

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court November 23, 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 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 and Commissioner Shelton and Judge Haden wish everyone a safe Thanksgiving Holiday. Veritacor will hold a drive-thru Thanksgiving dinner for everyone.

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>

Rodney Roland Dale resident opposes subdivision without road improvement.

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

1. **Approve payment of County invoices and County Purchase Orders: \$260,014.81**
2. **Ratify re-occurring County Payments:**
 - A. **\$343,276.43 Payroll (10/24/2021 – 11/06/2021)**
 - B. **\$103,459.18 Payroll Tax (10/24/2021 – 11/06/2021)**
3. **To accept the October 2021 Tax Collection Report from the Caldwell County Appraisal District.**
4. **To accept Chapter 59 asset Forfeiture Audit Report for the District Attorney Office ending August 31, 2021.**
5. **To accept Chapter 59 asset Forfeiture Audit Report for the Sheriff's Office ending September 30, 2021**
6. **To approve Bond renewal #14771315 for Melanie Bowden, Justice of the Peace Pct. 1 Clerk.**

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

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC recommends to keep the 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 November 2021 as National Family Caregivers Month. **Speaker: Commissioners Shelton; Backup: 2; Cost: None**

Proclamation read.
Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve the Proclamation for November 2021 as National Family Caregivers Month. All voting "Aye".
MOTION APPROVED.

9. **Discussion/Action** to consider Resolution 13-2022, ratifying the South Indian US Films road-use agreement for the use of County Road 224 for filming. **Speaker: Judge Haden/ Chase Goetz; Backup: 5; Cost: None**

Resolution 13-2022 is read.
Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Resolution 13-2022, ratifying the South Indian US Films road-use agreement for the use of County Road 224 for filming. All voting "Aye".
MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting November 23, 9:00 a.m.

- 10. Discussion/Action** to consider Resolution 14-2022, authorizing the County Judge to negotiate and execute renewal of the lease on 9675 State Highway 142 in Maxwell for Precinct 3 Justice of the Peace Building. **Speaker: Judge Haden/ Chase Goetz; Backup: 2; Cost: TBD**

Resolution 13-2022 is read.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Resolution 14-2022, authorizing the County Judge to negotiate and execute renewal of the lease on 9675 State Highway 142 in Maxwell for Precinct 3 Justice of the Peace Building. All voting "Aye".

MOTION APPROVED.

- 11. Discussion/Action** to consider Resolution 15-2022, authorizing the County Judge to execute an Interlocal Cooperation Agreement between Caldwell County and the City of Mustang Ridge for subdivision regulation within the extraterritorial jurisdiction of the City of Mustang Ridge. **Speaker: Judge Haden/ Chase Goetz; Backup: 10; Cost: None**

Resolution 15-2022 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Resolution 15-2022, authorizing the County Judge to execute an Interlocal Cooperation Agreement between Caldwell County and the City of Mustang Ridge for subdivision regulation within the extraterritorial jurisdiction of the City of Mustang Ridge. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to consider Resolution 16-2022, approving an Interlocal Cooperation Agreement between Caldwell County and the Texas State Board of Veterinary Medical Examiners for the Caldwell County District Attorney's Office joining of the Texas Veterinary Enforcement and Training Task Force, and authorizing the Caldwell County District Attorney to execute and manage the Interlocal Cooperation Agreement on behalf of the County. **Speaker: Judge Haden/ Chase Goetz; Backup: 7; Cost: None**

Resolution 16-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Resolution 16-2022, approving an Interlocal Cooperation Agreement between Caldwell County and the Texas State Board of Veterinary Medical Examiners for the Caldwell County District Attorney's Office joining of the Texas Veterinary Enforcement and Training Task Force, and authorizing the Caldwell County District Attorney to execute and manage the Interlocal Cooperation Agreement on behalf of the County. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to consider Resolution 17-2022, approving election services contracts between the Caldwell County Republican and Democratic Parties and the Elections Administrator to provide election services for upcoming primary elections and run-off elections, and directing the Elections Administrator to execute the same. **Speaker: Judge Haden/ Kimber Daniel; Backup: 22; Cost: None**

COMMISSIONERS COURT MINUTES
Regular Meeting November 23, 9:00 a.m.

Resolution 17-2022 is read.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Resolution 17-2022, approving election services contracts between the Caldwell County Republican and Democratic Parties and the Elections Administrator to provide election services for upcoming primary elections and run-off elections, and directing the Elections Administrator to execute the same. All voting "Aye".

MOTION APPROVED.

15. Discussion/Action to consider the outsource voter registration mass mail out to AMG Printing and Mailing. **Speaker: Judge Haden/ Kimber Daniel; Backup: 2; Cost: \$9,422.55**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve the outsource voter registration mass mail out to AMG Printing and Mailing. All voting "Aye".

MOTION APPROVED.

14. Discussion/Action to consider the Mental Health Jail-Based Services contract between Caldwell County and Bluebonnet Trails MHMR for Residential Substance Abuse Treatment services described in the Co-Morbidity Initiative Phase 4 grant awarded by the Criminal Justice Division of the Office of the Governor. **Speaker: Judge Haden; Dennis Engelke; Backup: 4; Cost: None**

Dennis Engelke Grants Administrator requests approval of the proposed contract.

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve the Mental Health Jail-Based Services contract between Caldwell County and Bluebonnet Trails MHMR for Residential Substance Abuse Treatment services described in the Co-Morbidity Initiative Phase 4 grant awarded by the Criminal Justice Division of the Office of the Governor. All voting "Aye".

MOTION APPROVED.

30. Discussion/Action to consider a discussion for a presentation on Bollinger proposed subdivision and development agreement located on Sundance Court (FM 2720). **Speaker: Commissioner Theriot/ Kasi Miles/ Tracy Bratton/ Scott Miller; Backup: 2; Cost: None**

Tracy Bratton County Consulting Engineer and Scott Miller Rancho Development provide slideshow presentation on proposed subdivision and development agreement located on FM 2720.

No action taken.

16. Discussion/Action to consider the increase in pledged securities, amendment No. 3 to depository contract. **Speaker: Judge Haden/ Angela Rawlinson; Backup: 3; Cost: None**

Angela Rawlinson County Treasurer requests pledge increase to 13.5 million.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve the increase in pledged securities, amendment No. 3 to depository contract. All voting "Aye".

MOTION APPROVED.

17. Discussion/Action to consider the approval of Budget Amendment #10 moving money within Department 6610 (IT) as approved in 11/08/2021 Executive Session. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

COMMISSIONERS COURT MINUTES
Regular Meeting November 23, 2021 9:00 a.m.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 10 moving money within Department 6610 (IT) as approved in 11/08/2021 Executive Session. All voting "Aye".

MOTION APPROVED.

18. Discussion/Action to consider the approval of Budget Amendment #11 to transfer money from (001-6000-0950) Insurance Proceedings to (001-6520-3510) Luling Annex from damages to JP Pct. 2 Building. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 11 to transfer money from (001-6000-0950) Insurance Proceedings to (001-6520-3510) Luling Annex from damages to JP Pct. 2 Building. All voting "Aye".

MOTION APPROVED.

19. Discussion/Action to consider the approval of Budget Amendment #12 to transfer money from (001-6510-4860) Contingency to (001-6650-5310) Machinery and Equipment for Emergency Management Trailer. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 12 to transfer money from (001-6510-4860) Contingency to (001-6650-5310) Machinery and Equipment for Emergency Management Trailer. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action to consider the approval of Budget Amendment #13 to transfer appropriate funds into the proper account for the American Rescue Plan Fund/ 019 Fund. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 13 to transfer appropriate funds into the proper account for the American Rescue Plan Fund/ 019 Fund. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to consider the approval of Budget Amendment #14 for Caldwell County Evacuation Center. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 14 for Caldwell County Evacuation Center. 4 "Aye" and 1 "Abstain" by Commissioner Theriot.

MOTION APPROVED.

22. Discussion/Action to consider Unit Road PO #REQ01219 for Williamson County Equipment Co., Inc. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 7; Cost: \$284,145.00**

COMMISSIONERS COURT MINUTES
Regular Meeting November 23, 2021 9:00 a.m.

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Unit Road PO #REQ01219 for Williamson County Equipment Co., Inc. All voting "Aye".
MOTION APPROVED.

23. Discussion/Action to consider of approval of payment for Unit Road PO #REQ01219 for Williamson County Equipment Co. Inc. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 7; Cost: \$284,145.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve payment for Unit Road PO #REQ01219 for Williamson County Equipment Co. Inc. All voting "Aye".
MOTION APPROVED.

24. Discussion/Action to consider REQ01343 in the amount of \$117,720.00 for IT services FY 21-22 to be generated into a blanket PO. **Speaker: Judge Haden/ Danie Blake; Backup: 21; Cost: \$117,720.00**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve REQ01343 in the amount of \$117,720.00 for IT services FY 21-22 to be generated into a blanket PO. All voting "Aye".
MOTION APPROVED.

25. Discussion/Action to consider the Non-Compliant Office Depot invoice #203814682001 in the amount of \$2,799.90 for the Sheriff's Office. **Speaker: Judge Haden/ Danie Blake; Backup: 4; Cost: \$2,799.90**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Non-Compliant Office Depot invoice #203814682001 in the amount of \$2,799.90 for the Sheriff's Office. All voting "Aye".
MOTION APPROVED.

26. Discussion/Action to consider the Non-Compliant Office Depot invoice #208609726001 in the amount of \$577.67 for the Jail. **Speaker: Judge Haden/ Danie Blake; Backup: 4; Cost: \$577.67**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Non-Compliant Office Depot invoice #208609726001 in the amount of \$577.67 for the Jail. All voting "Aye".
MOTION APPROVED.

27. Discussion/Action to consider the supplemental work Authorization Agreement for the Caldwell County SH 142 Engineer Service Project. **Speaker: Judge Haden/ Danie Blake; Backup: 17; Cost: \$499,462.80**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve the supplemental work Authorization Agreement for the Caldwell County SH 142 Engineer Service Project. All voting "Aye".
MOTION APPROVED.

28. Discussion/Action to consider approval to pay Enterprise Invoice No. 2686 in the amount of \$39,722.27.
Speaker: Judge Haden/ Danie Blake; Backup: 20; Cost: \$39,722.27

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve to pay Enterprise Invoice No. 2686 in the amount of \$39,722.27. All voting "Aye".
MOTION APPROVED.

29. Discussion/Action to consider approval to pay First Net Invoice in the amount of \$12,524.20. **Speaker: Judge Haden/Danie Blake; Backup: 266; Cost: \$12,524.20**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve to pay First Net Invoice in the amount of \$12,524.20. All voting "Aye".
MOTION APPROVED.

31. Discussion/Action to consider approving an Order authorizing the filing of a Final Plat (Short Form Procedure) for Sagada Dos Subdivision located on Homannville Road. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 14; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve an Order authorizing the filing of a Final Plat (Short Form Procedure) for Sagada Dos Subdivision located on Homannville Road. All voting "Aye".
MOTION APPROVED.

32. EXECUTIVE SESSION

Judge Haden opens Item 32 Executive Session at 9:56 a.m. and close at 10:18 a.m. Item 32 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, Chase Goetz.

- **EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.087, the discussion of deliberation regarding economic development negotiations associated with Project Iron Ore. Possible action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

Action to be taken in open court.

- **EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071(1): Consultation with counsel regarding pending or contemplated litigation or settlement offers. Possible action may follow in open court. **Speaker: Judge Haden / Gabe Ortiz; Backup: 1; Cost: None.**

No action to follow.

COMMISSIONERS COURT MINUTES
Regular Meeting November 23, 2021 9:00 a.m.

33. Discussion/Action to consider taking action on Executive Session Items. **Speaker: Judge Haden;**
Backup: 1; Cost: None

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Executive Session Item regarding Project Iron Ore 381 agreement. All voting "Aye".
MOTION APPROVED.

34. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot that we adjourn. All voting "Aye".
Court adjourns at 10:19 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 November 23, 2021.

Teresa Rodriguez

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

