

COMMISSIONERS COURT MINUTES  
Scott Annex Building at 1403 Blackjack St, Lockhart, Texas  
Commissioners Court July 8, 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.

Each court member thanks the entities involved in creating local 4<sup>th</sup> of July celebrations.

Commissioner Shelton also says Luling's Watermelon Thump went well, that the mowers should begin Monday, and that the "Welcome to McMahan" sign was stolen.

**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).

There are no Citizen's Comments.

**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 \$356,755.11; Backup: 32**
2. **Ratify re-occurring County payments in the amount of \$180,360.13 (Department of Motor Vehicles Fees - June 2019); Backup: 16**
3. **Accept the June 2019 Environmental Investigator Report from Mike Bittner; Backup 3**
4. **Accept Compiled Financial Statement for the period May 1, 2018 – April 30, 2019 from the Emergency Services District (ESD) #4. Backup: 5**

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

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on July 8, 2019**

---

**AGENDA ACTION ITEMS**

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

Carine Chalfoun recommends leaving the ban off. Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban off. All voting "Aye".

6. **Discussion/Action** to approve Budget Amendment #33 to move funds needed to meet overtime due to turnover. **Backup: 2; Speaker: Judge Haden/ Mike Lane/ James Short; Cost: \$25,000.00**

Judge Haden and Mike Lane explain the amendment is due to hours being assigned to the wrong budget and the Sheriff's Office being short staffed. Judge Haden asks for approval. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

7. **Discussion/Action** to approve Budget Amendment #34 / Transfer for Certificate of Obligation Series 2018 Capital Project for Machinery and Equipment for Jail Cell Repair and Freight-Liner Equipment. **Backup: 7; Speaker: Judge Haden/ Barbara Gonzales; Cost: \$1,217,438.00**

Judge Haden and Barbara Gonzales explain the amendment and Judge Haden asks for a motion to approve. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

8. **Discussion/Action** to approve the appointment of Will Conley with EWEAC as the representative for Caldwell County to the Capital Area Metropolitan Planning Organization Technical Advisory Committee. **Backup:1; Speaker; Judge Haden; Cost: None**

Court members discuss Will Conley's past experience and the pay and responsibilities related to the appointment. Judge Haden asks for approval. So moved by Commissioner Westmoreland second by Commissioner Theriot. All voting "Aye".

9. **Discussion/Action** to approve the Purchasing Department's request to solicit final draft RFQ19CCP01Q Professional Engineering Services for Caldwell County. **Backup: 19; Speaker; Judge Haden/ Danie Blake; Cost: None**

Commissioner Shelton provides a list of corrections for the draft; on pages 3, 12, and 16 of the request Cooke County should be Caldwell County, and on page 10 the option for email should be removed as to not contradict page 17 that states no electronic bids will be accepted. Motion made by Commissioner Shelton, second by Commissioner Roland to approve with corrections. All voting "Aye".

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting on July 8, 2019**

---

10. **Discussion/Action** to approve the purchase of equipment for the Unit Road Department and to issue a purchase order for the equipment from ASCO and Utility Trailer Southeast Texas, Inc. in the amount of \$422,354.26. **Backup: 43; Speaker: Judge Haden / Danielle Blake / Donald LeClerc; Cost: \$422,354.26**

Judge Haden makes a motion to table, second by Commissioner Roland. All voting "Aye".

11. **Discussion/Action** to approve the County adding \$3,000 to the Feral Hog Abatement Program for bounties for the duration of the grant program. **Backup: 1; Speaker: Judge Haden / Dennis Engelke; Cost: \$3,000**

Dennis Engelke explains the program has two months remaining and not enough money for the estimated bounties, due to the project's success. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve. All voting "Aye".

12. **Discussion/Action** to approve Bluebonnet Trails Community Services Board of Trustee's request to reappoint Tom Bonn to the Board of Trustees of the Center for the period of September 1, 2019 – August 31, 2021. **Backup: 2; Speaker: Judge Haden; Cost: None**

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

13. **Discussion/Action** to approve entering into a Legal Representation Agreement with Phipps Deacon Purnell PLLC regarding Opioid Litigation and granting an exemption from competitive bidding under Texas Local Government Code 262.024 Discretionary Exemptions. **Backup: 1; Speaker: Judge Haden; Cost: None**

Judge Haden explains the item, confirms with Amanda Montgomery that his explanation is accurate, and asks for a motion to approve. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

14. **Discussion/Action** to approve an order authorizing the filing of a Plat Revision (Short Form Procedure) for Rolling Hills Subdivision Lot 1C on Homannville Trail (CR 179). **Backup:21; Speakers: Judge Haden/ Kasi Miles; Cost: None**

Kasi Miles explains the item and asks for approval. Motion made by Commissioner Roland, second by Commissioner Shelton, to approve item 14. All voting "Aye".

15. **Executive Session**  
Pursuant to Section 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding the employment and duties of the Unit Road Administrator, Unit Road Foreman 1 and Unit Road Foreman 2. Possible action may follow in open court. **Backup: 1; Speakers: B.J. Westmoreland/ Bob Bush; Cost: TBD**

Executive Session begins at 9:21 a.m. Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, Amanda Montgomery, Donald LeClerc, Ismael Trelles, and Randy Barrington are all present. No action is taken. The Executive Session closes at 10:13 a.m.

COMMISSIONERS COURT MINUTES  
Regular Meeting on July 8, 2019

---

**16. Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye".

---

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 July 8, 2019.



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