Aye". MOTION PASSED.

3. Citizen's comments: at this time any person with business before the Commissioners Court, not scheduled on the agenda, may speak to the Commissioners Court. Comments will be limited to three (3) to (5) minutes per person.

The following citizens have signed a Public Participation Form to speak before Commissioners Court. Terry Dickerson, Tracy Forester, Larry Sellers, Kathy Sellers, Patty Rucker, Larry Lindsey, George Sanchez, Rick Johnson, Adair Rucker, Linda Hinkle, Susan Modrall, Caldwell County Treasurer, Lori Rangel-Pompa, Oscar H. Fogle, Bill Schroeder, Pct. 3 Judge Alfonso Campos.

Terry Dickerson explains that he bought a piece of land four years ago in Precinct 2, believing it was on a County Road. Now recently, someone has bought land on passed his property and put a gate at the beginning of the road. Commissioner Buchholtz will speak to him after the meeting to help resolve the situation.

Linda Hinkle asks if the number that the agenda items are place in correspond with the role of importance? It seems that if someone walks in and the item is further down the list, it may be taken out of order. On several occasions I have signed up to speak on an item at the top and it gets moved to the bottom of the list.

Rick Johnson asks if this is the time for public comments concerning the proposed budget. Mr. Heggemeier informs the citizens that there will be a Public Hearing on September 26, 2011. Mr. Johnson comments that he has a question how some of the revenue was determined? What is the increase of 92% to 98% revenue based on? Mr. Johnson has several questions when it is time for citizen's comments.

Judge Bonn lets the citizens know that there is now an oath that can be used when talking about Ordinance Issues and the Court bailiff will use it when necessary.

Judge Bonn reads the Notice for County Clerk Carol Holcomb letting the public know that Cattle Brands will be renewed August 31, 2011-February 29, 2011. He repeats it for a citizen unable to hear. Carol Holcomb informs citizens that the \$16.00 fee will apply.

Judge Bonn recognizes Lockhart Post Register for a precise and informative article of the Proposed Budget. Judge Bonn reviews the listed overtime hours for the year and comments that they are continuing to decrease.

COMMISSIONERS COURT MINUTES
Regular Meeting on August 8, 2011

Commissioner Madrigal and Commissioner Roland asked if it is legal to request a citizen to swear in to speak in Commissioner Court. Council, Ron Heggemeier answers yes, if the Commissioners Court have agreed. Since it has not been on the agenda, No discussion of it will be continued until it is an agenda item.

4. Consent Agenda

(a) Final Approval of Family Land Grant concerning 535 Paintbrush Trail, Lockhart, TX (Application/Receipt Number 3962 concerning a 1.705 tract of land with variance). Application name is Mark Shipwash. All required items have been completed.

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier to approve the Family Land Grant concerning 535 Paintbrush Trail, Lockhart, TX (Application/Receipt Number 3962 concerning a 1.705 tract of land with variance). Application name is Mark Shipwash. All voting "Aye". MOTION PASSED.

5. Discussion/Action concerning paving of unpaved portion of CR 215 (which is a 3 year old open work order) and the related budget amendment #25 which would recognize additional \$120,000 in sales tax revenue and transfer of the same amount to Unit Road for paving of unpaved portion of CR 215-Judge Bonn.

Larry Lindsey was concerned about the condition of CR 215 and the increased population has led to increased traffic and the road is very dangerous. Road conditions cause clouds of dust from vehicles and you have to drive very slowly. Patty Rucker says that the gravel is deteriorated and the edges of the road very uneven. She describes it as a washboard and is very concerned about safety. Bill Schroeder says that he has property on CR 215, also known as Westwood Rd, and is too concerned about the conditions of the road. Tracy Forester says that she doesn't understand the priority to pave CR 215 and feels it is because Judge Bonn and Commissioner Cyrier live on this road. Tracy Forester feels that the money could be spread out among the entire county. John Roescher speaks about the conditions and the safety hazards caused by deterioration and conditions of the gravel roadway. When driving on CR215, you have to stop and wait for the dust to clear from other vehicles. Oscar Fogle gives a count of cars while at his property and has counted the amount of increase of properties on the road. He says both ends of the road are paved but not the middle. Judge Bonn asked several times for the citizens in the court to refrain from comments while others were speaking. Kathy Sellers has a concern about paving it and TXDOT comes in and says that they want to make it a two or four lane road, what will happen then? Commissioner Cyrier replies that he feels that, if that occurs that it may not be for ten to twenty years. Kathy Sellers still feels that the money could be used in other ways and for other things in our county. Commissioner Roland says that the description of CR 215 describes a lot of other roads in the county. Motion made by Commissioner Cyrier, seconded by Judge Bonn to approve paving of unpaved portion of CR 215 (which is a 3 year old open work order) and the related budget amendment #25 which would recognize additional \$120,000 in sales tax revenue and transfer of the same amount to Unit Road for paving of unpaved portion of CR 215. Role call vote. Commissioner Cyrier votes Yes, Commissioner Buchholtz votes No, Commissioner Madrigal votes No, Commissioner Roland votes No, Judge Bonn votes Yes. Motion Fails.

COMMISSIONERS COURT MINUTES
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6. Budget Workshop: Proposed Budget 2011-2012 (Available on the web www.co.caldwell.tx.us)

Judge Bonn introduces the new Caldwell County Auditor, Larry Robison. He was the Auditor here in Caldwell County from 1979-1982. Mr. Robison looks forward to working with Caldwell County again. Judge Bonn informs the Court that today he will present the Proposed Budget to the Commissioners. Public Comments will wait until September 26, 2011. Judge Bonn reads the Proposed Budget to Commissioner's and Court and opens up to discussion.

Commissioner Roland points out the collection history being 92-93% and questions the 98% revenue. Judge Bonn explains that 92% is a benchmark number but the county has already exceeded 97%, by collecting back taxes. Judge Bonn addresses the subject of merit raises and how they will work. Sheriff Danny Law comments that he has not received the merit forms. Commissioner Roland does not think merit raises are fair. County Treasurer Lori Rangel-Pompa is concerned with the cuts that Judge Bonn has made to her proposed budget for her office. There are several large cuts and she asks the Judge and the Commissioners to reconsider her proposed budget. Commissioner's Roland and Madrigal would like to see the Precinct Judges all be brought to the same pay scale. Commissioner Roland asks about the line items with only \$10.00 in them. They are a placeholder for costs that may require a budget amendment. Sheriff Danny Law informs the court that the only vehicle change that he has is that the department requires a truck big enough to pull a cattle trailer.

Commissioner Roland asks about the 911 coordinator position. This was a grant position and this will be an internal position with CAPCOG from now on. They are in communication with Caldwell County Appraisal District to have someone issue the address and CAPCOG will be doing the maps. Move on to #7.

7. Discussion/Action to approve resolution amending authorized representatives are empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds (Larry Roberson)-Lori Rangel-Pompa.

Motion made by Commissioner Madrigal, seconded by Commissioner Buchholtz to approve resolution amending authorized representatives are empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds. All voting "Aye". MOTION PASSED

8. Discussion/Action concerning revisions to Caldwell County Personnel policies (Sections 3.01, 3.03, 3.05 and 3.06)-Judge Bonn-Ron Heggemeier.

Motion made by Commissioner Buchholtz, seconded by Commissioner Madrigal to approve the revisions to Caldwell County Personnel policies, section 3.01, 3.03, 3.05 and 3.06. All voting "Aye". MOTION PASSED

9. Discussion/Action to approve the reimbursement rate for travel expense to be paid at the rate published by the Internal Revenue Service (IRS) and the County reimbursement rate shall automatically change with any change made by the IRS to the reimbursable rate-Judge Bonn.

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal to approve the reimbursement rate for travel expense to be paid at the rate published by the Internal Revenue Service (IRS) and the County reimbursement rate shall automatically change with any change made by the IRS to the reimbursable rate. All voting "Aye". MOTION PASSED

COMMISSIONERS COURT MINUTES
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10. Discussion/Action concerning a Homeland Security Project Grant to add a new point to point microwave system to the County's radio system. This will provide redundancy with our connection back to the City of Austin. (\$119,927.00)-Judge Bonn

Motion made by Judge Bonn, seconded by Commissioner Buchholtz to approve a Homeland Security Project Grant to add a new point to point microwave system to the County's radio system. All voting "Aye". MOTION PASSED

11. Discussion/Action to approve advertisement or solicitation for an EMS "Request for Quote"-Judge Bonn.

Motion made by Commissioner Madrigal to table this item until further research. No second on this motion. New Motion by Commissioner Cyrier, seconded by Commissioner Buchholtz to approve advertisement or solicitation for an EMS "Request for Quote" All voting "Aye". MOTION PASSED

12. Pay Bills

Motion made by Commissioner Roland, seconded by Commissioner Madrigal to pay the bills in the amount of \$160,532.67. This includes \$15,047.90 for Total Indigent Defense and \$687.24 for Total Indigent Health. All voting "Aye". MOTION PASSED

13. Discussion/Action to approve an interlocal agreement between the City of Lockhart and Caldwell County to hold a joint election on November 8, 2011-Vicky Gonzales

Mary Vicki Gonzales, Caldwell County Tax Assessor requests to combine the election for the City of Lockhart and Caldwell County. Motion made by Commissioner Cyrier, seconded by Commissioner Roland to approve an interlocal agreement between the City of Lockhart and Caldwell County to hold a joint election on November 8, 2011. All voting "Aye". MOTION PASSED

14. Discussion on Highway Spur from the intersection of US Highway 183 at FM 671 west on Graham Road over to & then northwest on Westwood Road to Highway 130 Toll-Commissioner Buchholtz.

No Action Taken

15. Discussion and Action on agreement to transfer unused funds in 2010-2011 budget to Unit Road System for seal coating-Commissioner Buchholtz.

No Action Taken

Recess 12:12 Noon

COMMISSIONERS COURT MINUTES
Regular Meeting on August 8, 2011

Reconvene at 1:36 P. M.

**16. Discussion and possible action to consider and adjust proposed redistricting plan(s)-
Judge Bonn**

**17. Discussion and possible redistricting plan map-drawing session with redistricting legal
counsel.**

Court reconvenes at 1:36 P.M. and Judge Bonn turns the meeting over to Syd Falk. Mr. Falk reviewed the Redistricting Process that has happened so far. He addressed the address change for Commissioner Roland and how his office has altered the voting squares on the map. He also reviewed the information that Commissioner Madrigal has requested, to change the corner of the Illustrative Plan to include some of his family. He also took into consideration some of the citizen's comments that were submitted at the Public Hearing on July 29, 2011. Mr. Falk now has maps to show the court 2 adjusted plans with revisions of the Illustrative Plans 1 & 2. Either will work for the Department of Justice and the required guidelines. Motion made by Commissioner Buchholtz, seconded by Judge Bonn to approve Illustrative Plan 1 Revised. Commissioner Madrigal says that he favors Illustrative Plan 2 Revised. He states that he has worked a lot with the representatives with SH 130 and also the proposed subdivisions that are in that area, and would like to see them through. Commissioner Roland agrees. Commissioner Cyrier agrees that the working relationship has been structured. Call for vote, Commissioner Cyrier votes No, Commissioner Buchholtz votes Yes, Judge Bonn votes Yes, Commissioner Madrigal votes No, Commissioner Roland votes No. Motion fails.

Motion made by Commissioner Madrigal, seconded by Commissioner Roland to choose Illustrative Plan 2 Revised. Vote taken, Commissioner Cyrier votes Yes, Commissioner Buchholtz votes Yes, Judge Bonn abstains from vote, Commissioner Madrigal votes Yes, Commissioner Roland votes Yes. Motion Passed. Illustrative Plan 2 is chosen by Commissioners Court. Mr. Faulk explains the final adjustment with the voting blocks for Commissioner Roland and then it will be submitted to the Department of Justice. A copy of the map will then be given to the County Judge's office for public viewing.

ADJOURN

Motion made by Commissioner Buchholtz, seconded by Commissioner Madrigal to Adjourn. All voting "Aye". MOTION PASSED

_____ TOM D. BONN, County Judge

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ENVIRONMENTAL INVESTIGATOR JULY, 2011 COURT REPORT

CASE SUMMARY

- 2- Cases- Filed Closed/Unfounded, Illegal Dumping along county roads and in creeks
- 6- Cases – Complied –Public Nuisance,
- 12 - Cases – Violation Letters Sent – Active, Public Nuisance
- 3 – Cases – Inactive Pending New Leads – Illegal Dumping, Public Nuisance
- 9 - Cases – Active/ Pending Compliance

Worked 10 Illegal Dump Sites found beside county roads and in creek lines. Found while I was on patrol in the county.

Break down of the Litter. Removed from the County Roadside and Creek Beds.

- 15 – Auto Tires
- 4 – Mattress
- 1 – Gas Oven.
- 1- Refrigerator

Along with Household Litter, Road Litter, Construction Litter.

Estimated Total Weight: 1800 lbs

Checking and installing cameras in the county in effort to catch illegal dumpers. No images of illegal dumping yet. Put did deter some people from illegal dumping.

Thank You
Mike Bittner

B

C

Report to Commissioners Court **July 2011** Caldwell Co. Veterans Service Officer

# Persons seeking information and/or claim assistance	39
# Appointment	4
# Walk-In	20
# House Calls	2
# Nursing Home Visits	3
# Veterans in Caldwell Co. Nursing Homes	49
# of Survivors (widows/widowers) at Caldwell Co Nursing homes	14
# Nursing Home Residents Assisted	2
# Veteran Deaths	1
# Persons assisted at Field Office, Luling	6

- Deaths: Navy veteran, William Ross

Death(s) prior to current report: None reported / No notifications

- Attended USDA Rural Development brief on 26 July to learn loan benefits in comparison VA and VLB loans.
- Spoke to group of veterans and surviving spouses at Golden Age Home on 28 July.
- Attended Caldwell County Veterans Council meeting, 11 July.

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G

Sanitation Department Monthly Reports for July 2011

Septic Permits: Total- 5

- 1- Standard
- 4- Engineered

Inspections:

- 13- 1st & 2nd Inspections
- 10- Final Inspections

Violation Letters sent out in May: Total- 9

- 9- Maintenance Contracts

Residential Construction Permits: Total- 4 (\$225.00 x 4)

- 4- Site inspections

Site Construction Permits: Total-1 (\$900.00)

- 1-Site inspection (Texas Quail Farm on Brushy Branch Road)

Family Land Grant: Total- 2 (\$275.00 x 2)

- 1- Joe, Domingo & Thomas Martinez
- 2- Mark & Teresa Shipwash

Variances: Total-2 (\$350.00 x 2)

- 1- Joe, Domingo & Thomas Martinez
- 2- Mark & Teresa Shipwash

Subdivisions: Total-2

- Highland Ranch- Off FM 1854 & Seminole Trail
Preliminary Plat phase (\$4,725.00)

- Tierra Verde- Off CR 174 & Lytton Lane
Preliminary Plat phase (\$4,600.00)

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**COUNTY INDIGENT HEALTH CARE PROGRAM
MONTHLY FINANCIAL REPORT**

County Name Caldwell Reporting for (Month/Year) July, 2011
or
Amendment of the Report (Month/Year) _____

I. REIMBURSABLE EXPENDITURES during This Report Month

1. Physician Services	\$4,105.28	
2. Prescription Drugs	\$1,897.74	
3. Hospital, Inpatient Services	\$9,704.68	
4. Hospital, Outpatient Services	\$15,798.51	
5. Laboratory/X-ray Services	\$1,207.11	
6. Skilled Nursing Facility Services	\$0.00	
7. Family Planning Services	\$0.00	
8. Rural Health Clinic Services	\$0.00	
9. State Hospital Contracts	\$0.00	
10. Optional Services	\$0.00	
11. Total Expenditures (add #1 through #10)		\$32,713.32
12. Reimbursement Received (Do not include State Assistance)	\$0.00	
13. 6% Eligibility System Review Findings (\$ in error)	()	
14. Total to be Deducted (Add #12 & #13)		(\$0.00)
15. Applied to State Assistance Eligibility/Reimbursement (#11 minus #14)		\$32713.32

II. EXPENDITURE TRACKING for State Assistance Funds Eligibility/Reimbursement

TOTAL EXPENDITURES for Current State Fiscal Year (9/1 – 8/31)		\$	\$210,995.51
GRTL \$ <u> 10067305.01 </u>		\$	
	6% of GRTL	\$	\$604038.30
	8% of GRTL	\$	\$805384.40

Rhoda Charua

Signature of Person Submitting Form 105

8/9/11

Date

Caldwell County Indigent Burial Assistance Program Monthly Financial Report

County Name: Caldwell County

Report for: May, June, July 2011

Case#	City	Amount Paid
		-0-

Total application filed	0
Total applications approved	0
Total application denied	0

Expenditure Tracking for Indigent Cremations

Total Expenditure for the Current Fiscal Year (10/01-09/31) Yr to Date 3,247.50
Total served 4
Total Budget \$18,200.00 Line item 501-7620-412

Report Submitted by: Rhoda Chavira
8/09/2011