

COMMISSIONERS COURT MINUTES
Regular Meeting November 14, 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

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 pledge to both flags.

2. **Announcements: Items or comments from Court Members or Staff.**

Judge Bonn read "WHAT HAPPENS WHEN WE PRAY." Commissioner Madrigal said that the Commissioner Court meetings should begin with prayer. He agreed with some of the citizens that had expressed it in court. Commissioner Cyrier let the court know that he would not be attending the Commissioner Court meeting on November 28, 2011.

FEMA Community Relations individual Assistance operation for DR-4029-TX is complete.

Cancellation of Caldwell County Commissioners Court on November 21, 2011 due to the holiday week.

No action taken.

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 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 balance of comments will continue as the last agenda item of the day).**

Linda Hinkle spoke on her dissatisfaction concerning the reaction from the Caldwell County Veterans Officer and his wife.

Jeff Heller, a resident of Spring River Estates Subdivision in Martindale, spoke concerning a new tubing business that is beginning construction there. The residents are concerned about the possible increase of tubers and any crime or sanitation problems that may arise. Philip Hicks, a resident of River Bend, a neighboring subdivision is also concerned and agrees with Mr. Heller. Diane Wassenich, from the San Marcos River Foundation spoke on concerns to the river and the surrounding property values. She thanked the Commissioners Court for their participation in the Watershed Protection Program.

Commissioner Roland read a message that was left on his answering machine by Tom Finfrock. It was from the Book of Proverbs, verse 29. He also expressed his dissatisfaction concerning the Human Resource Dept., and the moving of the Treasurer's Office from the Courthouse.

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4. STAFF REPORTS/COMMENTS.

Reports for the month of October 2011

A. Environmental Investigator Report -Mike Bittner

Mike Bittner gave the Environmental Investigator Report for October 2011.

B. Texas Agrilife Extension Service Report -Carissa Wilhelm

Carissa Wilhelm gave the Texas Agrilife Extension Service Report for October 2011. She reports that they are getting close to filling the vacancy in the office.

C. Veterans Officer report -David Francis

David Francis gave the Caldwell County Veterans Officer report for October 2011.

D. Building Maintenance report -Curtis Weber

Curtis Weber gave the Building Maintenance reports for September and October 2011

E. Emergency Management report -Jimmy Parker

Jimmy Parker gave the Emergency Management report for October 2011.

F. Sanitation Officer monthly report -Kasi Miles

Kasi Miles gave the Sanitation Officer monthly report for October 2011.

G. Indigent Health Care and Indigent Burial-Rhoda Chavira

Rhoda Chavira gave the Indigent Health Care and Indigent Burial report for October 2011.

H. Caldwell County Unit Road Systems Report -Dwight Jeffrey

No Action Taken

I. County Quarterly Investment Report quarter ending 9-30-11-Lori R. Pompa

Lori R. Pompa gave the County Quarterly Investment Report quarter ending 9-30-11. She also gave the August report that had been passed on last month.

5. CONSENT AGENDA.

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless the Court votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. Approval of Minutes-October 24th, 2011

Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to approve the minutes for the Commissioner Court Meeting on October 24, 2011 and the monthly reports except Unit Road Systems, All voting "Aye". MOTION PASSED

6. COUNTY ADMINISTRATOR REPORT/PRESENTATIONS.

A. Sales Tax Collection Update

B. Federal Prisoner Inmate Revenue Update

C. Tax Collection Report October 2011

County Administrator Ron Heggemeier gave the reports listed above and answered any questions concerning them.

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7. **SPECIAL PRESENTATIONS**

None

(ALL OTHER AGENDA ITEMS)

8. **Discussion/Action concerning Caldwell County Burn Ban-Judge Bonn.**
Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to keep County Burn Ban in effect for the next 90 days. All voting "Aye". MOTION PASSED
9. **Discussion on the Proposed Amendment to 2012 Caldwell County Appraisal District Budget by increasing the budget by \$62,000.00-Judge Bonn.**
Judge Bonn explained the needs and reason for the Proposed Amendment to 2012 Caldwell County Appraisal District Budget by increasing the budget by \$62,000.00. No action Taken.
10. **Discussion regarding Caldwell County overtime hours for the month of September 2011-Judge Bonn.**
The overtime report was read by Judge Bonn. No action taken.
11. **Discussion/Action to approve opening prayer for all Commissioners Court Meetings-Judge Bonn.**
Motion made by Commissioner Madrigal, seconded by Commissioner Buchholtz to include opening the Commissioners Court meeting with a brief prayer, provided by agreement with the ministerial alliance. All voting "Aye". MOTION PASSED
12. **Discussion/Action concerning adoption of Commissioners Court Rules of Procedure, Conduct, and Decorum for all Commissioners Court Meetings-Commissioner Buchholtz.**
Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to approve the adoption of Commissioners Court Rules of Procedure, Conduct, and decorum for all Commissioners Court Meetings with the amendments that were agreed on in the Court meeting on November 14, 2011. All voting "Aye". MOTION PASSED ****
13. **Discussion/Action concerning adoption of rewrite of Section 3.00 thru 3.12 of Caldwell County Personnel Policy and Adoption of Duties of County Administrator-Judge Bonn.**
Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to approve the changes made to the Caldwell County Personnel Policy and Adoption of Duties of County Administrator with the amendments that were agreed on in the Court meeting on November 14, 2011. All voting "Aye". MOTION PASSED ****
14. **Discussion/Action concerning adoption of Commissioners Court Agenda Format-Judge Bonn/Ron Heggemeier.**
Motion made by Commissioner Madrigal, seconded by Commissioner Buchholtz to adopt the new format with the addition of prayer after the Pledge to the Flags. All voting "Aye". MOTION PASSED

**** Copies of changes of documents are included in Agenda packet for November 14, 2011

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15. **Discussion/Action to approve Child Welfare Services Contract, Non-Financial Contract No. 23939218 to enter this contract to establish and maintain a child welfare board to meet the needs of children in the County who are in need of protective services. This contract will be in force effective October 1, 2011 through September 30, 2012 and will automatically renew for one fiscal year at a time through September 30, 2018 unless terminated sooner- Judge Bonn.**

Motion made by Commissioner Cyrier, seconded by Commissioner Roland to approve Child Welfare Services Contract, Non-Financial Contract No. 23939218 to enter this contract to establish and maintain a child welfare board to meet the needs of children in the County who are in need of protective services. All voting "Aye". MOTION PASSED

16. **Discussion/Action to consider the appointment of Deanna Juarez, president, Carol Peters, secretary, Connie Amaya, treasurer, Diana Delgado and Lucy Samaro to serve on the Child Welfare Board of Caldwell County and also assist in finding two additional members needed to form a complete board- Judge Bonn.**

Motion made by Commissioner Madrigal, seconded by Commissioner Roland to approve the appointment of Deanna Juarez, president, Carol Peters, secretary, Connie Amaya, treasurer, Diana Delgado and Lucy Samaro to serve on the Child Welfare Board of Caldwell County and also assist in finding two additional members needed to form a complete board. All voting "Aye". MOTION PASSED

17. **Discussion/Action to approve 13 ½ holidays for Caldwell County Employees for the year 2012, one (1) floating holiday and one (1) longevity leave day for every three years completed with the County.-Judge Bonn**

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier to approve 13 ½ holidays for Caldwell County Employees for the year 2012, one (1) floating holiday and one (1) longevity leave day for every three years completed with the County. All voting "Aye". MOTION PASSED

18. **Discussion/Action to approve the implementation of NIMS training and NIMSCAST Policy which is a program to facilitate NIMs training, growing the number of adequately trained and qualified emergency management/response personnel-Judge Bonn/Jim Parker.**

Motion made by Judge Bonn, seconded by Commissioner Buchholtz to approve the implementation of NIMS training and NIMSCAST Policy which is a program to facilitate NIMS training, growing the number of adequately trained and qualified emergency management/response personnel. All voting "Aye". MOTION PASSED

19. **Discussion/Action concerning adoption of amendment to Section 3.3.1 (A)(1)(d) of the Caldwell County Development Ordinance changing the holding period from ten(10) years to five (5) years-Commissioner Buchholtz**

Motion made by Commissioner Buchholtz, seconded by Judge Bonn to approve adoption of amendment to Section 3.3.1 (A)(1)(d) of the Caldwell County Development Ordinance changing the holding period from ten(10) years to five (5) years. All voting "Aye". MOTION PASSED

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20. **Discussion/Action concerning renewal of Emergency Notification System (ENS) provided by CAPCOG for the period beginning October 1, 2011 and ending September 30, 2012.-Judge Bonn.**

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier to approve renewal of Emergency Notification System (ENS) provided by CAPCOG for the period beginning October 1, 2011 and ending September 30, 2012. All voting "Aye". MOTION PASSED

21. **Discussion/Action to appoint Commissioner Cyrier to serve on the Greater San Marcos Partnership Board to replace the Honorable Mayor Sanders, City of Lockhart, who is retiring-Judge Bonn.**

Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to approve the appointment of Commissioner Cyrier to serve on the Greater San Marcos Partnership Board to replace the Honorable Mayor Sanders, City of Lockhart, who is retiring. All voting "Aye". MOTION PASSED

22. **Discussion/Action regarding the acceptance of cash by Caldwell County Departments-Commissioner Madrigal.**

After discussion including the Commissioners court and information provided by County Auditor, Larry Roberson, no action was taken. Agenda item was dropped.

23. **Discussion/Action concerning Tax Assessor, Mary Vicki Gonzales resignation-Commissioner Roland.**

Motion made by Commissioner Roland, seconded by Commissioner Madrigal not to accept the resignation given by Mary Vicki Gonzales. Roll Vote taken, Commissioner Cyrier-No, Commissioner Buchholtz-No, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-No. Motion Fails

24. **Discussion/Action concerning Surety Bonds of certain employees in Caldwell County-Commissioner Roland.**

Motion made by Commissioner Roland, seconded by Commissioner Cyrier to table this item until the next meeting. All voting "Aye". MOTION PASSED

25. **Discussion/Action concerning removal of certain items from the Caldwell County Personnel Policy-Commissioner Roland.**

No action taken

26. **Discussion/Action to approve Resolution No. 24-2011 to apply for the Fair Defense Grant Program for the year 2011-2012-Larry Roberson, Auditor.**

Motion made by Judge Bonn, seconded by Commissioner Cyrier to approve Resolution No. 24-2011 to apply for the Fair Defense Grant Program for the year 2011-2012. All voting "Aye". MOTION PASSED

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27. **Discussion/Action concerning adoption of Resolution No. 25-2011 approving the 2011 tax roll pursuant to §26.09 of the Property Tax Code for the Farm to Market Road that the appraisal roll with amounts due totaling \$1,633.98 for the year 2011– Judge Bonn.**

Motion made by Judge Bonn, seconded by Commissioner Buchholtz to approve the adoption of Resolution No. 25-2011 approving the 2011 tax roll pursuant to §26.09 of the Property Tax Code for the Farm to Market Road that the appraisal roll with amounts due totaling \$1,633.98 for the year 2011. All voting "Aye". MOTION PASSED

28. **PAY BILLS**

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to pay the bills in the amount of \$435,404.20. All voting "Aye". MOTION PASSED

29. **Discussion/Action to reduce the speed limit on Chalk Road for safety reason-Commissioner Buchholtz.**

Motion made by Commissioner Buchholtz, seconded by Judge Bonn to reduce the speed limit on Chalk Road to 30 mph for safety reasons and have required signs posted. All voting "Aye". MOTION PASSED

30. **ADJOURNMENT**

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



TOM D. BONN, County Judge