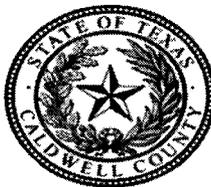


COMMISSIONERS COURT MINUTES
Scott Annex Building at 1403 Blackjack St, Lockhart, Texas
Commissioners Court August 26, 2019 9:00 a.m.



HOPPY HADEN	County Judge	B.J. WESTMORELAND	Commissioner PC. 1
TERESA RODRIGUEZ	County Clerk	BARBARA SHELTON	Commissioner PC. 2
		ED THERIOT	Commissioner PC. 3
		JOE IVAN ROLAND	Commissioner PC. 4

Call Meeting to Order

Judge Haden calls the meeting to order at 9:00 a.m. All members are present.

Invocation. Lockhart Ministerial Alliance

Bob Bush opens the meeting in prayer.

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 Haden leads all present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Commissioner Westmoreland offers condolences for community members' passing.

Commissioner Shelton says she attended several meetings and announces that Meals On Wheels is now active in Luling.

Commissioner Roland says he has fielded calls concerning when Commissioners Court would return to the Courthouse.

Judge Haden explains what work remains in the Courtroom and that Commissioners Court should return there in a month. He also announces an award presented to the Elections Administrator, Pamela Ohlendorf.

Citizens' Comments. At this time any person may speak to Commissioners Court if they have filled out a Caldwell County Commissioners Court Participation Form. 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 the balance of comments will continue as the last agenda item of the day).

Matthew Allen says he works for the Appraisal District and that the Plat filed for Heartland Subdivision requires corrections. He also says he will accept the appointment to the Subdivision Committee.

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CONSENT AGENDA. (The following consent items may be acted upon in one motion).

1. **Approve payment of County invoices and County Purchase Orders in the amount of \$427,947.02; Backup: 33**
2. **Ratify re-occurring County payments**
 - A. **\$286,378.74 (Payroll Roll 7/21/2019-08/03/2019); Backup 21**
 - B. **\$86,646.06 (Payroll Tax 7/21/2019-08/03/2019); Backup 2**
 - C. **\$180,673.89 (Department of Motor Vehicles Fees - August 2019). Backup: 35**
3. **Accept July 2019 Reports from Caldwell County Extension Office:**
 - A. **Elsie Lacy: Backup: 2**
4. **Accept July 2019 Tax Collection Report from Caldwell County Appraisal District. Backup: 4**
5. **Accept Interlocal Agreement between Caldwell County and Texas Parks and Wildlife for storage and use of County property. Backup: 5**
6. **Accept the wire transfer on behalf of the Sheriff's Office for an ammo purchase from Department of Defense in the amount of \$64.13. Backup: 6**
7. **Accept the District Judge's Order appointing Barbara A. Gonzales as County Auditor and salary set for Auditor's Department. Backup: 5**
8. **Accept the District Judge's Court Reporters Salaries Backup: 6**
9. **Accept the payment and the Surety Bond #63317145 for Caldwell County Auditor, Barbara Gonzales. Backup: 8**

Commissioner Shelton asks, regarding number 5, if the old building will be removed before the new one is placed. Donald LeClerc answers it is torn down and will be removed. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

AGENDA ACTION ITEMS

10. **Discussion/Action** regarding the burn ban. **Speaker: Judge Haden/Carine Chalfoun; Backup: None; Cost: None**

Carine Chalfoun recommends leaving the burn ban in effect and explains the penalty for violating the ban is a misdemeanor. Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban on. All voting "Aye".

28. **Discussion/Action** to authorize the County Judge to execute a Memorandum of Understanding (MOU) between Kinder Morgan and Caldwell County for specific consideration as a part of the Right-of-Way (ROW) and Road Crossing permit application process. **Speaker: Judge Haden; Backup: 180; Cost: None**

Judge Haden confirms he will abstain from item 28. Kinder Morgan representative, Allen Fore, discusses project progress and answers questions from court members. Judge Haden asks Commissioner Theriot to be Judge Pro Tem before exiting. Court members agree on waiting to sign the MOU until the status of Clear Fork's property is decided. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to table this item. All present voting "Aye".

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11. **Discussion/Action** to approve Budget Amendment #43 to move money from Contingency (001-6510-4860) and Advertising (001-6560-4310) to pay for upcoming Training expenses. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

Judge Haden returns and explains the item. Motion made by Commissioner Shelton, second by Commissioner Roland that we approve item 11. All voting "Aye".

12. **Discussion/Action** to approve the Contract for Emergency Medical Services with Caldwell County and the City of Luling. **Speaker; Judge Haden; Backup: 5; Cost: None**

Judge Haden explains the Contract is the same, just needs renewing from 1988's signing. Motion made by Commissioner Shelton, second by Commissioner Theriot that we approve item 12. All voting "Aye".

13. **Discussion/Action** to approve Final Draft RFB 19CCP02B Caldwell County Road Materials, Fuel, & Oil for Unit Road Department. **Speaker: Judge Haden/ Danie Blake/ Donald LeClerc; Backup: 13; Cost: None**

Danie Blake explains the agenda item and Judge Haden asks for a motion for approval. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

14. **Discussion/Action** to approve the award to First Lockhart National Bank to contract with Caldwell County for the Bank Depository Services. **Speaker: Judge Haden/ Danie Blake/ Angela Rawlinson; Backup: 62; Cost None**

Judge Haden introduces the item. Motion made by Commissioner Roland, second by Commissioner Shelton to approve item 14. All voting "Aye".

15. **Discussion/Action** to approve the award opportunity to Doucet & Associates on entering into contract negotiations with Caldwell County for Professional Engineering Services. **Speaker; Judge Haden/ Danie Blake; Backup: 92; Cost: None**

Commissioner Theriot excuses himself from the item and exiting. Danie Blake explains the award decision and that the option will still be available to choose another company if the County's needs are not met. Amanda Montgomery explains that Commissioner Theriot will receive no benefits and that it needs to be on record in the contract. Judge Haden asks for approval with Commissioner Theriot receiving no benefits. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve Doucet & Associates for item 15. All present voting "Aye".

16. **Discussion/Action** to authorize the County Judge to execute Consignment Agreements as necessary with Enterprise Fleet Management, Inc. for the sale of Caldwell County vehicles that are considered surplus property in a value not to exceed \$50,000. **Speaker: Judge Haden; Backup: 4; Cost: None**

Judge Haden explains the item and asks for approval. Motion made by Commissioner Roland, second by Commissioner Theriot to approve item 16. All voting "Aye".

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17. **Discussion/Action** to approve the appointment of Mr. Ray Pfefferkorn for Emergency Services District(ESD) #2 Commissioner. **Speaker: Ct; Backup: 2; Cost: None**

Recommendation by Commissioner Theriot, second by Commissioner Westmoreland to approve the appointment of Ray Pfefferkorn to ESD #2. All voting "Aye".

18. **Discussion/Action** to approve Commissioners Court nominees for the Subdivision Development Ordinance Committee. **Speaker: Judge Haden; Backup: 1 ; Cost: None**

Commissioner Westmoreland recommends Patrick Davis, Commissioner Shelton recommends Linda Hinkle, Commissioner Theriot recommends Justin Ivicic, Commissioner Roland recommends Frank Sughrue, and Judge Haden recommends Matthew Allen. Judge Haden also recommends Commissioner Theriot and Commissioner Roland for the Committee. Judge Haden motions to put Patrick Davis, Linda Hinkle, Justin Ivicic, Frank Sughrue, Matthew Allen, Commissioner Theriot and Commissioner Roland on the Committee. Judge Haden confirms pertinent staff will be present at meetings, but will not vote. Second by Commissioner Shelton. All voting "Aye".

PUBLIC HEARING at 9:30 AM

- Concerning the approval of a final plat for the Estates at Harland Subdivision to include 20 lots on approximately 177.5 acres located on Borchert Loop. Backup: 8

Public Hearing #1 opens at 9:34 a.m. Kasi Miles invites up anyone who would like to speak and explains Matthew Allen's concerns will be addressed. Linda Hinkle inquires about an unsafe curve in the road, realizes the concern pertains to another subdivision, and withdraws. Public Hearing closes at 9:36 a.m.

- Concerning the Proposed 2019-2020 Budget of Caldwell County, Texas

Public Hearing #2 opens at 9:36 a.m. District Clerk, Tina M. Freeman, discusses the raise request she submitted for her Chief Deputy. Public Hearing closes at 9:47 a.m.

19. **Discussion/Action** regarding the nomination of the new term candidates for the Caldwell County Appraisal District Boards of Directors for the year 2020-2021. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden recommends that each member bring a nomination next meeting to total 5 Board members. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to table item 19. All voting "Aye".

20. **Discussion/Action** regarding the possibility of making a donation to the Caldwell County Historical Commission. **Speaker: Judge Haden; Backup: 7; Cost: Not to exceed \$7,000**

Coyle Buhler, with Caldwell County Historical Commission, explains the request for a donation and answers questions from court members. Court members discuss the amount remaining in the County's donations fund and other monies still due from the line item. Motion made by Commissioner Shelton, second by Commissioner Roland for to give them \$3,000.00 of the \$4,100.00 we have left. Commissioner Theriot discusses weekend tours with Coyle Buhler. All voting "Aye".

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21. **Discussion/Action** to adopt Resolution 24-2019 regarding to the submittal of a Title IV-E Child Welfare Service Grant to the Texas Department of Family and Protective Services for foster care maintenance, administrative and training cost for District Attorney Staff. **Speaker: Judge Haden/ Dennis Engelke; Backup: 6; Cost None**

Dennis Engelke makes the correction that Resolution 24-2019 belongs to item 22 and then explains item 21's request to pursue a grant. Judge Haden asks for a motion approving the Grant Department's request. Commissioner Theriot confirms the grant and its five-year renewal will not create a new position. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye."

22. **Discussion/Action** regarding seeking permission to submit a "Co-Morbidity Initiative Phase 3" grant application to the Criminal Justice Division proving inmate mental health professional services through Bluebonnet Trails Community Services. **Speaker; Judge Haden/ Dennis Engelke; Backup: 7; Cost: None**

Judge Haden reads into the record the correction that Resolution 24-2019 is in regard to item 22. Dennis Engelke provides background and explains the application is due today and requires the Resolution. Judge Haden reads Resolution 24-2019 and asks for a motion to approve the grant. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

23. **Discussion/Action** regarding ratification of the submission of an "Other Victim Assistance Grant" (OVAG) grant to the Office of the Attorney General. **Speaker: Judge Haden/ Dennis Engelke; Backup: 23; Cost: None.**

Dennis Engelke explains the grant and its guidelines. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we accept item 23. All voting "Aye".

24. **Discussion/Action** regarding the update for the safety concerns at the intersection of CR 169 (St. John Road) and Rabbit Trail. **Speaker: Judge Haden; Backup: 1; Cost: TBD**

Commissioner Roland says he contacted the property owner who is willing to work with the County to allow property use. Court members and Amanda Montgomery discuss speed humps, rumble strips, and signage at the sight along with researching if/how the individual's property could be used. Judge Haden asks if the item should be tabled. Motion made by Commissioner Roland, second by Commissioner Theriot that we table item 24. All voting "Aye".

25. **Discussion/Action** to consider the approval of the Final Plat for the Estates at Hartland Ranch subdivision to include 20 lots on approximately 177.5 acres located on Borchert Loop. **Speaker; Commissioner Westmoreland/ Kasi Miles; Backup: 44; Cost: None**

Kasi Miles introduces and explains the item, stating that Matthew Allen's noted concerns will be addressed and she is looking for approval with those corrections. Motion made by Commissioner Westmoreland, second by Commissioner Theriot to approve the Final Plat for the Estates at Heartland Ranch subdivision pending noted corrections. All voting "Aye".

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26. **Discussion/Action** regarding the approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) of Zap Acres on Homannville Trail (CR 179). **Speaker; Commissioners Roland/ Kasi Miles/ Linda Hinkle; Cost: None**

Kasi Miles explains the survey was redone since previously coming before the court. Motion made by Commissioner Roland, second by Commissioner Westmoreland we approve item 26. All voting "Aye".

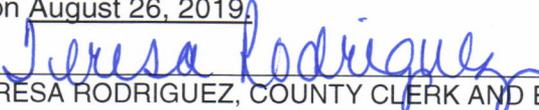
27. **Discussion/Action** regarding changes made to the proposed budget. **Speaker; Judge Haden/ Ezzy Chan; Backup: 3 (copy of proposed budget upon request); Cost: None**

Judge Haden, Ezzy Chan, Commissioner Shelton, and Commissioner Roland discuss changes to the budget since the last workshop and that any further changes would result in funds being pulled from another line item. Tina Freeman and Judge Haden discuss her concerns. Judge Haden, Barbara Gonzales, and Ezzy Chan discuss getting copies of the updated budget distributed and the remaining court dates before the budget is finalized. Judge Haden asks if the court would like to table. Motion made by Commissioner Shelton, second by Commissioner Roland that we table this item. All voting "Aye".

29. **Adjournment.**

Motion by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:47 a.m.

I, TERESA RODRIGUEZ, COUNTY CLERK AND EX OFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Caldwell County Commissioners' Court on August 26, 2019.


TERESA RODRIGUEZ, COUNTY CLERK AND EX OFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
CALDWELL COUNTY, TEXAS

