

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting September 19, 2011**



**TOM D. BONN** County Judge  
**CAROL HOLCOMB** County Clerk

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

**Call Meeting to Order.**

Let the record show that Commissioner Madrigal is not present at this time.

**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.

Commissioner Madrigal arrives at 9:02

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

Public Hearing open at 9:03 a.m. Motion made by Judge Bonn, seconded by Commissioner Buchholtz to recess at 9:04 a.m. Return to Public Hearing at 9:10 a.m. No comments or questions from citizens.

**3. Close Public Hearing.**

Close at 9:11 a.m.

**4. Reconvene Commissioner's Court meeting.**

9:12 a.m.

**5. Discussion/Action concerning a Proclamation setting October 2-8, 2011 as National 4-H Week in Texas and commend th 4-H Youth Development Program of the Texas Agrilife Extension Service**

Proclamation read by Judge Bonn. Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to set October 2-8, 2011 as National 4-H Week in Texas. All voting "Aye". MOTION PASSED. The court commends Carissa Wilhelm for her work with the 4-H Youth Development Program of the Texas Agrilife Extension Service and recognizes the students that are present.

**6 Discussion/Action to consider Disaster Relief for Caldwell County Families who lost homes without insurance and now displaced by the Delhi Fire– Jim Parker, Emergency Management.**

Motion made by Commissioner Madrigal, seconded by Commissioner Buchholtz to consider Disaster Relief for Caldwell County Families who lost homes without insurance and now displaced by the Delhi Fire. Discussion involving comments from citizens gave information that the churches and other businesses from the community may be able to help. Commissioner Cyrier-No, Commissioner Buchholtz-No, Judge Bonn-No, Commissioner Madrigal-Yes, Commissioner Roland-No. Motion does not pass.

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**7. Budget Amendment No. 29: Discussion/action to transfer funds to purchase communication equipment for the Volunteer Fire Departments.**

**8. Budget Amendment No. 30: to transfer unused funds from the Clean-Up Events to be used for communication equipment for the Volunteer Fire Departments.**

**9. Discussion/Action to approve purchase of communication equipment to assist Caldwell County Volunteer Fire Departments—Judge Bonn**

Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to approve Budget Amendment No. 29 to transfer funds to purchase communication equipment for the Volunteer Fire Departments including Budget Amendment No. 30: to transfer unused funds from the Clean-Up Events to be used for communication equipment for the Volunteer Fire Departments. All voting "Aye".

MOTION PASSED. Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to approve the purchase of communication equipment to assist Caldwell County Volunteer Fire Departments. All voting "Aye". MOTION PASSED.

**10. Discussion/Action concerning the Time Warner Cable Business Class Phone Project Contract to switch all active AT&T and Verizon phone lines over to the Time Warner Business Class Phone (BCP)—Judge Bonn/Brian Beresford, TWC Enterprise Account Executive.**

Brian Beresford gives overview of the Time Warner Business Class Phone Project Contract. He assures the county employees that have questions about their service at this time, that they will not see any visible changes. Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to approve to switch all active AT&T and Verizon phone lines over to the Time Warner Business Class Phone (BCP). All voting "Aye". MOTION PASSED.

**11. Discussion/Action to consider RFP(request for proposal)for outside Auditors for FYE 2011-Larry Roberson.**

Larry Roberson gave information concerning outside auditor's bids and those familiar with the software that Caldwell County uses. Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to use Rutledge Crain & Company PC out of Arlington for outside auditors. All voting "Aye". MOTION PASSED.

**12. 9:30 AM Public Hearing for the proposed Highland Ranch subdivision located on FM 1854 & Seminole Trail.**

Public Hearing began at 9:55 a.m. Kasi Miles presents Court with copies of letters of concern from surrounding property owners. Andria Sellers, 1912 Seminole Trail, shared concerns about the increase of traffic and population causing hazardous conditions to the area. She asks for consideration for a sustainable tax base. Robert McDonald spoke for the builders of the proposed subdivision. He answered questions from the citizens and the Court.

**13. Close Public Hearing**  
**10:21**

**14. Reconvene Commissioners Court Meeting.**  
**10:22**

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**15. Discussion/Action to open bids for the Caldwell County Unit Road System on Flexible Base, Aggregate, Asphalt Materials, Fuel (Regular, Unleaded/No.2 Diesel), Oil and Lubricants for the Budget Year 2011-2012-Judge Bonn/Dwight Jeffrey.**

Judge Bonn opens and reads the bids received for the Caldwell County Unit Road System on Flexible Base, Aggregate, Asphalt Materials, Fuel (Regular, Unleaded/No.2 Diesel), Oil and Lubricants for the Budget Year 2011-2012

**16. Approve Minutes of Previous Meetings(September 8<sup>th</sup>,2011 & September 12<sup>th</sup>,2011).**

Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to approve the minutes of meetings September 8<sup>th</sup>, 2011 & September 12<sup>th</sup>, 2011. All voting "Aye". MOTION PASSED.

**17. Discussion/Action concerning recommendations of the salary grievances committee pursuant to 152.015 of the Local Government Code– Judge Bonn**

Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to accept all documents pertaining to the grievance hearing on September 15, 2011 into the minutes of Commissioners Court Meeting September 19, 2011. All voting "Aye". MOTION PASSED

**18. 10:00 AM Public Hearing for the proposed Tierra Verde subdivision located on CR174-Lytton Lane**

Public Hearing opened at 10:22 a.m. Frank Crittenden, 1432 Lytton Lane, spoke about his concerns that may arise in adding to the Lytton Lane area. Robert McDonald spoke for the builders of propose subdivision, and assured the citizens that all restrictions would be met according to the County Ordinance.

**19. Close Public Hearing.**

10:38 a.m.

**20. Reconvene Commissioners Court Meeting.**

15 minute break until 10:54

**21. Approve the Caldwell County Reports for the month of August 2011:**

**A. Environmental Investigator Report– Mike Bittner**

Mike Bittner gave the Environmental Investigator Report for the month of August 2011. Mr. Bittner feels the cameras that have been put out are helping to deter dumping.

**B. Texas Agrilife Extension Service Report– Carissa Wilhelm**

Carissa Wilhelm gave the Texas Agrilife Extension Service Report for the month of August 2011 and spoke about the 4-H projects coming up.

**C. Veterans Officer report– David Francis**

David Francis gave the Veterans Officer report for the month of August, 2011.

**D. Building Maintenance report– Curtis Weber**

No report given

**E. Emergency Management report– Jimmy Parker**

Jimmy Parker gave the Emergency Management Report for August 2011. He shares information about the Delhi Fires and the county concerns for weather conditions. Judge Bonn thanks Mr. Parker for the long hours and dedication that he has put in during the fires.

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**F. Sanitation Officer monthly report -Kasi Miles**

Kasi Miles gave the Sanitation report for August 2011. She let the court know that she will be moving into the office at the Unit Road Systems by Wednesday of this week. Her new address is 1700 FM 2720.

**G. Indigent Health Care and Indigent Burial-Rhoda Chavira**

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

**H. Caldwell County Unit Road Systems Report -Dwight Jeffrey**

No report given.

**I. Caldwell County Tax Collection Report**

Commissioner Cyrier reads Caldwell County Tax Collection Report for August 2011.

**J. Caldwell County Bank Reconciliation Report**

Caldwell County Treasurer Lori Rangel-Pompa requests report to be tabled until next month.

Motion made by Commissioner Cyrier, seconded by Commissioner Madrigal to approve all August reports with exception of D, H, & J. All voting "Aye". MOTION PASSED.

**22. Discussion/Action to approve the Western Surety Company Rider Increasing Penalty of Bond No. 24864251 for Carol Holcomb, County Clerk of Caldwell County from \$5,000. to \$100,000. becomes effective on the 8th day of September, 2011 -Judge Bonn.**

**23. Discussion/Action to approve Western Surety Company Official Bond for Diana Mendieta, Chief Deputy Clerk in the amount of \$100,000.00 commencing on the 31st day of August, 2011 for a term of indefinite year-Judge Bonn.**

Motion made by Commissioner Buchholtz, seconded by Commissioner Roland to approve increasing the bonds for both County Clerk Carol Holcomb and Chief Deputy Clerk Diana Mendieta in the amount of \$100,000 each. All voting "Aye". MOTION PASSED.

**24. Discussion/Action to approve purchase of communication equipment to assist Caldwell County Volunteer Fire Departments-Judge Bonn.**

Already addressed as agenda item #9.

**25. Discussion/Action concerning the renewal of membership and annual fees of \$2,254.00 with the Clean Air Force of Central Texas-Judge Bonn.**

Deanna Altonhoff, Executive Director of the Clean Air Force of Central Texas gave an overview of the Organization. Citizens were given a chance to speak after. Motion made by Commissioner Cyrier, seconded by Judge Bonn to approve payment for renewal of membership and annual fees of \$2,254.00 with the Clean Air Force of Central Texas. Commissioner Cyrier-Yes, Commissioner Buchholtz-No, Judge Bonn-Yes, Commissioner Madrigal-No, Commissioner Roland-No. Motion fails.

**26. Information: Caldwell County Emergency District #2 has ordered an election for the November 2011 Election for the expansion of district territory.**

Tony Schultz spoke for ESD #2, Maxwell and informs court that the petition for the expansion has passed and they are looking for agreement with Election office to be put on November ballot.

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**27. Discussion/Action to set Juror Rate for FY 2012. State reimbursement is being reduced from \$34/day to \$28/day-Larry Roberson, Auditor.**

Motion made by Commissioner Buchholtz, seconded by Commissioner Cyrier to lower the juror pay to \$34.00 for the second day forward if serving on a jury. All voting "Aye". MOTION PASSED

**28. Budget Amendment No. 27: is required due to excess cost associated with fuel and dust control. Offset bring the next budget increase to 934,000. This increase will be offset by excess revenues collected-Larry Roberson, Auditor.**

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to approve Budget Amendment No. 27. All voting "Aye". MOTION PASSED

**29. Budget Amendment No. 28: results primarily from payouts of accrued vacation for departing employees. Offsetting adjustments bring the budget increase to \$ 8,537.00 This increase will be offset by excess revenue collected.**

Motion made by Commissioner Roland, seconded by Commissioner Buchholtz to approve Budget Amendment No. 28. All voting "Aye". MOTION PASSED

**30. 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.**

Pam Cantwell of McMahan would like to be added to the agenda for October 10, 2011 to address Public Awareness and offer solutions at no cost to the County.

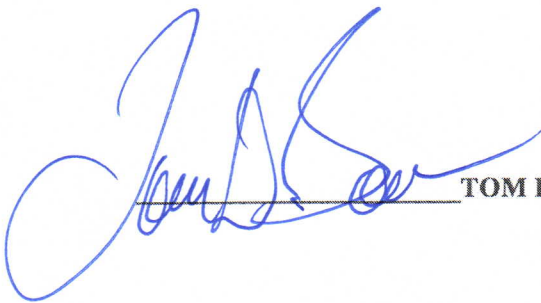
**31. Discussion/Action to consider Outdoor Burning Ban for Caldwell County-Judge Bonn**

Motion made by Commissioner Cyrier, seconded by Commissioner Buchholtz to extend the Caldwell County Burn Ban for another 90 days. All voting "Aye". MOTION PASSED

**32. Pay Bills**

Motion made by Commissioner Roland, seconded by Commissioner Madrigal to pay bills in the amount of \$193,920.71. All voting "Aye". MOTION PASSED

**Adjourn**



TOM D. BONN, County Judge