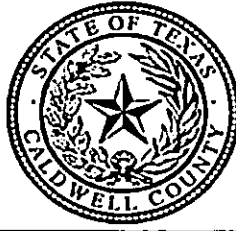


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court September 14, 2021 9:00 a.m.



HOPPY HADEN County Judge
TERESA RODRIGUEZ County Clerk

B.J. WESTMORELAND Commissioner Pct. 1
BARBARA SHELTON Commissioner Pct. 2
ED THERIOT Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct. 4

Call Meeting to Order

Judge Haden calls meeting to order at 9:00 a.m.

Invocation.

Commissioner Roland 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 Shelton announces she attended the 20th Anniversary Celebration Memorial remembrance in Luling with a dedication of a new flag and pole in honor of 911.

Hector Rangel, Chief EMC updates court on COVID-19 test and vaccine distributions. Lockhart site will be open until October 9th, 8:00 a.m. to 4:00 p.m. 7 days a week. Luling site will remain open until September 19th.

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). Citizens' Comments may be submitted to the Court by using the form found at:
<http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtForm>

Eddie Moses, Luling resident against Precinct 2 Constable's Office applying for money from "Night In Old Luling" fundraiser for Tactical body armor vest.

Jason Salazar no response.

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

1. **Approve payment of County invoices and County Purchase Orders: \$1,172,813.48**
2. **Ratify re-occurring County Payments:**
 - A. **\$327,727.96 (Payroll 8/15/2021 – 8/28/2021)**
 - B. **\$97,582.28 (Payroll Tax 8/15/2021 – 8/28/2021)**
 - C. **\$361,107.08 (DMV Remittance)**
 - D. **\$522,098.71 (DMV Comptroller)**
 - E. **\$1,719.21 (TPWD Comptroller)**
3. **To approve the Indigent Burial Report for August 2021**
4. **To approve the Code Enforcement Report for August 2021**
5. **To approve the Tax Collections Report from Caldwell County Appraisal District for August 2021**
6. **To approve the renewal bond #15663555 for Arthur Villarreal**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Consent Agenda. All voting "Aye".
MOTION APPROVED.

7. **Discussion/Action** regarding the burn ban. **Speaker: Judge Haden/ Hector Rangel; Backup: 3; Cost: None.**

Hector Rangel, Chief EMC recommends to leave Burn Ban off.
Motion made by Commissioner Roland, seconded by Commissioner Theriot. All voting "Aye".
MOTION APPROVED.

8. **Discussion/Action** to consider the Proclamation for National Manufacturing day on the 1st day of October 2021 in Caldwell County. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads Proclamation for National Manufacturing day. Laurie Hartz spoke on the importance of manufacturing to our economy. Armando Morales, Mark Kamberland, Kristinna Carson and Mark Estrada were also present.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve with pending changes to add Luling ISD and Prairie Lea ISD to the Proclamation for National Manufacturing day on the 1st of October 2021 in Caldwell County. All voting "Aye".
MOTION APPROVED.

9. **Discussion/Action** to consider Resolution 43-2021 for Texas Department of Agriculture Texans Feeding Texans: Home-Delivered Meal Grant Program. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads Resolution 43-2021.
Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Resolution 43-2021 for Texas Department of Agriculture Texans Feeding Texans: Home-Delivered Meal Grant Program. All voting "Aye".
MOTION APPROVED.

- 10. Discussion/Action** to consider Resolution 44-2021, approving the application for a FY 2022 “ Body-Worn Camera Grant” through the Office of the Governor’s Criminal Justice Division Public Safety Office with a 25% local match. **Speaker: Judge Haden/ Dennis Engelke; Backup: 6; Cost: TBD**

Dennis Engelke, Grants Administrator requests to pursue grant application and reads Resolution 44-2021. Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve application for a FY 2022 “Body-Worn Camera Grant” through the Office of the Governor’s Criminal Justice Division Public Safety Office with a 25% local match. All voting “Aye”.
MOTION APPROVED.

- 12. Discussion/Action** to consider the changes to FY 2022 Budget Changes. **Speaker: Judge Haden/ Barbara Gonzales/ Ezzy Chan; Backup: TBD; Cost: None**

Motion to table item 12 made by Commissioner Shelton, seconded by Commissioner Westmoreland. All voting “Aye”.
MOTION TO TABLE APPROVED.

- 13. Discussion/Action** to consider the approval of FY 2022 Budget. **Speaker: Judge Haden/ Barbara Gonzales/ Ezzy Chan; Backup: None; Cost: None**

Motion to table item 13 made by Commissioner Westmoreland, seconded by Commissioner Shelton. All voting “Aye”.
MOTION TO TABLE APPROVED.

- 14. Discussion/Action** to consider Budget Amendment #87 to transfer money from Juror Expenses (001-3240-4820) to Machinery and Equipment (001-3240-5310) to procure laptop for County Court at Law Assistant. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 8; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Budget Amendment 87 to transfer money from Juror Expenses (001-3240-4820) to Machinery and Equipment (001-3240-5310) to procure laptop for County Court at Law Assistant. All voting “Aye”.
MOTION APPROVED.

- 15. Discussion/Action** to consider Budget Amendment #88 to transfer money from Juror Expense (001-3252-4820) to Repairs and Maintenance (001-3252-4510) for the correction of Purchase Order REQ01086 Cothrons Invoice 1257948. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 88 to transfer money from Juror Expense (001-3252-4820) to Repairs and Maintenance (001-3252-4510) for the correction of Purchase Order REQ01086 Cothrons Invoice 1257948. All voting “Aye”.
MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 14, 2021 9:00 a.m

- 16. Discussion/Action** to consider Budget Amendment #89 to transfer money from Patrol Deputies (001-4300-1035) to Repairs and Maintenance (001-4300-4510 and Machinery and Equipment (0014-4300-5310) for the end of FY 2021 procurements needed. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 15; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 89 to transfer money from Patrol Deputies (001-4300-1035) to Repairs and Maintenance (001-4300-4510 and Machinery and Equipment (0014-4300-5310) for the end of FY 2021 procurements needed. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider Budget Amendment #90 to transfer money from Contingency (001-6510-4866) to Office Supplies (001-6510-3110) to pay for Outstanding COVID Invoice dated September 20, 2020. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 90 to transfer money from Contingency (001-6510-4866) to Office Supplies (001-6510-3110) to pay for Outstanding COVID Invoice dated September 20, 2020. All voting "Aye".

MOTION APPROVED.

Commissioner Theriot recused himself from the court room.

- 18. Discussion/Action** to consider Budget Amendment #91 to transfer money from Engineer Services in reference to the agreement with Texas Water Development Board to complete Doucet Inv. 2108045 for FY 2020-2021. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 16; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 91 to transfer money from Engineer Services in reference to the agreement with Texas Water Development Board to complete Doucet Inv. 2108045 for FY 2020-2021. All voting "Aye".

MOTION APPROVED.

- 19. Discussion/Action** to consider the approval of requisition REQ01165 in the amount of \$84,380.00 for Texas Water Development Board Doucet & Associates Professional Services. **Speaker: Judge Haden / Danie Blake; Backup: 3; Cost: \$84,380.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve requisition REQ01165 in the amount of \$84,380.00 for Texas Water Development Board Doucet & Associates Professional Services. All voting "Aye" and 1 abstention by Commissioner Theriot.

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 14, 2021 9:00 a.m

20. Discussion/Action to consider the approval of invoice #2108045 for payment in the amount of \$84,380.00 for Texas Water Development Board Doucet & Associates Professional Services. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: \$84,380.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve of invoice #2108045 for payment in the amount of \$84,380.00 for Texas Water Development Board Doucet & Associates Professional Services. All voting "Aye" and 1 abstention by Commissioner Theriot.
MOTION APPROVED.

Commissioner Theriot returns to court room.

21. Discussion/Action to consider Budget Amendment #92 to transfer money from Contingency (001-6510-4860) to Telephone (001-6510-4420) to pay for AVAYA Phones. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 92 to transfer money from Contingency (001-6510-4860) to Telephone (001-6510-4420) to pay for AVAYA Phones. All voting "Aye".
MOTION APPROVED.

PUBLIC HEARING 9:30

Regarding FY 2022 Tax Rate

Judge Haden calls the Public Hearing to order at 9:30 a.m.
There are no speakers and the Public Hearing closes at 9:35 a.m.

DISCUSSION/ACTION ITEMS:

11. Discussion/Action to consider the approval of the Order of Caldwell County adopting the Tax Rate for FY 2021-2022. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads the adopted Tax Rate for FY 2021-2022.
Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve the Order of Caldwell County adopting the Tax Rate for FY 2021-2022. Roll-call vote is taken Commissioner Westmoreland "Aye", Commissioner Shelton "Aye", Judge Haden "Aye", Commissioner Theriot "Aye" and Commissioner Roland "Aye".
MOTION APPROVED.

22. Discussion/Action to consider the approval of the FY 2021-2022 VINE/SAVNS Service Agreement. **Speaker: Judge Haden/ Dennis Engelke; Backup: 3; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve the FY 2021-2022 VINE/SAVNS Service Agreement. All voting "Aye".
MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 14, 2021 9:00 a.m

- 23. Discussion/Action** to consider ratification of the submission of a “Night In Old Luling” Grant application on behalf of Precinct 2 Constable’s Office to purchase three “Flexible Rifle Armor Systems” (FRAS) Tactical body armor vest. **Speaker: Judge Haden/ Dennis Engelke. Backup: 17; Cost: None**

Dennis Engelke, Grants Administrator request the ratification of the submission of a “Night In Old Luling” Grant application.

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve the ratification of the submission of a “Night In Old Luling” Grant application on behalf of Precinct 2 Constable’s Office to purchase three “Flexible Rifle Armor Systems” (FRAS) Tactical body armor vest. All voting Commissioner Shelton “Aye”, Commissioner Theriot “Aye”, Commissioner Roland “Aye”, Judge Haden “Nay” and Commissioner Westmoreland “Nay”.

MOTION APPROVED.

- 24. Discussion/Action** to consider the Approval to designate asset ID #2992 as salvage property for proper disposal. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve to designate asset ID #2992 as salvage property for proper disposal. All voting “Aye”.

MOTION APPROVED.

- 25. Discussion/Action** to execute the lease contract with Texas Realtors for a two-year lease for building located at 631 S. Colorado St., Lockhart TX. **Speaker: Judge Haden/ Danie Blake; Backup: 16; Cost: \$1,800 Monthly**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve the lease contract with Texas Realtors for a two-year lease for building located at 631 S Colorado St. Lockhart TX. All voting “Aye”.

MOTION APPROVED.

- 26. Discussion/Action** consider the payment of \$2,700 to Texas Realtors Commercial Leasing for the building lease at 631 S. Colorado St., Lockhart, TX for security deposit & half-month rental. **Speaker: Judge Haden/ Danie Blake; Backup: 16; Cost: \$2,700.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve payment of \$2,700 to Texas Realtors Commercial Leasing for the building lease at 631 S Colorado St. Lockhart, TX for security deposit & half-month rental. All voting “Aye”.

MOTION APPROVED.

- 27. Discussion/Action** to consider the approval of payment for non-compliant Roadside Consulting LLC invoice made by Unit Road. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve payment for non-compliant Roadside Consulting LLC invoice made by Unit Road. All voting “Aye”.

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 14, 2021 9:00 a.m

28. Discussion/Action to consider the approval advertise for bid the final draft of RFB 21CCP01B Caldwell County Road Materials, Fuel & Oil FY 2021-2022 for Unit Road Department. **Speaker: Judge Haden/ Danie Blake; Backup: 10; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve advertising for bid of the final draft of RFB 21CCP01B Caldwell County Road Materials, Fuel & Oil FY 2021-2022 for Unit Road Department. All voting "Aye".

MOTION APPROVED.

Commissioner Theriot recused himself from the court room.

29. Discussion/Action to consider the renewing the existing contract with Doucet & Associates for an additional two (2) year term for Caldwell County engineer services. **Speaker: Judge Haden/ Danie Blake; Backup: 49; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve renewing the existing contract with Doucet & Associates for an additional two (2) year term for Caldwell County engineer services. All voting "Aye". Abstention by Commissioner Theriot.

MOTION APPROVED.

30. Discussion/Action to consider the reappointment of Judge Hoppy Haden and Commissioner Joe Ivan Roland to the CAPCOG General Assembly Representation. **Speaker: Judge Haden; Backup: 4; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve the reappointment of Judge Hoppy Haden and Commissioner Joe Ivan Roland to the CAPCOG General Assembly Representation. All voting "Aye".

MOTION APPROVED.

31. Discussion/Action to consider the approval of FY 2022 County Employee Holidays. **Speaker: Judge Haden/ Ezzy Chan; Backup: 2; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve FY 2022 County Employee Holidays, adding December 26 and June 20. All voting "Aye".

MOTION APPROVED.

32. Discussion/Action to consider a designated day of the week on which Commissioners Court will convene in a regular term pursuant to TEX. LOC. GOV'T CODE Section 81.005(a). **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve the 2nd and 4th Tuesday of the week on which Commissioners Court will convene in a regular term pursuant to TEX. LOC. GOV'T CODE Section 81.005(a). All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 14, 2021 9:00 a.m

33. Discussion/Action to consider the approval of the Preliminary Plat for Kat Martinez Subdivision consisting of 2 lots on approximately 74.76 acres off Tomahawk Trail. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 11; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve of the Preliminary Plat for Kat Martinez Subdivision consisting of 2 lots on approximately 74.76 acres off Tomahawk Trail. All voting "Aye".
MOTION APPROVED.

34. Discussion/Action to consider the approval of the Preliminary Plat for Los Suenos Subdivision consisting of 11 lots on approximately 16 acres on County Line Road. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 19; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve the Preliminary Plat for Los Suenos Subdivision consisting of 11 lots on approximately 16 acres on County Line Road. All voting "Aye".
MOTION APPROVED.

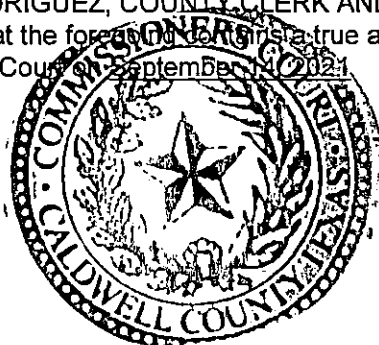
35. EXECUTIVE SESSION Pursuant to section 551.087 to the Texas Government Code; discussion of deliberation regarding economic development negotiations associated with Project Exodus. Possible action may follow in open court. **Speaker: Judge Haden; Backup: None; Cost: None**

Judge Haden opens Item 35 Executive Session at 10:16 a.m. and close at 10:35 a.m. Item 35 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, J.J. Wells, Jessica Inacio, Greater San Marcos Partnership and Mike Kamerlander, Lockhart Economic Development. Action to continue negotiations with Project Exodus. Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton. All voting "Aye".
MOTION APPROVED.

36. Adjournment.

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:36 a.m.

I, TERESA RODRIGUEZ, COUNTY CLERK AND EX OFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing is a true and accurate record of the proceedings had by the Caldwell County Commissioners' Court on September 14, 2021.



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