

**COMMISSIONERS COURT MINUTES 110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court September 24, 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.

No Court Announcements.

No Staff Announcements.

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>

A group of citizens expressed their opinions and concerns regarding Resolution 3-2023 Declaring Local State of Disaster passed December 13, 2022. Many of them requested the repeal and withdrawal of this resolution, while some are against the repeal. Below are the names of the citizens who addressed the court with their views on the matter:

Jordan Buckley Karen
Munoz Trevino Herb
Sladek Thomas Monahan
Arnold Proctor
James Gilliam

George House
Bob Libal
Joris K.
Joshua Ibarra
Linda Rivas Vazquez
Mike Lewis
Heather Bruch
Len Gabbay
Sam Benavides
Meghan Walker-Beisel
Alicia Torres
Sulma Carina Franco

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 \$629,761.46.**
- F.2. To approve County Payroll payment in the amount of \$436,030.73 (08/25/2024 - 09/07/2024).**
- F.3. To approve County Payroll Tax payment in the amount of \$127,842.41 (08/25/2024 - 09/07/2024).**
- F.4. To accept August 2024 DMV Remittance in the amount of \$321,620.37.**
- F.5. To accept August 2024 DMV Comptroller in the amount of \$385,135.88.**
- F.6. To accept the August 2024 Tax Collection Report from the Caldwell County Appraisal District.**
- F.7. To pay bond for Danie Teltow, County 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 \$629,761.46.
9 24 2024 AP Payment Register.pdf
9 24 2024 AP Expense Approval Register.pdf
- F.2 To approve County Payroll payment in the amount of \$436,030.73 (08/25/2024 - 09/07/2024). Payroll 08252024 thru 09072024.pdf
- F.3 To approve County Payroll Tax payment in the amount of \$127,842.41 (08/25/2024 - 09/07/2024). Payroll Tax 08252024 thru 09072024.pdf
- F.4 To accept August 2024 DMV Remittance in the amount of \$321,620.37.
DMV Remittance.pdf
- F.5 To accept August 2024 DMV Comptroller in the amount of \$385,135.88.
DMV Comptroller.pdf
- F.6 To accept the August 2024 Tax Collection Report from the Caldwell County Appraisal District. CCAD August 2024 Tax Collection Report.pdf
- F.7 To pay bond for Danie Teltow, County Auditor.
D. Teltow Bond.pdf

G. DISCUSSION/ACTION ITEMS:

- G.1 To approve a Proclamation designating October 2024 as Manufacturing Month. Speaker: Judge Haden/Rachel Sotelo; Backup: 1; Cost: \$0.00
Proclamation is read.

Rachel Sotelo, Career Coach with Workforce Solutions Rural Capital Area discusses teaching students about writing resumes, job skills, and interviews. In October, Rachel Sotelo will help coordinate with the County ISD to provide manufacturing facility tours.

9.24.24 Proclamation - Manufacturing Month.docx

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

MOTION APPROVED.

G.2 To approve a request for a 12-month extension for the approved plans for Sunset Oaks VI, Phase 1 PICP. Speaker: Commissioner Theriot/Kasi Miles; Backup: 2; Cost: \$0.00

Kasi Miles, Director of Sanitation requests today's date to start a 12-month extension for Sunset Oaks VI, Phase 1 PICP.

Extension request- Sunset Oaks VI-PICP

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

MOTION APPROVED.

G.3 To consider public streets and drainage in Tumbleweed Estates Subdivision Phase 3 as complete and ready to begin the two-year performance period as evidenced by a maintenance bond in the amount of \$71,941.82 for maintenance security. Speaker: Judge Haden/Commissioner Thomas/Donald Leclerc; Backup: 3; Cost: \$0.00

Bond No. HSHNSU0858191.pdf

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

MOTION APPROVED.

G.4 To release the construction bond in the amount of \$719,418.15 back to 2302 Tumbleweed Estates Phase 3, LLC. Speaker: Judge Haden/Commissioner Thomas/Donald Leclerc; Backup: 3; Cost: \$0.00

Bond No. S7A2SU000363.pdf

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

MOTION APPROVED.

G.5 To consider public streets and drainage in Lively Stone Phase 1 Subdivision as complete and ready to begin the two-year performance period as evidenced by a maintenance bond in the amount of \$146,335.67 for maintenance security. Speaker: Judge Haden/Commissioner Thomas/Donald Leclerc; Backup: 2; Cost: \$0.00

Bond No. PB03016801144.pdf

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

MOTION APPROVED.

G.6 To release the construction bond in the amount of \$1,463,356.73 back to Lively Stone Investments, LLC. Speaker: Judge Haden/Commissioner Thomas/Donald Leclerc; Backup: 3; Cost: \$0.00 Bond No. 100264905.pdf

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

MOTION APPROVED.

G.7 To approve the Kinder Morgan Development Agreement for the Bluebonnet Pipeline. Speaker: Judge Haden/Richard Sitton/Allen Fore/Greg Neal; Backup: 6; Cost: \$0.00

Richard Sitton, Assistant Criminal District Attorney-Civil requests to table Item G.7

Bluebonnet Project Development Agreement - KM Signed.pdf

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

MOTION APPROVED.

G.8 To approve the Kinder Morgan Investment Agreement in reference to the Bluebonnet Pipeline Project. Speaker: Judge Haden/Richard Sitton/Allen Fore/Greg Neal; Backup: 2; Cost: \$0.00

Richard Sitton, Assistant Criminal District Attorney-Civil request to table Items G.8

Bluebonnet Project Investment Agreement - KM Signed.pdf

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

MOTION APPROVED.

G.9 To approve a professional services agreement between the County and Someday Strategies, LLC, for professional oversight of pre- construction activities for the evacuation center. Speaker: Judge Haden/Richard Sitton; Backup: 4; Cost: \$49,000.00

Someday Strategies--Evac Center Contract 24-25.pdf

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

MOTION APPROVED.

G.10 To discuss and possibly approve a waiver for Order 13-2024 for CTPS Training School. Speaker: Commissioner Theriot/Richard Sitton; Backup: 5; Cost: \$0.00

Commissioner Theriot stated the existing Security Training School on 3 -3 1/2 acres on Spoke Hollow, Maxwell Acres is requesting a waiver due to Order 13-2024 Prohibiting Firearms on 10 acres or smaller.

Commissioner Thomas added a review will be done to discuss undocumented and platted subdivisions and states he supports the waiver for Security Training School.

8.27.24 Signed Order 13-2024 Amended & Restated Order Prohibiting Discharge Firearms in Subdivisions.pdf

CTPS Training School Waiver Request for Order 13-2024.pdf

Central Texas Protective Services Waiver Firearm Discharge.pdf

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

MOTION APPROVED.

G.11 To discuss and possibly approve submitting nominations for the CAPCOG 2025 Executive Committee. Speaker: Judge Haden/Commissioner Westmoreland; Backup: 6; Cost: \$0.00

Commissioner Westmoreland nominates Judge Haden for the CAPCOG 2025 Executive Committee.

CAPCOG Executive Committee - Nominations.pdf

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

MOTION APPROVED.

G.12 To designate a day of the week on which the Court shall convene in regular term each month during the next fiscal year, pursuant to Section 81.005 Texas Local Government Code. Speaker: Judge Haden/Richard Sitton; Backup: 0; Cost: \$0.00

Commissioner Theriot motions to keep Commissioners Court meetings on the 2nd and 4th Tuesday of the month at 9:00 a.m.

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

MOTION APPROVED.

G.13 To approve Order 15-2024, exempting from competitive bidding requirements and approving an agreement between Caldwell County and PHI Health, LLC d/b/a PHI Air Medical for membership into the PHI Cares Program. Speaker: Judge Haden/James Green; Backup: 23; Cost: \$85,847.00

James Green with PHI Air Medical provides updates on the PHI Cares Program and benefits.

Highlighted and Annotated Caldwell County TX- PHI Cares Agreement EXP
9.30.2025.pdf Order 15-2024 - Exempting from Bidding Requirements - PHI Air
Ambulance.pdf Exhibit A - PHI Care Renewal_09.10.24.pdf

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

MOTION APPROVED.

G.14 Regarding the burn ban. Speaker: Judge Haden/Hector Rangel; Backup: 2; Cost: \$0.00

Hector Rangel, Chief EMC recommends turning the burn ban on.

Burn Ban Order 9.24.24.pdf

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

MOTION APPROVED.

G.15 To approve Order 14-2024, permitting the sale of certain fireworks in unincorporated areas of Caldwell County during Diwali holiday period. Speaker: Judge Haden/Hector Rangel; Backup: 3; Cost: \$0.00

Order 14-2024 is read.

2024-web-diwali-fireworks.pdf
Order 14-2024 Authorizing Diwali Fireworks Sales - Caldwell County.docx

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

MOTION APPROVED.

G.16 To approve Resolution 25-2024 regarding MOU between Caldwell County, Texas and TXDOT for placement of Flock Cameras.

Speaker: Hoppy Haden/Juan Villarreal; Backup: 13; Cost: \$0.00

Resolution 25-2024 is read.

Resolution 25-2024 - Re Multiple Use Agreement re Flock.docx
2044_Caldwell County_Exhibit A_Multiple Use Agreement.pdf
TX - Caldwell County SO 2024 Camera Information - TX - Caldwell County SO 2024
Camera Information.pdf

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

MOTION APPROVED.

G.17 To approve an Interlocal Cooperation Contract between Caldwell County and Texas State University for Tobacco Enforcement Program FY 2024 - 2025. Speaker: Judge Haden/Steve Kenney; Backup: 8; Cost: \$0.00

Steve Kenney, Deputy updates court on Texas State University for Tabacco Enforcement Program.

Caldwell Co Pct 3 TEP FY25 Contract.pdf

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

MOTION APPROVED.

G.18 To approve Budget Amendment #27 moving \$12,702.00 from Non-Departmental Medical Contingency (001- 6510-4864) to IT Machinery & Equipment (001-6610 -5310) to pay for Verkada cameras at PCT. 2 annex building. Speaker: Judge Haden/Danie Teltow; Backup: 4; Cost: \$12,702.00

Camera Quote.pdf

Budget Amendment 9.6.24.pdf

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

MOTION APPROVED.

G.19 To approve payment of Blue Layer Invoice #85063 in the amount of \$12,702.00 for security cameras located at PCT. 2 annex building. Speaker: Judge Haden/Sara Fullilove; Backup: 2; Cost: \$12,702.00

BL_INV-85063.pdf

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

MOTION APPROVED.

G.20 To approve recommended reimbursement to the Uniform Relocation Assistance and Real Property Acquisition Act (URA) Residency and Associated Cost Determination claimants. Speaker: Judge Haden/Richard Sitton; Backup: TBD; Cost: TBD
Action taken on G.20 after Executive Session.

The recommendation is \$632.75 for 9 households totaling \$5,694.75.

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

MOTION APPROVED.

G.21 To approve final draft and solicitation of RFP 24CCP04P for the U.S. Environmental Protection Agency (EPA) Environmental and Climate Justice Community Change Grants Program grant administration services. Speaker: Judge Haden/Merari Gonzales; Backup: 7; Cost: \$0.00 2024.09.18 RFP- GRANT ADMIN SERVICES final.pdf

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

MOTION APPROVED.

G.22 To approve Evaluation Committee for RFP 24CCP04P Grant Administration Services for the EPA Community Change Grant Project. Speaker: Judge Haden/Merari Gonzales/Amber Quinley; Backup: 0; Cost: \$0.00

Merari Gonzales the Purchasing Agent has suggested several individuals for the Evaluation Committee: Judge Haden, Amber Quinley (Grants Administrator) Danie Teltow (County Auditor), and Merari Gonzales herself. Additionally, Commissioner Westmoreland has volunteered to join the committee.

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

MOTION APPROVED.

H. EXECUTIVE SESSION:

Executive Session opens at 10:35 a.m. and closes at 10:48 a.m.

H.1 To rule on appeals submitted by claimants in regard to Caldwell County's Uniform Relocation Assistance and Real Property Acquisition Act (URA) Residency and Associated Cost Determinations. Speaker: Judge Haden/Amber Quinley/Richard Sitton; Backup: 0; Cost: \$0.00

Action Taken on Item G.20

I. ADJOURNMENT:

Court adjourns at 10:49 a.m.

Motion made by Commissioner Horne, seconded by Commissioner Theriot 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 September 24, 2024.



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