

COMMISSIONERS COURT MINUTES
Regular Meeting September 12, 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 court in the Pledge for both flags, United States and Texas.

2. 9:00 Public Hearing concerning adoption of the tax rate for 2011-2012 fiscal year.

Public Hearing began at 9:02 a.m. Ron Heggemeier asked that if the citizens spoke if they would please give their name and address. Rick Johnson spoke concerning the 2011-2012 proposed budget. Tracy Forrester comments that she has heard there will be tax raises. Barbara Decker questions how there will be more tax revenue that is in the proposed budget if the tax rate is going down.

3. Close Public Hearing

9:12 a.m.

4. Reconvene Commissioners Court Meeting.

9:13 a.m.

5. 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.

Commissioner Cyrier assists Danney Rodgers, Delhi Volunteer Fire Department Chief, and Chuck Cutshall, McMahan Volunteer Fire Department Chief, with a slide show of the Delhi fire. This fire started September 3, 2011 and is still smoldering. At this time, they report that Caldwell County has lost over 6000 acres, 16 homes and 15 barns and out-buildings. They are not able to begin to figure out a loss of livestock. Chuck Cutshall recognizes Danney Rodgers for his excellent job in handling the situation and his continuing effort with little sleep and other conditions. As of this time, there were no injuries or loss of lives. They are concerned and speak to Commissioner's Court about the inadequate emergency communication system and that they had to use their own cell phones to communicate at times. They thank Gonzales for the use of their command center and the "800" radio systems. (These are the equipment style, not a numerical amount).

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Chuck Cutshall speaks about the Volunteer Fire budget and asks the public if they can to please make donations to the Volunteer Fire Dpts. There are many repairs and many of the firefighters have been using their own vacation time to continue on the scene. Bernadette Cutshall informs public about the fund raisers and events that the area departments have to raise money for their areas and asks more citizens to attend if possible. Lena Sustala from McMahan thanked the Lockhart residents for being generous and giving donation this past weekend at the Wal-Mart in Lockhart.

Tracy Forrester expresses feelings of Caldwell County employee's pay scale and feels more could be done. Susan Modrall speaks about grants, Non Governmental Organizations and the possible loss of land owner's rights.

6. Approve Minutes of Previous Meeting (August 29th, 2011)

Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to approve the minutes from August 29, with two changes. (1) Addition of Dental Select as a purchase option to item # 7, and (2) correct item # 17 to reflect Commissioner Roland voted "No", all others voted "Yes". Agreement to approve minutes, All voting "Aye". MOTION PASSED

7. Discussion/Action concerning recommendation of contractor for the Historical Caldwell County Jail of 1909-Judge Bonn/Coyle Buhler PE.

Coyle Buhler recognized the members of the Historical Commission that were present. He explained background information concerning the grant and the status of the project at this time. There are three steps to be taken today. Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to reject the bid from 5J's Construction, of Lexington, Texas on the Historic Caldwell County Jail project because a required bid guarantee in the form of a Bid Bond or Cashier's check for 5% of the bidder's total bid was not received, and the Caldwell County requests approval from TXDOT for the bid rejection. All voting "Aye". MOTION PASSED

Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to authorize Judge Bonn to request approval from TXDOT and negotiate and execute a contract with the lowest qualified bidder, Tolero Construction, for \$136,500 plus the \$18,600.00 for alternate equaling \$155,100.00 subject to a budget amendment approved in Commissioners Court. All voting "Aye". MOTION PASSED

Motion made by Commissioner Cyrier, seconded by Judge Bonn to go to TXDOT and request additional funds. All voting "Aye". MOTION PASSED

Short break taken 10:30 a.m. - 10:41 a.m.

8. Discussion of options available for the 2010 Certificates of Obligation- Commissioner Buchholtz/Jennifer Douglas & Jeff Kuhn, Attorney

Jeff Kuhn and Jennifer Douglas explained the incentives, interest rates and the restrictions that are attached to use the 2010 Certificates of Obligation. They verified the funds could be used for repairs of any facility that has been owned by the County since December 2010 but not purchase of equipment.

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9. Discussion/Action to extend the Declaration of Disaster issued by Judge Bonn on 4th day of September 2011 due to the severe damage, injury or loss of property from several thousand-acre wildfire in Caldwell County-Judge Bonn.

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to extend the Declaration of Disaster issued by Judge Bonn on 4th day of September 2011 due to the severe damage, injury or loss of property from several thousand-acre wildfire in Caldwell County. All voting "Aye". MOTION PASSED

10. Discussion/Action concerning approval of a motion to approve a Family Land Grant exception to platting concerning property located on FM 20 (A portion of the Barnabas Perkins Survey A-239) (Applicant: Tammy Read)-Kasi Miles.

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to approve a Family Land Grant exception to platting concerning property located on FM 20 (A portion of the Barnabas Perkins Survey A-239). All voting "Aye". MOTION PASSED

11. Discussion/Action to set the date and time for public hearing for the proposed Highland Subdivision (FM 1854 & Seminole Trail)-Kasi Miles.

Motion made by Commissioner Roland, seconded by Commissioner Cyrier to set a public hearing for Monday September 19th, 2011 at 9:30 a.m. for the proposed Highland Subdivision (FM 1854 & Seminole Trail) All voting "Aye". MOTION PASSED

12. Discussion/Action to set the date and time for public hearing for the proposed Tierra Verde Subdivision (CR 174-Litton Lane)-Kasi Miles

Motion made by Commissioner Madrigal, seconded by Commissioner Cyrier to set a public hearing for Monday September 19th, 2011 at 10:00 a.m. for the proposed Tierra Verde Subdivision (CR 174-Litton Lane). All voting "Aye". MOTION PASSED

13. Discussion on the Telephone Inventory and Audit for Caldwell County prepared by Georgia Arnold-Woehr, CACC, Inc.-Judge Bonn.

Judge Bonn updates court and citizens that approximately \$12,000.00 of overcharges and fees have been brought to attention for reimbursement. Georgia Arnold-Woehr was not present in court today.

14. Discussion on Caldwell County overtime for the month of July 2011-Judge Bonn.

Overtime hours listed for the month of July totaled 126, dispatch-66, animal control-49.5, maintenance-1.5 & jail-9. Sheriff Law let the court know that due to the fires and loss of employees, he expects the hours to be higher next month.

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15. Discussion/Action concerning the nominations (up to five) for directors of the Caldwell County Appraisal District for the 2012-2013 term-Judge Bonn.

Motion made by Judge Bonn, seconded by Commissioner Buchholtz to nominate Hye Brown, Benny Hilburn, and Albert Perez to the list of directors of the Caldwell County Appraisal District for the 2012-2013 term. All voting "Aye". MOTION PASSED

16. Discussion/Action concerning letter dated August 18, 2011 from Loomis Partners relating to the Bridgestone Ranches Subdivision-Commissioner Buchholtz.

Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to ask a representative from Loomis to come to Commissioners Court and discuss the letter written concerning Bridgestone Ranches. All voting "Aye". MOTION PASSED

17. Discussion/Action concerning the selection of public members and alternates for the salary grievances committee pursuant to 152.015 of the Local Government Code-Judge Bonn.

Caldwell County Clerk Carol Holcomb brought the names of citizens that had served on a grand jury panel from the preceding calendar year in Caldwell County. The Judge drew the first three names from the collection. Then continued the drawing to list alternates. The panel is made of three citizens and the following elected officials, the sheriff, county tax assessor-collector, county treasurer, county clerk, district clerk, criminal district attorney.

18. Discussion/Action concerning Caldwell County Cleanup Events for the current fiscal year 2010-2011-Michael Bittner.

No Action Taken

19. Discussion/Action concerning the renewal of membership and annual fees of \$2,250.00 with the Clean Air Force of Central Texas-Judge Bonn.

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

20. Pay Bills

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to pay bills in the amount of \$165,187.76, minus the \$49,292 for transaction # 50341, All checks will be printed except that one. All voting "Aye". MOTION PASSED

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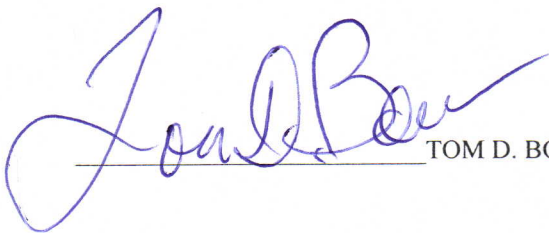
Meeting recess from 12:00 p.m. and reconvene at 3:15 p.m.
Commissioner's Cyrier and Madrigal are not present.

21. Discussion/Action to approve Letter of Intent to Enter Discussions/Negotiations between Texas Parks and Wildlife Department (TPWD) City of Lockhart Guadalupe-Blanco River Authority ("GBRA") and Bluebonnet Electric Cooperative to enter formal discussions regarding the feasibility of planning a new facilities to accommodate additional user at the Lockhart State Park-Judge Bonn/J Hess.

Motion by Commissioner Buchholtz, seconded by Commissioner Roland to authorize Judge Bonn to sign a Letter of Intent to Enter Discussions/Negotiations between Texas Parks and Wildlife Department (TPWD) City of Lockhart Guadalupe-Blanco River Authority (GBRA) and Bluebonnet Electric Cooperative to enter formal discussions regarding the feasibility of planning a new facilities to accommodate additional user at the Lockhart State Park. All Present voting "Aye".
MOTION PASSED

Adjourn

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



TOM D. BONN, County Judge