

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 12, 2024, 9:00 AM



Hoppy Haden	County Judge	B.J. Westmoreland	Commissioner, Pct. 1
Teresa Rodriguez	County Clerk	Rusty Horne	Commissioner, Pct. 2
		Ed Theriot	Commissioner, Pct. 3
		Dyral Thomas	Commissioner, Pct. 4

A. CALL MEETING TO ORDER

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

B. INVOCATION

Commissioner Thomas opens the meeting in prayer.

C. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS 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.

D. ANNOUNCEMENTS:

Items or comments from Court members or staff.

Commissioner Theriot announces the Stock Show was great and congratulations to all the kids and buyers.

E. 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>

Frederick W. Wiegand resident of Lockhart spoke on behalf of his property due to boundary lines and road errors.

G. PRESENTATION:

G.1 Presentation regarding a proposed development of a data center campus located at FM 2720 and Bobwhite Road. Speaker: B.J. Westmoreland/Todd Workman; Backup: 3; Cost: \$0.00

Todd Workman introduces Shelly Mitchell, Pape-Dawson Engineer who provides details for the Data Center project development Phase 1, handouts provided to the court.

240306 Development Agreement Request.pdf

H. CONSENT AGENDA:

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

- F.1.To approve payments of County Invoices and Purchase Orders in the amount of \$212,941.31.**
- F.2.To approve County Payroll payment in the amount of \$432,377.34 (2/11/2024 - 2/24/2024).**
- F.3.To approve County Payroll Tax payment in the amount of \$126,519.80 (2/11/2024 - 2/24/2024).**
- F.4.To accept the February 2024 Indigent Burial Report.**
- F.5.To accept Disclosure Report/Financial Accounts January 2024 regarding Hot Check, Escrow, Discretionary Fund, Asset Forfeiture, Asset Forfeited, and DA LEOSE accounts.**
- F.6.To accept 2023 Caldwell County Constable PCT. 1 Racial Profiling Report.**
- F.7.To accept 2023 Caldwell County Constable PCT. 2 Racial Profiling Report.**
- F.8.To receive notice of collateral assignment.**
- F.9.To accept certification for continuing education hours for Danie Teltow, County Auditor.**
- F.10.To. accept certification for continuing education hours for Gabi Saldana, 1st Assistant Auditor.**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

MOTION APPROVED.

- F.1 To approve payments of County Invoices and Purchase Orders in the amount of \$212,941.31. Payment Register AP 3.12.2024.pdf
- F.2 To approve County Payroll payment in the amount of \$432,377.34 (2/11/2024 - 2/24/2024). Payroll 02112024 - 02242024.pdf
- F.3 To approve County Payroll Tax payment in the amount of \$126,519.80 (2/11/2024 - 2/24/2024). Payroll Tax 02112024 - 02242024.pdf
- F.4 To accept the February 2024 Indigent Burial Report.
Feb 2024 Indigent Burial.pdf
- F.5 To accept Disclosure Report/Financial Accounts January 2024 regarding Hot Check, Escrow, Discretionary Fund, Asset Forfeiture, Asset Forfeited, and DA LEOSE accounts.
Disclosure Report_Financial Accounts_Jan 2024.pdf
- F.6 To accept 2023 Caldwell County Constable PCT. 1 Racial Profiling Report.
2023 PCT. 1 Racial Profiling Report.pdf
2023 PCT. 1 Racial Profiling Analysis Report.pdf
- F.7 To accept 2023 Caldwell County Constable PCT. 2 Racial Profiling Report.
2023 PCT. 2 TECOLE Racial Profiling report submitted.pdf
2023 PCT. 2 Racial Profiling Report.pdf
- F.8 To receive notice of collateral assignment.
2.28.24 Letter Regarding Collateral Assignment.pdf
- F.9 To accept certification for continuing education hours for Danie Teltow, County Auditor. Teltow - Certification for Continuing Ed.pdf
- F.10 To accept certification for continuing education hours for Gabi Saldana, 1st Assistant Auditor. Saldana_Certification for Continuing Ed.pdf

H. DISCUSSION/ACTION ITEMS:

H.1 Regarding the burn ban. Speaker: Judge Haden/Hector Rangel; Backup: 2; Cost: \$0.00

Josh Flores Deputy Chief provides fire updates and recommends keeping the burn ban off.
Burn Ban Order 3.12.24.pdf

Motion made by Commissioner Theriot, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

H.2 To approve Order 07-2024 authorizing the sale of fireworks for San Jacinto Day. Speaker: Judge Haden/Hector Rangel; Backup: 3; Cost: \$0.00
Order 07-2024 is read.
TAC TX San Jacinto Day Fireworks Order.pdf
07-2024_Order_San_Jacinto_Day_Fireworks_-_DRAFT v2.docx

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to Approve.
All voting "Aye."

MOTION APPROVED.

H.3 To approve a development agreement between the County and Kinder Morgan Texas Pipeline LLC, for the development of a natural gas transmission pipeline. Speaker: Judge Haden/Allen Fore; Backup: 9; Cost: \$0.00
KM Signed Kinder Morgan Development Agreement.DRAFTv3 (county redline)-KMsignature.pdf

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

H.4 To accept a \$1.5 million donation from Kinder Morgan Texas Pipeline LLC. Speaker: Judge Haden/Allen Fore; Backup: 2; Cost: \$0.00
Allen Fore speaks on behalf of Kinder Morgan Texas Pipeline L.L.C. on the investment with Caldwell County and the benefits.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to Approve. All voting "Aye."

MOTION APPROVED.

H.5 To approve a professional services agreement between the County and Dr. Charles Laurence for the practice of medicine pursuant to duties as the local health authority. Speaker: Judge Haden/Chase Goetz; Backup: 4; Cost: \$12,000 annually
PSA--Local Health Authority.pdf

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

MOTION APPROVED.

H.6 To appoint Dr. Charles Laurence as the local health authority for Caldwell County, Texas, for a term of 2 years, effective March 25, 2024. Speaker: Judge Haden; Backup: 0; Cost: N/A

Motion made by Commissioner Theriot, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

H.7 To approve the designation of 9 county assets as salvage or surplus property for disposal or auction. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$0.00
Auction Asset List.pdf

Motion made by Commissioner Thomas, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

H.8 To approve the agreed cancellation of a competitive bid award to Vulcan Materials for TXDOT Grade 4 aggregate. Speaker: Judge Haden/Donald Leclerc; Backup: 0; Cost: \$0.00

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

MOTION APPROVED.

H.9 To approve final draft and solicitation of RFB 24CCP01B for Aggregate Grade 4 (3/8"). Speaker: Judge Haden/Carolyn Caro; Backup: 28; Cost: \$0.00
RFB 24CCP01B Final.pdf

Motion made by Commissioner Thomas, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

H.10 To approve a permit for the development of Westwood Park #3, located at 1114 Westwood Road. Speaker: Commissioner Westmoreland; Backup: 10; Cost: \$0.00

There was some discussion between Tracey Braxton County Engineer, Commissioner Theriot, Judge Haden, Commissioner Westmoreland, and the property owners on acceptance of permits and expansion of Westwood RV Park.

2021-03-25_WESTWOOD RV PARK Update Submittal to CC.pdf

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to Postpone. All voting "Aye."

MOTION APPROVED.

H.11 To approve the Final Plat for Clayton Addition consisting of 7 residential lots on approximately 13.177 acres located on Callihan Road and Bugtussle Lane. Speaker: Commissioner Horne/Kasi Miles; Backup: 19; Cost: \$0.00
Final Plat- Clayton Addition

Motion made by Commissioner Horne, seconded by Commissioner Theriot to Approve. All voting "Aye."

MOTION APPROVED.

H.12 To approve the Final Plat for Cool Water Acres consisting of 124 residential lots on approximately 155.951 acres located on Taylorsville Road and FM 86. Speaker: Commissioner Horne/Kasi Miles; Backup: 50; Cost: \$0.00
Cool Water Acres-Final Plat

Motion made by Commissioner Horne, seconded by Commissioner Thomas to Approve. All voting "Aye."

MOTION APPROVED.

H.13 To approve public improvements in Tumbleweed Estates Phase 1 for permanent county maintenance and release the two-year maintenance bond. Speaker: Hoppy Haden/Dyral Thomas/Donald Leclerc; Backup: 3; Cost: \$0.00
Bond No. LFB5945505.pdf

Motion made by Commissioner Thomas, seconded by Commissioner Horne to Approve. All voting "Aye."

MOTION APPROVED.

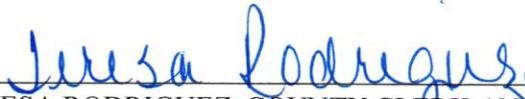
I. ADJOURNMENT:

Court adjourns at 10:07 a.m.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to Adjourn. All voting "Aye."

MOTION APPROVED.

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 held by the Caldwell County Commissioners' Court on March 12, 2024.



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

