

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



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

**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 announced tickets are still available for the 50 Lions Who Can Cook event by The Education Foundation for LISD.

Ezzy Chan Executive Assistant reports Cyber Security Training still needs to be completed.

**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 \$274,254.32.**

**F.2.To approve County Payroll payment in the amount of \$457,135.79 (2/25/2024 - 3/09/2024).**

**F.3.To approve County Payroll Tax payment in the amount of \$129,321.02 (2/25/2024 - 3/09/2024).**

**F.4.To approve County Payroll payment in the amount of \$420,867.91 (3/10/2024 - 3/23/2024).**

**F.5.To approve County Payroll Tax payment in the amount of \$122,998.56 (3/10/2024 - 3/23/2024).**

- F.6.To accept March 2024 DMV Remittance in the amount of \$302,575.79.**
- F.7.To accept March 2024 DMV Comptroller payment in the amount of \$126,386.46.**
- F.8.To accept Disclosure Report/Financial Accounts February 2024 regarding Hot Check, Escrow, Discretionary Fund, Asset Forfeiture, Asset Forfeited, and DA LEOSE Accounts.**
- F.9.To accept the March 2024 Indigent Burial Report.**
- F.10To. approve blanket bond for County Clerk deputies.**
- F.11To. accept a donation for use of the courthouse from Spontaneous Productions.**
- F.12To. accept Caldwell County Constable PCT. 2 March 2024 Report.**
- F.13To. accept Election Contract Services Contract for the May 4, 2024, Uniform Election.**

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 \$274,254.32.  
4 9 2024 AP Expense Approval Register.pdf  
4 9 2024 AP Payment Register.pdf
- F.2 To approve County Payroll payment in the amount of \$457,135.79 (2/25/2024 - 3/09/2024). Payroll 2.25.2024 - 3.09.2024.pdf
- F.3 To approve County Payroll Tax payment in the amount of \$129,321.02 (2/25/2024 - 3/09/2024). Payroll Tax 2.25.2024 - 3.09.2024.pdf
- F.4 To approve County Payroll payment in the amount of \$420,867.91 (3/10/2024 - 3/23/2024). Payroll 3.10.2024 - 3.23.2024.pdf
- F.5 To approve County Payroll Tax payment in the amount of \$122,998.56 (3/10/2024 - 3/23/2024). Payroll Tax 3.10.2024 - 3.23.2024.pdf
- F.6 To accept March 2024 DMV Remittance in the amount of \$302,575.79.  
DMV Remit.pdf
- F.7 To accept March 2024 DMV Comptroller payment in the amount of \$126,386.46.  
Comptroller March 2024.pdf
- F.8 To accept Disclosure Report/Financial Accounts February 2024 regarding Hot Check, Escrow, Discretionary Fund, Asset Forfeiture, Asset Forfeited, and DA LEOSE Accounts.  
Disclosure Report-Financial Accts Feb 2024.pdf
- F.9 To accept the March 2024 Indigent Burial Report.  
March Indigent Burial.pdf
- F.10 To approve blanket bond for County Clerk deputies.  
County Clerk Deputies - Blanket Bond.pdf
- F.11 To accept a donation for use of the courthouse from Spontaneous Productions.  
STARK COMMERCIAL Courthouse Lawn Event Application.pdf
- F.12 To accept Caldwell County Constable PCT. 2 March 2024 Report.  
March Monthly Report.docx
- F.13 To accept Election Contract Services Contract for the May 4, 2024, Uniform Election.  
Caldwell County MayContract Final.pdf

**G. SPECIAL PRESENTATION:**

G.1 To present the 2023 Annual Pre-Trial Bond Program Report. Speaker: Judge Haden/Romelia Elizondo/Miranda Kelly; Backup: 24 ; Cost: \$0.00

Romelia Elizondo Deputy Director introduces Miranda Kelly Pretrial Bond Supervisor who provides a presentation about the Pre-trial Bond Program.  
Pre-Trail Bond Program Report Presentation.pdf

**H. DISCUSSION/ACTION ITEMS:**

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

Hector Rangel Chief EMC recommends keeping the burn ban off.  
Burn Ban Order 4.9.24.pdf

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

**MOTION APPROVED.**

H.2 To accept or reject bid from Colorado Materials for RFB 24CCP01B Aggregate Grade 4 (3/8"). Speaker: Judge Haden/Carolyn Caro/Donald LeClerc; Backup: 29; Cost: \$322,500.00  
RFB 24CCP01B 04-02-2024.pdf

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

**MOTION APPROVED.**

H.3 To approve Doggett Freightliner PO #03003 in the amount of \$156,779.00 for new Unit Road Freightliner Dump Truck. Speaker: Judge Haden/Carolyn Caro; Backup: 3; Cost: \$156,779.00  
REQ03003.pdf  
DE-07122.pdf

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

**MOTION APPROVED.**

H.4 To consider public streets and drainage in Hartland Ranch Subdivision Phase 2 as complete and ready to begin the two-year performance period of said improvements as evidenced by a maintenance bond in the amount of \$109,435.60 for maintenance security. Speaker: Judge Haden/Commissioner Westmoreland/Donald Leclerc; Backup: 3; Cost: \$0.00  
Two-Year Maintenance Bond.pdf

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

**MOTION APPROVED.**

H.5 To approve a variance request for Leona Acres for the minimum frontage requirement on a state roadway (Appendix A-2D). Speaker: Commissioner Westmoreland/Kasi Miles/Tracy Bratton; Backup: 2; Cost: \$0.00

Amended motion due to the existing nature of the residences and driveways.  
Shadow Acres- Variance Request

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

**MOTION APPROVED.**

H.6 To approve the Short Form Plat for Leona Acres consisting of four residential lots on approximately 10.581 acres located on FM 713. Speaker: Commissioner Westmoreland/Kasi Miles/Tracy Bratton; Backup: 3; Cost: \$0.00  
Leona Acres - Short Form.pdf

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

**MOTION APPROVED.**

H.7 To approve an amendment to a development agreement between the County and RODG DT Lockhart Propco, LLC, for the Gristmill at Prairie Lea, an approximately 346.047-acre subdivision located at SH 80 and Plant Road. Speaker: Commissioner Horne/Tracy Bratton; Backup: 3; Cost: \$0.00  
Gristmill.Amendment.First.v0.04012024.docx  
22002 Road Layout.pdf

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

**MOTION APPROVED.**

H.8 To approve a variance request for Shadow Acres for the minimum frontage requirement on a state roadway (Appendix A-2D). Speaker: Commissioner Horne/Kasi Miles/Tracy Bratton; Backup: 4; Cost: \$0.00  
Shadow Acres- Variance Request

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

**MOTION APPROVED.**

H.9 To approve the Short Form Plat for Shadow Acres consisting of two residential lots on approximately 8.941 acres located on Highway 304. Speaker: Commissioner Horne/Kasi Miles/Tracy Bratton; Backup: 4; Cost: \$0.00  
Shadow Acres - Short Form Plat.pdf

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

**MOTION APPROVED.**

H.10 To accept a \$3,087.50 donation from Amplify Ranch Investments, LTD for materials to improve Tenney Creek Road. Speaker: Commissioner Horne/Tracy Bratton/Donald LeClerc; Backup: 0; Cost: \$0.00

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

**MOTION APPROVED.**

H.11 To approve the Final Plat for Deer Creek Subdivision consisting of 14 residential lots on approximately 39.46 acres located on Tenney Creek Road. Speaker: Commissioner Horne/Kasi Miles/Tracy Bratton; Backup: 3; Cost: \$0.00  
Deer Creek - Final Plat.pdf

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

**MOTION APPROVED.**

**I. DISCUSSION ONLY:**

I.1 To consider a letter regarding implementation of child-care facility tax abatement in Caldwell County pursuant to the Senate Joint Resolution 64 and Section 11.36, Texas Tax Code.  
Speaker: Judge Haden/Chase Goetz; Backup: 6; Cost: TBD

Discussion on County giving tax abatement of 50% - 100% for childcare facilities.  
Implementation Prop 2 - Caldwell County.pdf tab-304-twc--CHILD  
CARE TAX ABATEMENT INFORMATIONAL.pdf

**J. EXECUTIVE SESSION:**

Executive Session opens at 9:28 a.m. and closes at 9:44 a.m.

J.1 Pursuant to Texas Government Code Section 551.87: Deliberation regarding economic development negotiations associated with Project Purple Geode. Possible action may follow in open court.

**No Action will Follow.**

J.2 Pursuant to Texas Government Code Section 551.87: Deliberation regarding economic development negotiations associated with Project Peach Tea. Possible action may follow in open court.

**No Action will Follow.**

**K. ADJOURNMENT:**

Court adjourns at 9:45 a.m.

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

**MOTION APPROVED.**

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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 April 9, 2024.



*Teresa Rodriguez*

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