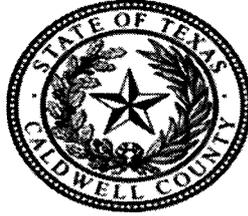


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court May 13, 2019 9:00 a.m.



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. Lockhart Ministerial Alliance

Bob Bush 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.

Bob Bush discusses the Rural Recovery training he attended.

Commissioner Westmoreland says he attended CAMPO and CAPCOG meetings, announces Luling Foundation's Field Day on the 16th, and introduces Commissioners Court Assistant Kristianna Aranda.

Commissioner Shelton says she attended CAMPO, CAPCOG, and Luling City Council meetings, as well as two National Day of Prayer Events and Lockhart's Cinco De Mayo Celebration.

Commissioner Theriot says he attended a CAPCOG meeting.

Commissioner Roland says he fielded phone calls and checked roads in his precinct after the rains.

Judge Haden says he attended a CAPCOG meeting.

COMMISSIONERS COURT MINUTES
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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).

Phyllis Metcalfe is a Lockhart resident who says she is against Kinder Morgan's Pipeline

Bill Paterson is a Dale resident who says there are issues with the Lytton Hills Plat

Gretchen Boyett is a Dale resident who says low-end development can be prevented in the County

Billy Fogle is a Lockhart resident who asks for the creation of a Resolution against Kinder Morgan

Kathy Haigler is a Dale resident who says the Appraisal District offered favoritism to an employee

Sandra Billingsley is a Lockhart business owner describing a neighboring property's unsafe conditions

Matthew Allen works at the Appraisal District and explains issues with Lytton Hills and Hartland Ranch

13. **Discussion/Action** to approve Proclamation declaring May 19-25, 2019 as EMS Week. **Cost: None; Speaker: Judge Haden; Backup: 2**

Judge Haden reads the Proclamation and recognizes EMS personnel present. Motion made by Commissioner Shelton, second by Commissioner Theriot to accept the Proclamation. All voting "Aye".

28. **PUBLIC HEARING at 9:30 AM** concerning the approval of a Preliminary Plat for Hartland Subdivision to include 20 lots on approximately 177.5 acres located on Borchert Loop. **Cost: None. Speaker: Commissioner Westmoreland / Kasi Miles. Backup: 8**

The Public Hearing opens at 9:40 a.m. Kasi Miles provides a handout to court members (not provided to the Clerk for minutes) and invites anyone who would like to speak. There are no speakers and the Public Hearing closes at 9:41 a.m.

29. **Discussion/ Action** to consider the approval of the Preliminary Plat for Hartland Ranch Subdivision to include 20 lots on approximately 177.5 acres located on Borchert Loop. **Cost: None. Speaker: Commissioner Westmoreland /Kasi Miles. Backup: 32**

Kasi Miles says there were updates regarding Matthew Allen's email, but only after the agenda had been posted. Commissioner Westmoreland ensures Commissioner Theriot his concerns are being addressed. Motion made by Commissioner Westmoreland, second by Commissioner Theriot that we approve the Preliminary Plat for Hartland Ranch Subdivision along with the Phasing Agreement. All voting "Aye".

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

1. **Approve payment of County invoices in the amount of \$1,178,971.37; Backup: 42**
2. **Approve County Purchase Orders in the amount of \$17,300.53; Backup: 4**
3. **Ratify re-occurring County payments in the amount of:**
 - A. **\$ 286,087.79 (Payroll for 03/31/2019 – 04/13/2019); Backup: 21**
 - B. **\$ 86,371.16 (Payroll Tax for 03/31/2019 – 04/13/2019); Backup: 2**
 - C. **\$291,588.34 (Payroll for 4/14/19 – 4/27/19); Backup: 21**
 - D. **\$88,197.42 (Payroll Tax for 4/14/19 – 4/27/19); Backup: 2**
 - E. **\$259,738.13 (Department of Motor Vehicle Fees-March 2019); Backup: 2**
 - F. **\$405,060.49 (Department of Motor Vehicles Comptroller); Backup: 14**
 - G. **\$253.75 (Texas Boat and Motor Sales); Backup: 3**
 - H. **\$163,408.55 (Department of Motor Vehicles Fees-April 2019); Backup: 2**
 - I. **\$29,447.68 (April 2019 Utilities); Backup: 2**
4. **Accept January-March 2019 Reports from Caldwell County Extension Office:**
 - A. **Julie Zimmerman; Backup: 3**
 - B. **Wayne Morse (Jan.-Apr.); Backup: 8**
 - C. **Elsie Lacy; Backup: 6**
5. **Accept February-March 2019 report from Constable, Precinct 2; Backup: 2**
6. **Accept the April 2019 Environmental Investigator report from Mike Bittner; Backup: 3**
7. **Accept the Caldwell County Appraisal District's April 2019 Tax Collection Report. Backup: 4**
8. **To accept a donation of a Risepro Sound Level Meter to Constable Precinct 2; Backup 3**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

SPECIAL PRESENTATIONS

Mr. Nirav Ved, Special Assistant to the CAMPO Executive Director will provide a brief overview of the Luling Transportation Study; **Backup: 39**

Nirav Ved introduces Will Lisska who presents the results of the Luling Transportation Study.

AGENDA ACTION ITEMS

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

Carine Chalfoun recommends leaving the burn ban off and advises of potential flooding. Motion made by Commissioner Roland, second by Commissioner Shelton to leave the burn ban off. All voting "Aye".

COMMISSIONERS COURT MINUTES
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10. **Discussion/Action** to issue an order allowing retail fireworks permit holders to sell fireworks to the public in celebration of Memorial Day pursuant to Occupations Code Section 2154.202(h)(1). **Cost: None; Speaker: Judge Haden/Carine Chalfoun; Backup: 2**

Carine Chalfoun explains that selling retail fireworks is permissible. Motion made by Commissioner Shelton, second by Commissioner Roland to allow the sale of retail fireworks. All voting "Aye".

11. **Discussion/Action** to reschedule the May 27, 2019 regularly scheduled Commissioners Court Meeting. **Cost: None; Speaker: Judge Haden; Backup: 1**

Judge Haden explains that the next Commissioners Court is scheduled on a Holiday and suggests moving it to Tuesday. Motion made by Commissioner Shelton, second by Commissioner Theriot that we move it to the 28th. All voting "Aye". Judge Haden confirms the time will remain 9:00 a.m.

12. **Discussion/Action** to approve Proclamation declaring May 2019 as Elder Abuse Prevention Awareness Month. **Cost: None; Speaker: Judge Haden; Backup: 3**

Judge Haden reads the Proclamation and asks for a motion. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

14. **Discussion/Action** to approve Resolution 18-2019 to submit a grant to the Texas Judicial Commission on Mental Health. **Cost: None; Speakers: Judge Haden/Dennis Engelke; Backup: 4**

Dennis Engelke explains the Resolution and discusses its tie to regional mental health with Commissioner Theriot and Judge Haden. Motion made by Commissioner Theriot, second by Commissioner Westmoreland to approve. All voting "Aye".

15. **Discussion/Action** to approve Resolution 19-2019 supporting the construction of FM 110 from State Highway 123 to I-35 at Yarrington Road. **Cost: None; Speaker: Commissioner Theriot; Backup: 3**

Commissioner Theriot details the Resolution's background. Motion made by Commissioner Theriot, second by Commissioner Roland for approval. All voting "Aye".

16. **Discussion/Action** to approve a \$900.00 donation request from Caldwell-Travis Soil and Water Conservation District #304. **Cost: \$900.00; Speaker: Judge Haden; Backup: 3**

Judge Haden explains the agenda item. Motion made by Commissioner Westmoreland, second by Commissioner Shelton to approve this donation request. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting on May 13, 2019

- 17. Discussion/Action** to approve Budget Amendment #22 from Court Admin Assistant (001-6510-1040) to Dues and Subscription (001-6560-3050) **Cost: None; Speaker: Judge Haden; Backup: 3**

Judge Haden explains the agenda item. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we pass item 17. All voting "Aye".

- 18. Discussion/Action** to approve Budget Amendment #23 for money given by Texas State Safety Center. Will be added to Budget for operations. **Cost: none; Speaker: Judge Haden/ Steve Kenney/ Constable Bell; Backup: 2**

Judge Haden introduces Steve Kenney and Constable Bell and asks for a motion to accept item 18. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

- 19. Discussion/Action** to approve Budget Amendment #24 to move money from 010-3000-0499 CC-HMAP-J20 revenue line item to 010-6650-4110 Professional Services expense line item. **Cost: None; Speakers: Judge Haden/Dennis Engelke; Backup: 3**

Dennis Engelke explains the item. Judge Haden explains it is a transfer, not an amendment, and asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 20. Discussion/Action** to approve Budget Amendment #25 to move remaining money from 001-2140-1040 to 3 Deputy Clerks 001-2140-1040. **Cost: None; Speakers: Darla Law/ Judge Haden; Backup: 2**

Judge Haden, Darla Law, Barbara Gonzales, Commissioner Shelton, Commissioner Theriot, and Commissioner Roland discuss the amendment. Their discourse includes whether it is a bonus or an increase, that additional duties have been incurred due to an empty position, and where the funds would go if the amendment were not approved. Motion made by Commissioner Roland, second by Commissioner Theriot that we approve item 20. All voting "Aye".

- 21. Discussion/Action** to approve Budget Amendment #26 to move money from Constable, Pct. 2, office supplies 001-432-3110 to Machinery and equipment, 001-4322-5310 to cover expenses for radar certifications. **Cost: None; Speaker: Judge Haden/ Tom Will; Backup: 3**

Judge Haden explains the item. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve Budget Amendment #26. All voting "Aye".

- 22. Discussion/Action** to approve Job Descriptions for Executive Assistant and Administrative Assistant – County Commissioners. **Cost: None; Speaker: Judge Haden/Bob Bush; Backup: 7**

Judge Haden explains the item and asks for approval. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

COMMISSIONERS COURT MINUTES
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- 23. Discussion/Action** to review and approve the annual financial audit report for the fiscal year ending September 30, 2018. **Cost: None; Speakers: Lewis Crain, CPA/ Barbara Gonzales/ Judge Haden; Backup: 77**

Barbara Gonzales hands a packet to court members (not provided to the Clerk for minutes). Lewis Crain reviews his audit. Commissioner Shelton, Judge Haden, and Barbara Gonzales discuss needed changes/updates for the County according to the audit. Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 24. Discussion/Action** to discuss approving Farmer's Market Courthouse Lawn use application. **Cost: None; Speaker: Judge Haden; Backup: 6**

Court members, Barbara Gonzales, and Amanda Montgomery discuss the Farmer's Market moving onto the lawn from the parking area, confirming no stakes will be used and that a \$500.00 deposit for lawn repair could be required along with the applications. Motion made by Commissioner Westmoreland, second by Commissioner Theriot that we approve the application for Courthouse lawn use with a \$500.00 deposit. All voting "Aye".

- 25. Discussion/Action** to approve the Interlocal Cooperative Agreement between Caldwell County and the City of Luling for subdivision regulation within the extraterritorial jurisdiction of the City of Luling. **Cost: None; Speaker: Judge Haden; Backup: 7**

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

- 26. Discussion/Action** requesting approval to purchase and issue purchase order for the Unit Road equipment from Freightliner of Austin. **Cost:\$783,598.32; Speakers: Judge Haden / Danie Blake; Backup 101**

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

- 27. Discussion/Action** to approve Lease agreement between Caldwell County and the Health and Human Services Commission **Cost: None; Speaker: Judge Haden; Backup: 10**

Judge Haden explains the agenda item. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting on May 13, 2019

- 30. Discussion/ Action** to consider the approval of the Preliminary Plat for Lytton Hills Subdivision, Phase One to include 75 lots on approximately 458.59 acres located on FM 1854.
Cost: None. Speaker: Commissioner Roland /Kasi Miles. Backup: 44.

Kasi Miles explains TxDOT's permit requires a turn lane, that Matthew Allen's concerns will be addressed, and answers Judge Haden and Commissioner Shelton regarding 911 addresses and a public road. Commissioner Roland, Commissioner Theriot and Judge Haden discuss Workshops and/or a Committee to follow Lytton Hills and future subdivisions. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

- 31. Discussion/Action** to discuss Employee Compensation for FY 2020 budget cycle. **Cost: TBD; Speaker: Judge Haden; Backup: 1**

Judge Haden explains that not all departments have submitted their budgets. Motion made by Judge Haden, second by Commissioner Shelton to table. All voting "Aye".

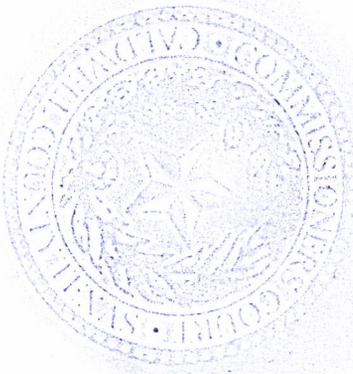
- 32. EXECUTIVE SESSION** pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Fashion Glass and Mirror, L.L.C. Possible action may follow in open court.
Cost: TBD; Speaker: Judge Haden; Backup: None.

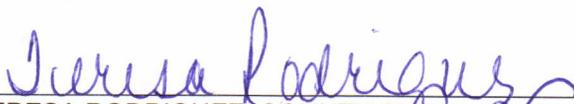
The Executive Session begins at 11:06 a.m. Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commission Roland, Commissioner Theriot, and Amanda Montgomery are all present. The Executive Session ends at 11:18 a.m. No action is taken.

- 33. Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Roland to adjourn. All voting "Aye". Court adjourns at 11:19 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 May 13, 2019.




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