

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court October 27, 2020 9:00 a.m.



HOPPY HADEN	County Judge	B.J. WESTMORELAND	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 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 Westmoreland mentioned that the El Campo transport study will close on October 31, 2020.

Commissioner Shelton announced that this is the last week of early voting and polls will be open from 7:00 a.m. to 7:00 p.m.

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>

Pursuant to Executive Order GA-32 access to the 2nd Floor Courtroom will be limited to the County Judge, Commissioners, essential staff, and one (1) other person at a time. These measures are necessary to abide by the Governor's Executive Order and are intended to facilitate communication between members of the public and public officials. Participants and speakers will be allowed to enter the courtroom when the Court takes up their respective item on the agenda. Face coverings are required when inside the building except as provided by Executive Order GA-29. The meeting will be broadcast over the internet and may be viewed at <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtLive-OnDemand>

Jason Salazar, no response.

Deputy Dewitt called Jason Salazar's name twice and 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 for FY 2020 in the amount of \$200,267.51; Backup: 19**
2. **Approve payment of County invoices and County Purchase Orders for FY 2021 in the amount of \$164,073.18; Backup:15**
3. **Ratify re-occurring County Payments**
 - A. **\$326,385.72 (Payroll 09/27/20-10/10/20)**
 - B. **\$98,266.34 (Payroll Tax 09/27/20 – 10/10/20)**
 - C. **\$464,201.76 (DMV Comptroller)**
 - D. **\$159,386.74 (DMV Remittance)**
 - E. **\$10,275.17 (Texas Parks & Wildlife Dept.)**
4. **To accept the District Attorney Chapter 59 Asset Forfeiture Fund Audit; Backup: 2**
5. **To accept the September 2020 Texas A&M Agrilife Extension service report from Wayne Morse; Backup: 3**
6. **To accept the Caldwell County Appraisal District's Tax Collection Report for September 2020; Backup: 4**

Motion made by Commissioner Shelton with exception of checking on item correction, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

PRESENTATION

Ashley Long with Hamilton Group Funding to discuss potential employee benefit program.

Jim Lanier and Ashley Long with Hamilton Group Funding provided handout along with a slideshow to discuss potential employee benefit program in assisting employees with their home financing needs.

AGENDA ACTION ITEMS

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

Hank Alex recommends the Burn Ban stay on. Motion by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

8. **Discussion/Action** to approve the Resolution 01-2021 extending and continuing the Local State of Disaster within Caldwell County. **Speaker: Judge Haden; Backup: 3; Cost: None**

Judge Haden reads Resolution 01-2021 extending and continuing the Local State of Disaster within Caldwell County to November 10, 2020 at 11:59 p.m. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

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9. **Discussion/Action** to approve Resolution 02-2021 for Caldwell County Appraisal roll with tax amounts entered by the assessor due totaling \$20,338,415.70 for 2020 tax roll. **Speaker: Judge Haden; Backup: 9; Cost: None**

Judge Haden reads Resolution 02-2021 and requests approval of Caldwell County Appraisal roll. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

10. **Discussion/Action** to approve Resolution 03-2021 for Caldwell County Appraisal roll with tax amounts entered by the assessor due totaling \$2,907.65 for the 2020 Farm to Market tax roll. **Speaker: Judge Haden; Backup: 9; Cost: None**

Judge Haden reads Resolution 03-2021 and request approval of Caldwell County Appraisal roll for Farm to Market tax roll. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

11. **Discussion/Action** to receive donation given to Judge Haden for marriage ceremony. **Speaker: Judge Haden; Backup: 4; Cost: None**

Judge Haden seeks approval of marriage ceremony donation. So moved by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

12. **Discussion/Action** to approve Budget Amendment #3 to adjust FY 2019-2020 Unit Road expenditures. **Speakers: Judge Haden/Barbara Gonzales; Backup: 2; Cost: Net Zero**

Judge Haden requests to adjust Budget Amendment 3. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

13. **Discussion/Action** to approve Budget Amendment #4 to receive RW 44672 GLO Infrastructure and align expenditures. **Speakers: Judge Haden/Barbara Gonzales; Backup: 4; Cost: Net Zero**

Judge Haden requests to approve Budget Amendment 4. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

14. **Discussion/Action** to approve Budget Amendment #5 needed to pay for the Southern Health Partners invoice of \$40,210 to cover overage costs. **Speakers: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: 40,210**

Judge Haden requests to approve Budget Amendment 5. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

15. **Discussion/Action** to get approval on REQ00586 to generate a purchase order for county inmate health service overage charges to Southern Health Partners. **Speakers: Judge Haden/ Danie Blake; Backup: 5; Cost: \$40,209.06**

Danie Blake requests approval of overage charges to Southern Health Partners. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye"

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16. **Discussion/Action** to approve the payment of Southern Health Partners in the amount of \$40,209.06, Invoice OCP18058. **Speakers: Judge Haden/Barbara Gonzales; Backup: 3; Cost: \$40,209.06**

Judge Haden requests the approval of payment to Southern Health Partners. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

17. **Discussion/Action** to approve generating a blanket purchase order for Enterprise REQ00549 in the amount of \$471,297.00; **Speakers: Judge Haden/ Danie Blake; Backup:2; Cost: \$471,297.00**

Danie Blake requests approval of generating a blanket purchase order for Enterprise. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

18. **Discussion/Action** to approve the payment of Enterprise statement number 2659 in the amount of \$32,603.23; **Speakers: Judge Haden/ Barbara Gonzales; Backup: 17; Cost: \$32,603.56**

Danie Blake requests approval for payment to Enterprise. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

19. **Discussion/Action** to get approval for REQ00558 to generate a blanket purchase order for AT&T. **Speakers: Judge Haden/ Danie Blake; Backup: 7; Cost: \$144,863.88**

Danie Blake requests approval for AT&T blanket purchase. Motion made by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

20. **Discussion/Action** to approve the payment to AT&T in the amount of \$12,071.99 – Ref. REQ00558, Account No. 512 A-13-0189 725 3; **Speakers: Judge Haden/Barbara Gonzales; Backup: 7; Cost: 12,071.99**

Judge Haden requests approval of payment to AT&T. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

21. **Discussion/Action** to get approval for REQ00559 to generate a blanket purchase order for City of Lockhart for Animal Shelter and Lease expenses. **Speakers: Judge Haden/ Danie Blake; Backup: 4; Cost: \$210,721.00**

Judge Haden requests the approval to generate a blanket purchase order for City of Lockhart for Animal Shelter and Lease expenses. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

22. **Discussion/Action** to approve the payment to City of Lockhart of \$37,781.85:REF. REQ 00559, which includes Invoice: ASL 21-001for \$974.17 and Invoice ASV 20-Q4 for \$36,807.68; **Speakers: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: \$37,781.85**

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Judge Haden requests approval of payment to City of Lockhart. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

- 23. Discussion/Action** to get approval on REQ 00540 to generate a blanket purchase order for year # 2 for Doucet & Associates county wide engineering services. **Speakers: Judge Haden/ Danie Blake; Backup: 48; Cost: \$57,377.62**

Danie Blake requests approval to generate a blanket purchase order for Doucet & Associates. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 24. Discussion/Action** to get approval on REQ00535 to generate a blanket purchase order for county liability coverage for FY 20-21. **Speakers: Judge Haden/Danie Blake; Backup: 3; Cost: \$205,686.00.**

Judge Haden requests to generate a blanket purchase order for county liability coverage. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

- 25. Discussion/Action** to approve the payment to TAC in the amount of \$205,686.00. Ref. REQ00535, Invoice No. 30016. **Speakers: Judge Haden/ Barbara Gonzales; Backup:3; Cost: \$205,686.00**

Judge Haden requests the approval of payment to TAC. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 26. Discussion/Action** to get approval on REQ00530 to generate a blanket purchase order for County inmate health services to Southern Health Partners. **Speakers: Judge Haden/Danie Blake; Backup: 20; Cost: \$244,044.12**

Danie Blake requests to generate a blanket purchase order to Southern Health Partners. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

- 27. Discussion/Action** to get approval on revisions made to the Caldwell County Purchasing Policy. **Speakers: Judge Haden/Danie Blake; Backup: 48; Cost: None**

Danie Blake request approval on revisions made to Caldwell County Purchasing Policy. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

- 28. Discussion/Action** to approve the Medical Consultant Contract between Caldwell County and Dr. Charles Laurence. **Speaker: Judge Haden; Backup 5; Cost: \$12,000**

Judge Haden requests approval of the Medical Consultant Contract. Motion made by Commissioner Shelton with corrections to be made, second by Commissioner Roland. All voting "Aye".

- 29. Discussion/Action** to approve Funding Agreement between Caldwell County and the Greater San Marcos Economic Development Corporation. **Speakers: Judge Haden/ JJ Wells; Backup: 6; Cost: \$30,000.00**

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Judge Haden requests approval of Funding Agreement with Greater San Marcos Economic Development Corporation. Motion made by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

- 30. Discussion/Action** to consider a request from the Lockhart, Luling and Prairie Lea ISD's for Coronavirus Relief Fund assistance to defray distance learning equipment expenses. **Speakers: Judge Haden/ Dennis Engelke; Backup: 10; Cost: TBD**

Dennis Engelke requests to consider Coronavirus Relief Fund assistance to Lockhart, Luling and Prairie Lea ISD. So moved by Commissioner Shelton , second by Commissioner Theriot. All voting "Aye".

- 31. Discussion/Action** to approve the County Boat Agent Agreement between Caldwell County and Texas Parks and Wildlife Department. **Speakers: Judge Haden/Darla Law; Backup: 14; Cost: None**

Judge Haden requests to approve County Boat Agent Agreement with Texas Parks and Wildlife Department. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

- 32. Discussion/Action** to discuss and approve Caldwell County Observed Holidays for calendar year 2021. **Speakers: Judge Haden; Backup: 4; Cost: None**

Judge Haden requests approval of 2021 Holidays with additions and changes. So moved by Commissioner Westmoreland , second by Commissioner Theriot. All voting "Aye".

- 33. Discussion/Action** to accept public streets and drainage of County Line Estates, Section 2 as complete and ready to begin the two year performance period of said public improvements as evidenced by a maintenance bond in the amount of \$6,600.00 and to release the construction security/bond in the amount of \$66,000.00 back to the developer. **Speakers: Judge Haden / Commissioner Roland/ Kasi Miles; Backup: 3; Cost: None**

Kasi Miles requests to accept public streets and drainage of County Line Estates. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

- 34. Discussion/Action** to consider the approval of the Final Plat for Indian Paintbrush Addition to include 3 lots on approximately 34.75 acres located at Borchert Loop (CR 108) and Black Ankle Road (CR 109) **Speakers: Commissioner Westmoreland/ Kasi Miles; Backup: 15; Cost: None**

Kasi Miles requests approval of Final Plat for Indian Paintbrush Addition. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

- 35. Discussion/Action** to ratify payment to Enterprise outside normal pay cycle. **Speaker: Judge Haden/ Danie Blake; Backup: 13; Cost:\$ 7,731.25**

Danie Blake requests to ratify payment to Enterprise outside of normal pay cycle. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

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36. **Discussion/Action** to rescind termination of Interlocal Agreement with City of Umland. **Speakers: Judge Haden/ JJ Wells; Backup: 1; Cost: None**

JJ Wells requested to rescind termination of Interlocal Agreement with City of Umland. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

37. **Discussion/Action** to consider Agreement for Additional Health Services regarding increased on-site staffing at the Caldwell County Jail. **Speaker: Chief Mike Lane / JJ Wells; Cost: TBD; Backup: 2**

JJ Wells requests to consider Agreement for Additional Health Services at the Caldwell County Jail. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

38. **EXECUTIVE SESSION:** pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Future. Possible action may follow in open court. **Speakers: Judge Haden/ JJ Wells; Backup: None; Cost: TBD**


Judge Haden opens item 38 Executive Session at 10:01 a.m. and closes at 10:47a.m. Item 38 Executive Session is attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland and JJ Wells. No action is taken. Judge Haden reopens Commissioner Court at 10:49 a.m.

39. **Adjournment.**

So moved by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:49 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 October 27, 2020.




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