

AMENDED COMMISSIONERS COURT MINUTES
Regular Meeting on March 14, 2011 AMENDED March 21, 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.

Anna Wagner, Caldwell County Veteran Service Officer leads with the Pledge to the American and the Texas Flag. A moment of silence was observed for the recent victims and all those impacted by the recent Earthquake and Tsunami.

1. Approve Minutes of Previous Meeting.

Commissioner Buchholtz motioned to approve Commissioner Court Meeting Minutes for February 28, 2011. Commissioner Cyrier seconds. Motion carries.

2. 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.

No citizen comments at this time. Barbara Decker and Cathy Sellers wanted to ask permission to speak later in the meeting on any other agenda items.

3. Approve the Caldwell County Reports for the month:

A. Veterans Service Officer report for the month of February 2011-Anna Wagner.

Veteran Service Officer Anna Wagner gave her February report. Commissioner Madrigal motioned to approve the Veteran Service Report. Commissioner Buchholtz seconds. Motion carries.

B. Treasurer's report for the month of October 31, 2010-Lori Rangel-Pompa.

Caldwell County Treasurer Lori Rangel-Pompa gave the report for the month of October, 2010. Commissioner Roland motioned to approve the report. Commissioner Madrigal seconds. Motion carries.

4. Discussion/Action to consider Outdoor Burning Ban for Caldwell County-Judge Bonn

Jimmy Parker recommends court to leave the Outdoor Burning Ban on. Commissioner Roland motioned to leave the Outdoor Burn Ban on. Commissioner Madrigal seconds. Motion carries.

5. Discussion/Action concerning Resolution 04-2011 to provide nomination for the vacancy on Caldwell County Appraisal District Board of Directors-Judge Bonn

Nomination of Albert Perez, for the vacancy on Caldwell County Appraisal District Board of Directors, by Judge Bonn and Commissioner Madrigal. Nomination of Frank Estrada, for the vacancy on Caldwell County Appraisal District Board of Directors, by Commissioner Roland. Nomination of Rick Womble, for the vacancy on Caldwell County Appraisal District Board of Directors, by Commissioner Cyrier. After a show of hands for all 3 nominees, the Courts choice is Albert Perez.

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6. **Discussion/Action regarding price increase for the CJ-4 15w40 bulk motor oil purchased from Schmidt & Sons, Inc. used by the Unit Road Department-Judge Bonn/Dwight Jeffrey.**

Dwight Jeffrey gave report on increase in cost and the use of the above listed motor oil. It is .55 cents a gallon increase bringing it to \$6.74 a gallon. Commissioner Madrigal motioned to approve the price increase for the CJ-4 15w40 bulk motor oil purchased from Schmidt & Sons, Inc., used by the Unit Road Department. Commissioner Buchholtz seconds. Motion carries.

7. **Discussion/Action to approve the reappointment of Commissioner Madrigal to the CARTS Board for two years beginning March 31, 2011-Judge Bonn**

Judge Bonn motioned to approve the reappointment of Commissioner Madrigal to the CARTS Board for two years beginning March 31, 2011. Commissioner Roland seconds. Motion carries.

8. **Public Hearing 9:30 A.M. for the proposed Spanish Oaks Estates Subdivision located on Sierra Drive (CR113).**

Kasi Miles presents the Court with copies of the preliminary plat for the hearing. Joel Richardson was there on behalf of the McDonald Family Investment. Commissioner Madrigal voiced his appreciation on all of the cooperation in regard to the project. Judge Bonn informed the court that Robert McDonald has offered and agreed to pave the first part of Sierra Drive that is already a county road. Jason O'Keefe, a local land owner, took a moment to look at the plat. Cathy Sellers asked if the project fell under the old or new ordinance. Civil Attorney Ron Heggemeier informed that it was the old regulations and the old fee schedule. **End of Public Hearing 9:44 a.m.**

9. **Discussion/Action to approve Spanish Oaks Estates Subdivision off Sierra Drive (CR 113) in Caldwell County- Commissioner Madrigal/Kasi Miles**

Kasi Miles begins by reading the Conditions of Approval for Spanish Oaks Estates. A correction on condition #3 to read, "Westward" instead of Eastward. Cathy Sellers asked if this subdivision would be under the new or old ordinance. Answer was the "old" since all of the papers and fees were filed within the time frame. Builder must meet these conditions before receiving final plat. Commissioner Madrigal motioned to approve Spanish Oaks Estates Subdivision off Sierra Drive (CR 113) in Caldwell County with Conditions of approval being met and the correction of "Westward" not "Eastward". Commissioner Buchholtz seconds. Motion carries.

10. **Adoption of Resolution No. 05-2011 declaring inmates as indigent and providing for payment of Medicaid or indigent rates for medical care provided for said inmates and juveniles-Judge Bonn**

Rhoda Chavira explained the Adoption of Resolution No. 5-2011 to the Commissioners and the citizens in the court and answered questions. Judge Bonn recognized and thanked her for the many hours that she had worked on the project and the money that it would save the County. Rhoda Chavira answers the question from Barbara Decker about all inmates being considered indigent once they enter jail. Any previous coverage is void. Judge Bonn motioned to adopt the resolution No. 05-2011 declaring inmates as indigent in providing for payment of Medicaid or indigent rates for medical care provided for said inmates and juveniles. Commissioner Buchholtz seconds. Motion carries.

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11. **Discussion/Action to approve Resolution 06-2010 in support of the Oatman Hill Municipal Utility District-Commissioner Madrigal.**
Bennie Bock spoke to the court concerning the approval of Resolution 06-2010 in support of the Oatman Hill Municipal Utility District. Commissioner Madrigal reads the Resolution aloud. Commissioner Madrigal motioned to approve the Oatman Hill Municipal Utility District. Judge Bonn seconds. Motion carries.
12. **Discussion/Action to review a request from Texas Department of Transportation to close State Maintained Roadside Parks within Caldwell County-Judge Bonn**
Commissioner Cyrier motioned to allow the state to close the 3 State Maintained Roadside Parks within Caldwell County. The concrete turn around will be left only at the HWY 90 location with the trash cans, picnic table and awning removed. Cathy Sellers asks that a sign prohibited any dumping be placed at that sight. Judge Bonn let her know that he will ask TXDOT about it. Caldwell County will not be maintaining it. Commissioner Buchholtz seconds. Motion carries.
13. **Public Hearing 10:03 A.M. for the proposed Cottage Creek Subdivision located on Plant Road (CR 116) in Caldwell County**
Kasi Miles presented Court with copies of the preliminary plat for the hearing. Howard Berg, President of Tri County Water Supply was pleased with the movement of the water lines around the cemetery. Susan Madral asked if the Cottage Creek Subdivision fell under the old or new County Ordinance. She was told that it was the old ordinance and the old fee schedule.
End of Public Hearing 10:11 A.M.
14. **Discussion/Action to approve Cottage Creek Subdivision on Plant Road (CR 116) in Caldwell County-Commissioner Buchholtz/Kasi Miles**
Kasi Miles begins by informing Court of the Conditions of Approval for Cottage Creek. Commissioner Buchholtz motioned to approve Cottage Creek Subdivision subject to the three conditions listed by Kasi Miles. Commissioner Madrigal seconds. Commissioner Madrigal questions the marking of 30 ft from center of the road. The marking is on the survey. Motion carries.
15. **Discussion/Action concerning the relocation of Burfford holly bushes and rose bushes around Courthouse and to engage an arborist to trim the oak trees around the Courthouse to make ready for Courthouse repairs-Judge Bonn**
Judge Bonn motioned transplant some of the holly bushes and trim the rose bushes back so that they would be beneath the scaffolding and allow the court to obtain pricing for an arborist to trim back the oak trees around the Courthouse before the scaffolding was put up for any repairs. Commissioner Roland seconds. Question was asked about cost to relandscape at the courthouse when all the repairs were done. Answer: Provisions will be made for that when time comes. Motion carries.

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16. **Discussion/Action to approve an interlocal agreement among Hays County, Caldwell County, City of Luling, City of Kyle, City of Buda, City of Lockhart, Guadalupe-Blanco River Authority, Plum Creek Conservation District, Caldwell-Travis County Soil and Water Conservation District and Hays County Soil and Water Conservation District #351 regarding implementation of the Plum Creek Watershed Protection plan with a cost portion for the County at \$9,252-Judge Bonn**

Judge Bonn reads the chart with the breakdown of cost portions for each entities population portion and land portion. He explains that Caldwell County has offered as part of their cost, office space at Scott Annex, including utilities, reducing the Counties portion as much as 50%. This is all contingent on the Government grant approval. If the grant is not approved, the program will not proceed. John Halliburton Plum Creek Conservation District Manager stated that Plum Creek has agreed to do their share. Larry Sellers clarifies the cost portion for the County and whether it was annual or total. It is annual for three years. Judge Bonn motioned to approve the Interlocal agreement among Hays County, Caldwell County, City of Luling, City of Kyle, City of Buda, City of Lockhart, Guadalupe-Blanco River Authority, Plum Creek Conservation District, Caldwell-Travis County Soil and Water Conservation District and Hays County Soil and Water Conservation District #351 regarding implementation of the Plum Creek Watershed Protection plan with a cost portion for the County at \$9,252. per year, on a three year contract , with provision that the soil and water grant comes to provision. Commissioner Buchholtz seconds. Commissioner Cyrier requests an amended motion that the dollar amount will be reduced off of the use of Caldwell County providing facilities and utilities. Judge Bonn agrees. Motion carries.
17. **Discussion/Action to approve Certificate from the V.G. Young Institute of County Government awarded to Carol Holcomb, County Clerk, for successfully completing 18 hours of Educational Training-Judge Bonn**

Judge Bonn read the Certificate from the V.G. Young Institute of County Government awarded to Carol Holcomb, County Clerk for successfully completing 18 hours of Educational Training. Commissioner Buchholtz motioned to approve. Commissioner Cyrier seconds. Motion carries.
18. **Discussion/Action regarding a request from Coyle Buhler, Project Manager for the Caldwell County Jail Museum, to be reimbursed for his mileage, meals and hotel accommodations while attending mandatory LGPP training for TXDOT-Judge Bonn**

Commissioner Cyrier motioned to approve the mileage, meals and hotel accommodations for Mr. Buhler. Commissioner Roland asks for an amended motion to include the maximum amount for the reimbursement to be \$350.00. Commissioner Cyrier amends motion to the \$350.00 maximum amount. Commissioner Roland seconds. Motion carries.
19. **Discussion/Action regarding professional Service Contract TXMAS 9-871030 to authorize Broaddus and Associates, Inc. to continue with Phase 2 of the Judicial Center Repairs-Commissioner Cyrier/Commissioner Buchholtz**

Commissioner Cyrier motioned to discontinue the Service Contract TXMAS 9-871030 with Broaddus and Associates, Inc for Phase 2 of the Judicial Center repairs. Commissioner Buchholtz seconds. Motion carries.

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20. **Discussion/Action to approve a roofing contractor for the replacement of the Judicial Center Roof-Commissioner Cyrier/Commissioner Buchholtz**

Commissioner Buchholtz and Commissioner Cyrier receive 4 bids from local roofing companies and hand out copies to court for review. Commissioner Buchholtz motioned that the Court approve the bid from MASCON, INC. Roofing Specialists for the replacement of the Judicial Center Roof. Commissioner Cyrier seconds. Motion carries.
21. **Discussion/Action to approve NetData Corp to provide Internet Records Access for online Payments and I-Ticket auto-file DPS citations for the Justice of the Peace Offices-Judge Bonn/Judge Keily**

Dallas Osborn from NetData Corp, the software and collections network for the Justice of the Peace Offices in Caldwell County gives updates on the past few months concerning traffic fines and citations. He also explains I-Ticket and he and Judge Deleon explain a few of the trouble spots and how they have been resolved. Dallas Osborn addresses question and concerns through the court for Judge Horne. Commissioner Madrigal motioned to approve NetData Corp to provide Internet Records access for Online Payments and I-Ticket auto file DPS citations for the Justice of the Peace Offices. Commissioner Cyrier seconds and adds that he would like to look at the system in the months ahead and encourage Judge Horne to set it in his precinct. Motion carries.
22. **Discussion/Action to approve a preliminary sketch for the subdividing of 6-7 out of the 19.862 acres located on Seawillow Road (CR205)-Commissioner Cyrier**

Commissioner Cyrier passes on any discussion on this agenda item.
23. **Discussion/Action on Luling Lions Club rental of U.S. Flag at Luling Annex on Holidays-Commissioner Buchholtz**

Judge Bonn motioned to approve the Luling Lions Club rental of U. S. Flag at Luling Annex on Holidays. Commissioner Buchholtz abstained from vote. Commissioner Cyrier seconds. Motion carries.
24. **Discussion/Action concerning a variance request to sell 6 acres located on Highway 20 surveyed on May 11, 2005 for a family split-Commissioner Madrigal/Jason Otto**

Commissioner Madrigal motioned to approve a variance request to sell 6 acres located on Highway 20 surveyed on May 11, 2005 for a family split. Commissioner Cyrier seconds. Motion carries.
25. **Discussion on Caldwell County overtime for the month of January 2011 and February 2011-Judge Bonn**

Judge Bonn read report for overtime for the month of January 2011 and February 2011.

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26. **Pay Bills**

Commissioner Roland motioned that we pay the bills in the amount of \$258,302.55. Commissioner Madrigal seconds. Motion carries.

27. **Consent /Approval of conditions being met for variance granted on February 22, 2011 to Cynthia Caka for sale of a 4 acre parcel out of a 32.773 acre parcel. Acknowledgement of survey showing driveway location and release of septic tank approval as house is not occupied at this time-Commissioner Roland**
Commissioner Roland motioned to approve consent of variance granted on February 22, 2011 to Cynthia Caka for sale of a 4 acre parcel out of a 32.773 acre parcel. Commissioner Madrigal seconds. Motion carries.

Motion to ADJOURN seconded by all Commissioners.



TOM D. BONN, COUNTY JUDGE