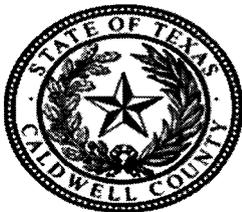


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court December 10, 2019 9:00 a.m.



HOPPY HADEN	County Judge	B.J. WESTMORELAND	Commissioner Pct. 1
TERESA RODRIGUEZ	County Clerk	BARBARA SHELTON	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order

Judge Haden calls the meeting to order at 9:00 a.m. All members are present.

Invocation. Pastor Bryan Willingham- Grace Lutheran Church

Kenneth Sneed opens the 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 says he attended a Lockhart City Council Meeting and will attend the first meeting regarding 150 Yarrington Road's study tomorrow. He also congratulates all those who worked on the Dickens Festival event.

Commissioner Shelton say she attended a CARTS meeting, the 17th Annual Tree of Angels at Lockhart First Baptist, the Blue Santa fundraiser in Luling, and the Dickens Parade.

Commissioner Theriot confirms the 150 Yarrington Road Meeting is at the Justice Center at 10am.

Commissioner Roland says he attended Dickens and the opening of a new club, and he thanks Unit Road.

Judge Haden announces the County's Christmas Party and provides details.

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).

Linda Hinkle says she is disappointed the Subdivision Ordinance is up for approval and hopes additional amendments will be possible in the future.

COMMISSIONERS COURT MINUTES
Regular Meeting December 10, 2019

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

1. **Approve payment of County invoices and County Purchase Orders in the amount of \$1,035,386.66; Backup: 31**
2. **Ratify re-occurring County Payments:**
 - A. **\$316,899.73 (Payroll 11/10/2019-11/23/2019); Backup: 22**
 - B. **\$96,260.94 (Payroll Tax 11/10/2019-11/23/2019); Backup: 2**
3. **To accept the October 2019 and November 2019 Indigent Burial Reports; Backup: 3**
4. **To accept the November 2019 Environmental Code Investigator Report from Mike Bittner; Backup: 3**
5. **To accept the November 2019 County Extension Agent report from Wayne Morse; Backup: 3**

Judge Haden asks for approval. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve the Consent Agenda. All voting "Aye"

23. **Discussion/Action** regarding a variance request for Compostela Subdivision located on Williamson Road (CR 177) concerning the easement requirements under Appendix D.G of the Caldwell County Development Ordinance as it applies to the subdivision. **Speaker: Commissioner Roland/Kasi Miles/Tracy Bratton; Backup: 67; Cost: None**

Tracy Bratton explains why he does not recommend approving the variance. Jeffrey Howard from Compostela details the request and responds to Tracy Bratton's concerns. Court members, Tracy Bratton, Jeffrey Howard, Amanda Montgomery, and Copostela's engineer, David Sheets, discuss easement ownership, liability of parties, varying plats on file, a lack of objection from the pipeline company, and recovering the County's files from the pipeline company. Motion made by Commissioner Roland, second by Commissioner Theriot to table item 23. All voting "Aye".

22. **Discussion/Action** to accept the changes made to the Caldwell County Development Ordinance as necessitated by the enactment of House Bill 3167. **Speaker: Commissioner Theriot/ Tracy Bratton; Backup: 82; Cost: None**

Tracy Bratton, Commissioner Shelton, and Commissioner Theriot discuss additional changes and/or amendments being addressed by the committee in the future verses tabling the item due to House Bill 3167. Motion made by Commissioner Shelton to table, motion dies for lack of second. Motion made by Commissioner Theriot, second by Commissioner Westmoreland to approve the amendments to the Caldwell County Development Ordinance as necessitated by the enactment of House Bill 3167 and acknowledge the necessity to continue work through the Development Ordinance Committee. Commissioner Westmoreland, Judge Haden, Commissioner Theriot, and Commissioner Roland all vote in favor, Commissioner Shelton votes against. Motion passes.

AGENDA ACTION ITEMS

6. **Discussion/Action** regarding the burn ban. **Speaker: Judge Haden / Carine Chalfoun; Backup: None; Cost: None**

Commissioner Theriot steps away. Carine Chalfoun discusses current and upcoming conditions regarding burning safety. Motion made by Commissioner Roland, second by Commissioner Westmoreland that we leave the burn ban off. All present voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting December 10, 2019

7. **Discussion/Action** to adopt an order prohibiting or restricting certain fireworks in the unincorporated areas of Caldwell as permitted by Texas Local Government Code, §352.051. **Speaker: Judge Haden/ Carine Chalfoun; Backup: 3; Cost: None**

Motion made by Commissioner Shelton, second by Commissioner Roland to adopt an order prohibiting fireworks with fins. Carine Chalfoun recommends prohibiting all areal fireworks. All present voting "Aye".

8. **Discussion/Action** to appoint the primary voting and alternate members to the 2020 Capital Area Metropolitan Planning Organization (CAMPO) Technical Advisory Committee (TAC). **Speaker: Judge Haden; Backup: 5; Cost: None**

Commissioner Theriot returns. Commissioner Westmoreland confirms with Commissioner Theriot that page 84 in the backup is correct. Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

9. **Discussion/Action** to approve Budget Amendment # 4 to update reimbursed revenue and Commissioners Court training line items. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: None.**

Commissioner Shelton and Barbara Gonzales discuss the check amount being \$160.00 and Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

10. **Discussion/Action** to ratify a Memorandum of Understanding between Caldwell County and Johnson Controls for the performance of a Technical Assessment in order to obtain a Business Case Analysis for Caldwell County for the development of a comprehensive facilities and infrastructure solution program. **Speaker: Judge Haden; Backup: 3; Cost: None**

Judge Haden explains the item is ratifying the agreement and asks for a motion to approve item 10. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

11. **Discussion/Action** to request Commissioner Court approval for the purchase of IP Office Version Upgrade for IT Department in the amount of \$50,073.72. **Speaker: Mark Hinnenkamp/ Danie Blake/ Judge Haden; Backup: 3; Cost: \$50,073.72**

Danie Blake requests approval and Judge Haden asks for a motion. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve the IP upgrade. All voting "Aye".

12. **Discussion/Action** regarding the budgeted cell phone stipend for Constable, Pct. 4, Art Villarreal. **Speaker: Art Villarreal / Judge Haden; Backup: 1; Cost: \$420.00**

Judge Haden and Commissioner Roland discuss their reluctance based on precedence setting and upcoming legislation changes. Motion made by Commissioner Roland, second by Commissioner Theriot that we do not allow it. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting December 10, 2019

13. **Discussion/Action** to approve the Fiscal Budgetary Personnel Policy. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: None**

Judge Haden reads the Policy and asks for a motion to approve. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

14. **Discussion/Action** to consider approving the creation of a Caldwell County Statement of Financial Goals and Policies. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 16; Cost: None**

Judge Haden explains the item is for discussion and that an example is provided in the backup, he is looking for a motion to consider enacting a policy. Motion made by Commissioner Roland, second by Commissioner Westmoreland to consider the policy. All voting "Aye".

15. **Discussion/Action** to renew the Interlocal Agreement between Caldwell County and Texas A&M AgriLife Extension Service for the Feral Hog Abatement Program, commencing October 1, 2019 and terminating August 31, 2020. **Speaker: Judge Haden/Dennis Engelke; Backup: 28; Cost: \$20,000**

Dennis Engelke and Judge Haden request approval. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

16. **Discussion/Action** to consider appropriating \$140,000 to support the construction of the permeable paver 36- vehicle parking lot extension at the Caldwell County Justice Center. **Speaker; Judge Haden/ Dennis Engelke; Backup: 5; Cost: \$140,000**

Judge Haden and Commissioner Westmoreland discuss the item having come up multiple times and the lack of funds in the budget. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to deny item 16. All voting "Aye".

17. **Discussion/Action** to seek approval of Resolution 05-2020 establishing the Caldwell County Community Services Foundation. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: TBD**

Judge Haden explains that District Attorney Fred Weber requested the item be tabled. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

18. **Discussion/Action** to seek approval of Resolution 08-2020 supporting the submission of a Solid Waste Program Grant to CAPCOG. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke reads the Resolution and explains to Commissioner Westmoreland the County was two points shy of qualifying last year. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting December 10, 2019

19. **Discussion/Action** to approve the 2 year reappointments of Jerry Doyle, Donnie Graham, and Greg Pope to the Caldwell County Emergency Services District #4 Board. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

20. **Discussion/Action** to approve Interlocal contract between the Department of Information Resources and Caldwell County relating to the use of the DIR Shared Services Master Service Agreements. **Speaker: Judge Haden; Backup: 20; Cost: TBD**

Judge Haden explains that the contract is required and asks for a motion to approve item 20. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

21. **Discussion/Action** to adopt a county ordinance which would regulate thru traffic on Schuelke Road, Calder Road, Skyline Road, New County Road 179 aka Barth Road from FM 672 to FM 1185, New County Road 179 aka Homannville Trail from FM 1185 to US Hwy 183 and New County Road 177 aka Williamson Road from State Hwy 21 to US Hwy 183 for vehicles with 5 or more axles. **Speaker: Commissioner Theriot/ Judge Haden; Backup: 5; Cost: None**

Judge Haden, Commissioner Shelton, Commissioner Theriot, and Amanda Montgomery discuss adding additional roads to the list and the steps and procedures for enacting the ordinance. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to table item 21. All voting "Aye".

24. **Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Meeting adjourns at 10:23 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 December 10, 2019.


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

