

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 26, 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 Westmoreland extends his condolences and thoughts to all involved in the bus accident last week on Highway 21.

No Staff Announcement.

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>

No Citizens' Comments.

F. 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 \$804,645.95.

F.2.To accept Caldwell County Constable PCT. 2 February 2024 Report.

F.3.To accept the February 2024 Tax Collection Report from the Caldwell County Appraisal District.

F.4.To approve the Caldwell County Uniform Relocation Assistance (URA) Business Eligibility Notice.

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

MOTION APPROVED.

- F.1 To approve payments of County Invoices and Purchase Orders in the amount of \$804,645.95.
3 26 2024 AP PAYMENT REGISTER.pdf
3 26 2024 AP Expense Approval Register.pdf
- F.2 To accept Caldwell County Constable PCT. 2 February 2024 Report.
Constable PCT 2 February 2024 Report.docx
- F.3 To accept the February 2024 Tax Collection Report from the Caldwell County Appraisal District. CCAD - February 2024 Report.pdf
- F.4 To approve the Caldwell County Uniform Relocation Assistance (URA) Business Eligibility Notice.
Eligibility Notice_Business Letter.pdf

G. DISCUSSION/ACTION ITEMS:

- G.1 To clarify the recorded vote for Items G.1, G.2, and G.3 made during the special meeting held on March 12, 2024. Speaker: Judge Haden; Backup: 0; Cost: \$0.00

Clarifying on 3-12-24 Special Meeting Commissioner Westmoreland Abstained to Items G.1, G.2, and G.3.

Future resolutions will be roll call votes.

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

Hector Rangel Chief EMC provides fire updates and recommends keeping the burn ban off, adds please contact the Sheriff's Department for controlled burning.
Burn Ban Order 3.26.24.pdf

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

MOTION APPROVED.

- G.3 To approve a Proclamation recognizing April 2024 as Caldwell County Sexual Assault Awareness and Prevention Month. Speaker: Judge Haden/Micaela Aranda; Backup: 1; Cost: \$0.00
Ashley Rios Roxanne's House Program Director with HCWC is present.

Proclamation is read.

3.26.24 Proclamation - SEXUAL ASSAULT AWARENESS & PREVENTION MONTH (APRIL 2024).pdf

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

MOTION APPROVED.

- G.4 To approve a Proclamation recognizing April 2024 as Caldwell County Child Abuse Prevention and Awareness Month. Speaker: Judge Haden/Micaela Aranda; Backup: 1; Cost: \$0.00

Brandi Raschke Training Manager with CASA provides information about the organization and program.

Proclamation is read.

3.26.24 Proclamation - CHILD ABUSE PREVENTION AND AWARENESS MONTH (APRIL 2024).pdf

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

MOTION APPROVED.

G.5 To accept \$130,196.51 for DMV remittance on March 5, 2024, and \$383,521.57 to comptroller. Speaker: Judge Haden/Darla Law; Backup: 40; DOC016.pdf

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

MOTION APPROVED.

G.6 To approve Budget Amendment #11 moving money from Subdivision Fees 001-2000-0250 to Professional Services 001 -6510-4110 in the amount of \$184,635.86. Speaker: Judge Haden/Danie Teltow; Backup: 1; Cost: \$184,635.86
3.07.2024 Non Departmental Doucet BA.pdf

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

MOTION APPROVED.

G.7 To approve Budget Amendment #12 for Juvenile Probation budget entry. Speaker: Judge Haden/Danie Teltow; Backup: 10; Cost: \$707,275.00
03.26.24 Juvenile Probation Budget Entry.pdf
Copy of FY 2024 approved budget 08.25.2023.pdf

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

MOTION APPROVED.

G.8 To approve Budget Amendment #13 updating LEOSE accounts for PCT 1, 2, 3 and 4. Speaker: Judge Haden/Danie Teltow; Backup: 3; Cost: \$0.00
Updated Register for 3.26.24 CC LEOSE BA.pdf

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

MOTION APPROVED.

G.9 To approve Budget Amendment #14 transferring \$2,230.00 from Tyler Tech Training to 001-2130-4810 Training. Speaker: Judge Haden/Danie Teltow; Backup: 1; Cost: \$0.00
03.26.2024 Tyler Tech-Training.pdf

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

MOTION APPROVED.

G.10 To approve change order for Doucet PO # 02852 in the amount of \$184,635.86. Speaker: Judge Haden/Carolyn Caro; Backup: 0; Cost: \$184,635.86

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

MOTION APPROVED.

G.11 To approve \$3,000 donation request from CARTS (Capital Area Rural Transportation System) for FY 2024. Speaker: Judge Haden; Backup: 1; Cost: \$3,000.00
CARTS 3 8 2024.pdf

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

MOTION APPROVED.

G.12 To approve payment of Invoice # CARTS-030624 in the amount of \$3,000 for FY 23- 24 Capital Area Rural Transportation System contribution. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$3,000.00
CARTS 3 8 2024.pdf

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

MOTION APPROVED.

G.13 To approve the Capital Area Metropolitan Planning Organization (CAMPO) local contribution request of \$1,346.00 for FY 2024. Speaker: Judge Haden; Backup: 1; Cost: \$1,346.00 CAMPO local contribution req..pdf

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

MOTION APPROVED.

G.14 To approve payment of Invoice # CAMPO-24-059 in the amount of \$1,346.00 for FY 23-24 Capital Area Metropolitan Planning Organization contribution. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$1,346.00
CAMPO local contribution req..pdf

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

MOTION APPROVED.

G.15 To authorize the County Judge to negotiate and, if necessary, execute a month-to-month services agreement with Motorola for continued emergency radio services. Speaker: Judge Haden/Carolyn Caro; Backup: None; Cost: TBD

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

MOTION APPROVED.

G.16 To ratify a services agreement between the County and LexisNexis for continued use of research software for indigent burial services. Speaker: Judge Haden; Backup: 7; Cost: \$1,050.00

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

MOTION APPROVED.

G.17 To accept award for the SB 22 Rural Law Enforcement Grant Program in the amount of \$350,000, to be utilized by the Sheriff's Office for financial assistance. Speaker: Judge Haden/Amber Quinley; Backup: 16; Cost: \$0.00
SB22 Revenue- SO.pdf

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

MOTION APPROVED.

G.18 To accept award for the SB 22 Rural Law Enforcement Grant Program in the amount of \$175,000, to be utilized by the District Attorney's Office for financial assistance. Speaker: Judge Haden/Amber Quinley; Backup: 14; Cost: \$0.00
SB22 Revenue- DA.pdf

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

MOTION APPROVED.

G.19 To approve an amendment to the Caldwell County Uniform Relocation Assistance (URA) Plan to include an Appeal Process. Speaker: Judge Haden/Chase Goetz/Amber Quinley; Backup: 2; Cost: \$0.00
Caldwell County Appeal Process - Final.docx

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

MOTION APPROVED.

G.20 To consider the submission of Flood Infrastructure Fund (FIF) Abridged Application(s) through the Texas Water Development Board (TWDB). Speaker: Judge Haden/Amber Quinley; Backup: 29; Cost: TBD

Amber Quinley Grants Administrator requests to submit FIF applications due by April 16, 2024.

Kathleen Whitecotton with Langford Development explains projects.

TWDB FIF Grant- Intended Use Plan.pdf

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

MOTION APPROVED.

G.21 To approve a donation valued at approximately \$1.14 million between the County and LLTCLP, LLC, for the donation of labor and services for the construction and improvement of Martindale Lake Road. Speaker: Commissioner Westmoreland; Backup: 41; Cost: \$0.00
240305 - Owner Signed Caldwell County Donation Agreement.pdf

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

MOTION APPROVED.

G.22 To reopen a previously tabled discussion regarding approval of a permit for the development of Westwood Park #3, located at 1114 Westwood Road. Speaker: Commissioner Westmoreland/Chase Goetz; Backup: 10; Cost: \$0.00

No Action Taken.

2021-03-25_ WESTWOOD RV PARK_Update Submittal to CC.pdf

G.23 To approve fiscal surety necessary to record the final plat for Hartland Ranch Phase 2. Speaker: Judge Haden/Commissioner Westmoreland/Donald Leclerc; Backup: 4; Cost: \$0.00
Cash Security Agreement.pdf
Check No. 30278 = \$89,697.03.pdf
Fiscal Estimate For Hartland Ranch Phase 2.pdf

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

MOTION APPROVED.

G.24 To approve a real property exchange agreement between the County and Bettie Ann Kasch Hanse, James Warren Kasch, and Maxwell Acres company for the exchange of two approximately 2.5-acre tracts located off Farm to Market 1984. Speaker: Commissioner Theriot/Chase Goetz; Backup: 16; Cost: \$0.00
Land Exchange Agreement-Kasch to County-JTD clean
03212024.docx General Warranty Deed Kasch to Cty.docx General
Warranty Deed Cty to Kasch.docx
23-50206_Final_Survey_2-17-2024.pdf

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

MOTION APPROVED.

G.25 To approve a real property exchange agreement between the County and Franklin Mountain San Marcos I, LP, for the exchange of two approximately 1.2-acre tracts located off Farm to Market Quail Run Road. Speaker: Commissioner Theriot/Chase Goetz; Backup: 17; Cost: \$0.00
Land Exchange Agreement -Franklin Mountain
FINAL.docx General Warranty Deed FM to Cty.docx
General Warranty Deed Cty to FM.docx
23-50206_Final_Survey_2-17-2024.pdf

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

MOTION APPROVED.

G.26 To approve a variance request to Section 3.6.3.C of the Caldwell County Development Ordinance for Lockhart Industrial Park, Project #1911-293-05 located at 5133 US Hwy 183 in Lockhart, Texas. Speaker: Commissioner Theriot/Kasi Miles; Backup: 7; Cost: \$0.00
Variance- Lockhart Industrial Park

Motion made by Commissioner Theriot, seconded by Commissioner Horne to Approve.

Commissioner Theriot "Aye", Commissioner Westmoreland "No" Commissioner Horne "No" Judge Haden "No"
Commissioner Thomas "No"

MOTION FAILED.

G.27 To approve a variance request to Section 3.6.3.C of the Caldwell County Development Ordinance for Highway 183 RV & Boat Storage, Project #1911-293-03 located at 5133 US Hwy 183 in Lockhart, Texas. Speaker: Commissioner Theriot/Kasi Miles; Backup: 7; Cost: \$0.00
Variance- Hwy 183 RV & Boat Storage

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to Deny.
0 "Ayes", 5 "Oppose"

MOTION APPROVED.

H. DISCUSSION ONLY:

H.1 To consider a request to abandon Mary Lane to an adjacent property owner. Speaker: Commissioner Theriot/Chase Goetz; Backup: 1; Cost: \$0.00

Commissioner Theriot requests to abandon Mary Lane Road adjacent to Hwy 142 on behalf of the property owner. Chase Goetz Assistant Criminal District Attorney-Civil states information will need to be reviewed to determine if it is a county road, not a state highway.

Petition to Vacate ROW - Mary Lane_Maxwell_TX.pdf

I. EXECUTIVE SESSION:

I.1 Pursuant to Texas Government Code Section 551.087, the discussion of deliberation regarding economic development negotiations associated with Project Chestnut. Possible Action may follow in open court.

Executive Session begins at 9:51 a.m. and ends at 10:07 a.m.

No Action will Follow.

J. ADJOURNMENT:

Court adjourns at 10:07 a.m.

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

MOTION APPROVED.

Teresa Rodriguez

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

