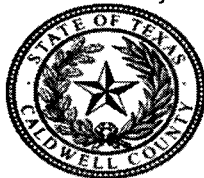


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court January 14, 2020 9:00 a.m.



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

Call Meeting to Order

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

Invocation.

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 thanks local first responders and encourages everyone to register at <https://warncentraltexas.org>

Commissioner Shelton thanks everyone for the County Christmas Party, says she attended a Knights of Columbus fish fry, Old Settlers' Music Fest meeting, and a Meals on Wheels meeting. She also encourages voting registration and says Luling's upcoming events include a Livestock Show, a Party in the Park, and a Chamber of Commerce Banquet.

Commissioner Roland says he is on the Census Board and recruiting Spanish speakers to ensure everyone in the community is informed.

Judge Haden says Martin Luther King Day is on the 20th, that he is also on the Census Board, and recognizes Commissioner Roland as the first to complete advanced curriculum related to Commissioner Court Duties. He also asks Randolph Goodman to provide details regarding memorial signs for Kristian Menchaca, thanks Kasi Miles for her work on the Christmas Party, and introduces the new Civil Attorney, JJ Wells.

COMMISSIONERS COURT MINUTES
Regular Meeting January 14, 2020

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).

Deward Cummings says there is a pecan tree on his property he would like to donate to the County to replace one lost in a storm.

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 \$492,844.49; Backup: 33**
2. **Ratify re-occurring County Payments:**
 - A. **\$373,337.87 (Payroll 11/24/2019 – 12/07/2019); Backup: 21**
 - B. **\$114,756.26 (Payroll Tax 11/24/2019 – 12/07/2019); Backup: 2**
3. **To accept Darla Law – Tax Assessor Collector Continuing Education Transcript for the year 2019; Backup: 2**
4. **To accept the Elections of Caldwell County Appraisal District Board of Directors; Backup: 3**
5. **To ratify the check that was issued to Hanson Equipment Co. in the amount of \$2,207.50 for Unit Road out of GL line item 002-1101-3130. Backup: 4**
6. **To accept the December 2019 Environmental Investigator Report/ Mike Bittner; Backup: 3**
7. **To introduce Aaron McCoy as the Caldwell County Extension Agent; Backup: 1**
8. **To approve the new bond #64979196 for Juanita Allen, District Clerk; Backup: 2**
9. **To approve the renewal bond #71738268 for Michael Bell, Constable, Pct. 3; Backup: 2**
10. **To approve the renewal bond #64467357 for Debra Flores, Chief Deputy County Clerk; Backup: 2**
11. **To approve the IRS lower mileage reimbursement to \$0.575/mile and employee reimbursement forms; Backup:3**
12. **To accept the corrected November 2019 Indigent Burial Report and to accept the December 2019 Indigent Burial Report; Backup: 3**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

PUBLIC HEARING

- Regarding a Proposed Game Room Ordinance

Judge Haden calls the Public Hearing to order at 9:15 a.m., but Amanda Montgomery explains that because the publishing said 9:30 a.m. it should be postponed until then.

AGENDA ACTION ITEMS

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

Carine Chalfoun recommends removing the burn ban. Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban off. All voting "Aye".

15. **Discussion/Action** to approve a donation request from the Caldwell County Children's Care-A Van Endowment. **Speaker: Judge Haden/Paige Johnson; Backup: 12; Cost: TBD**

Paige Johnson shares a presentation regarding Caldwell County Children's Care-A Van Endowment and requests a donation of \$3,000.00. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we give them the \$3,000.00. All voting "Aye".

PUBLIC HEARING

- Regarding a Proposed Game Room Ordinance

Judge Haden opens the Public Hearing at 9:30 a.m. There are no speakers and the Public Hearing closes at 9:30 a.m.

AGENDA ACTION ITEMS

14. **Discussion/Action** to consider passing the regulations concerning the permitting and operation of game rooms located in unincorporated areas in Caldwell County. **Speaker; Judge Haden/ Amanda Montgomery; Backup: 16; Cost: None**

Amanda Montgomery says the final version is in the backup and Judge Haden asks for a motion to approve the Game Room Ordinance. So moved by Commissioner Westmoreland, second by Commissioner Shelton. Amanda Montgomery explains the action requires a roll-call vote. Commissioner Westmoreland votes "Aye", Commissioner Shelton votes "Aye", Commissioner Theriot votes "Aye", Commissioner Roland votes "Aye", and Judge Haden votes "Aye".

16. **Discussion/Action** regarding the County Property Boundary issue at 108 Brazos St. **Speaker: Judge Haden/Deward Cummings; Backup: 6; Cost: None**

Deward Cummings explains the boundary issue and requests a resolution. Amanda Montgomery asks for action regarding item 16. Motion made by Commissioner Theriot, second by Commissioner Roland to table. All voting "Aye".

COMMISSIONERS COURT MINUTES
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- 17. Discussion/Action** regarding the Luling Foundation Board nominees. **Speaker: Judge Haden/Wayne Morse/ Gary Dickenson; Backup: 1; Cost: None**

Wayne Morse, Gary Dickenson, and court members discuss the three nominees Johnnie Halliburton, Billy Ray Buckner, and Alton Williams. Judge Haden recommends Billy Ray Buckner. Motion made by Commissioner Theriot, second by Commissioner Roland to appoint Billy Ray Buckner to the Luling Foundation Board. All voting "Aye".

- 18. Discussion/Action** to accept the nomination for the Caldwell County Community Services Foundation Board of Directors. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke details the responsibilities and duties of the board explaining that he (Dennis Engelke), Danie Blake, and court members' nominees will form the board. He also requests the nominees be confirmed today, officially creating the board. Judge Haden reads the list of nominees: Commissioner Westmoreland nominates Phil McBride, Commissioner Shelton nominates Jerry Hinkle, Commissioner Theriot nominates Betty Clark, Commissioner Roland nominates Alicia Thornton, and he (Judge Haden) nominates Sally Daniel. Motion made by Commissioner Westmoreland, second by Commissioner Theriot to approve the nominees as read. All voting "Aye".

- 19. Discussion/Action** regarding the Old Settler's Music Festival mass gathering permit proceedings. **Speaker: Judge Haden; Backup: 1; Cost: None**

Judge Haden requests a motion to table per the request of Old Settler's Music Festival representatives. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to table. All voting "Aye".

- 20. Discussion/Action** to approve enrolling county employees in the State – Mandated Cybersecurity Training Course offered by Texas Association of Counties, which fulfills Texas Government Code § 2054.5191. **Speaker; Judge Haden; Backup: 3; Cost: None**

Judge Haden explains the training. Motion made by Commissioner Westmoreland, second by Commissioner Roland to approve item 20. All voting "Aye".

- 21. Discussion/Action** to ratify a letter of support for the Las Estancias II Lift Station & Force Main and Plum Creek Wastewater Treatment Plant Expansion projects near Umland, Texas. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden explains and asks for a motion to ratify. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

COMMISSIONERS COURT MINUTES
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- 22. Discussion/Action** to approve a \$20,000 2020 Census Grant Award provided by the United Way of Greater Austin to help with Caldwell County Complete County Committee activities. **Speaker: Judge Haden/ Dennis Engelke; Backup: 11; Cost: None**

Dennis Engelke requests the court ratify the item. Motion made by Commissioner Roland, second by Commissioner Theriot to ratify item 22. All voting "Aye".

- 23. Discussion/Action** to approve Resolution 09-2020 for the State Homeland Security Program Grant Resolution to the Office of the Governor to pursue funding to address pyro-terrorism activities. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke explains the item and Carine Chalfoun answers Commissioner Shelton's question. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve this Resolution. All voting "Aye".

- 24. Discussion/Action** to approve Budget Amendment #6 in reference to the Equipment approved for procurement on December 27, 2019 for the Capital Improvement / 013 Fund. **Speaker: Judge Haden; Backup: 4; Cost: \$766,111**

Judge Haden explains the item. Motion made by Commissioner Shelton, second by Commissioner Roland to approve item 24. All voting "Aye".

- 25. Discussion/Action** to approve Budget Amendment #7 in reference to an insurance check relating to the repairs for a 2017 Ford Explorer for Caldwell County Sheriff's Office. **Speaker: Judge Haden; Captain Kuykendall; Backup: 6; Cost: Net Zero**

Judge Haden explains the item. Motion made by Commissioner Westmoreland, second by Commissioner Theriot to approve item 25. All voting "Aye".

- 26. Discussion/Action** to approve Budget Amendment #8 to appropriate funds received for 2018 State Criminal Alien Assistance Program (SCAAP) in the estimated revenue and budget line items. **Speaker: Judge Haden/ Captain James Short; Backup: 2; Cost: Net Zero**

Barbara Gonzales explains the request and asks for approval. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

COMMISSIONERS COURT MINUTES
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27. **Discussion/Action** to approve Budget Amendment #9 for the Elections Office to pay an invoice received from Election System & Software System. **Speaker: Judge Haden; Backup: 3; Cost: Net Zero**

Barbara Gonzales explains the request and asks for approval. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to approve item 27. All voting "Aye".

28. **Discussion/Action** to approve the invoice from Elections System and Software for services provided to the Elections Office. **Speaker: Judge Haden; Pamela Ohlendorf; Backup: 2; Cost: None**

Judge Haden reads item 28. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

29. **Discussion/Action** to approve Budget Amendment # 10 for reimbursement to Commissioners Court training Line Item. **Speaker; Judge Haden; Backup: 3; Cost: Net Zero**

Judge Haden explains the item and asks for approval. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

30. **Discussion/Action** to approve funding of VSS Video Surveillance System for the Courthouse through the CO (Certificate of Obligation) funds. **Speaker: Judge Haden/ Danie Blake; Backup: 23; Cost: \$68,842.94**

Danie Blake explains and requests approval. Judge Haden adds that it is mandated. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to approve item 30. All voting "Aye".

31. **Discussion/Action** to approve Budget Amendment #11 to move money within Capital Improvements Project (CIP) funds to pay for video surveillance equipment. **Speaker: Judge Haden/ Barbara Gonzalez; Backup: 2; Cost: Net Zero**

Judge Haden reads item 31. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

32. **Discussion/Action** to approve the renewal agreement between Alternative Dispute Resolution Services and Caldwell County for February 1, 2020 through January 31, 2021. **Speaker: Judge Haden; Backup: 6; Cost: TBD**

Judge Haden introduces Martha Joyce and Randolph Goodman who provide details regarding the Alternative Dispute Resolution Services. Judge Haden asks for a motion to approve. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

COMMISSIONERS COURT MINUTES
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- 33. Discussion/Action** to reschedule the February 11, 2020 Commissioners Court meeting due to a training conference. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Theriot, second by Commissioner Roland to reschedule February 11, 2020's Commissioners Court meeting to February 10th at 9:00 a.m. All voting "Aye".

- 34. Discussion/Action** to appoint Judge Pro Tem of the Commissioners Court for the calendar year 2020 per section 2.04 of the Caldwell County Commissioners Court Rules of Procedure, Conduct and Decorum. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Theriot to nominate Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 35. Discussion/ Action** to consider approval of the Preliminary Plat for Churchill Ranches Subdivision to include 20 lots on approximately 61.64 acres located on FM 20 and Seals Creek Road (CR 245). **Speaker: Commissioner Theriot /Kasi Miles; Backup: 24; Cost: None**

Kasi Miles explains the request and Commissioner Shelton lists the necessary amendments regarding the Clerk's signature lines: they should say Caldwell County, match one another, and specify Plat Cabinet. Motion made by Commissioner Theriot, second by Commissioner Shelton to approve as amended. All voting "Aye".

- 36. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (ReplatProcedure) for 2nd Amending plat of Natalie Acres, Section One located on Homannville Trail (CR 179). **Speaker: Commissioner Roland / Kasi Miles; Backup: 21; Cost: None**

Kasi Miles explains and requests approval. Motion made by Commissioner Roland, second by Commissioner Theriot to approve item 36. All voting "Aye".

- 37. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Bluebonnet Meadows located on Black Ankle Road (CR 109). **Speaker: Commissioner Westmoreland / Kasi Miles; Backup: 24; Cost: None**

Kasi Miles explains and Judge Haden says he is looking for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

COMMISSIONERS COURT MINUTES
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- 38. Discussion / Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Pleasant Place located on Dale Lane (CR 294). **Speaker: Commissioner Roland / Kasi Miles; Backup: 31; Cost: None**

Kasi Miles explains and requests approval. Motion made by Commissioner Roland, second by Commissioner Shelton to approve item 38. All voting "Aye".

- 39. Discussion/Action** to consider the approval of the Preliminary Plat for Willow Haven Subdivision to include 9 lots on approximately 18.94 acres located off Seawillow Road (CR 205) and Young Lane (CR 197). **Speaker: Commissioner Westmoreland /Kasi Miles; Backup: 31; Cost: None**


Kasi Miles explains the request and Commissioner Shelton says the necessary amendments are identical to item 35. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to approve with noted corrections. All voting "Aye".

- 40. Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Theriot that we adjourn. All voting "Aye". Court adjourns at 10:34 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 January 14, 2020.





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