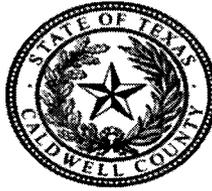


COMMISSIONERS COURT MINUTES  
Scott Annex Building at 1403 Blackjack St, Lockhart, Texas  
Commissioners Court September 23, 2019 9:00 a.m.



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

**Announcements.** Items or comments from Court members or staff.

Commissioner Shelton says she attended the Transit Study in Luling.

**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 Citizens' 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 \$457,266.61; Backup: 29**
2. **Ratify re-occurring County payments**
  - A. **\$288,965.33 ( Payroll Roll 8/18/2019-8/31/2019); Backup 21**
  - B. **\$87,683.12 ( Payroll Tax 8/18/2019-8/31/2019); Backup 2**
  - C. **\$211,564.93 (DMV Funds Remittance); Backup: 3**
3. **Accept the August 2019 Auto Drafts for Utilities. Backup: 2**
4. **Accept the August 2019 Tax Collection report from the Caldwell County Appraisal District. Backup:4**
5. **Accept The McMahan Volunteer Fire Department Form 990-EZ for 2018. Backup: 39**

Motion made by Commissioner Shelton, second by Commissioner Westmorland to approve the Consent Agenda. All Voting "Aye".

### Special Presentation

- Presentation by Ryan Collins regarding the FM 150/Yarrington Road Corridor Study and Schematic Development Project for Caldwell County. **Speaker: Judge Haden; Backup: 2; Cost: None**

Ryan Collins updates the Court on the background and progress of the project and invites the Commissioners to the Steering Committee's Kick-off meeting. Wesley Jasek with BGE (Brown & Gay Engineers) follows with confirmation on the project development.

- Presentation by Superintendent Estrada regarding Lockhart Independent School District Bond. **Speaker Judge Haden; Backup: 17; Cost: None**

Superintendent Estrada provides updates on the 2014 and the 2019 Bonds, as well as a handout of his presentation, included in the backup. He shares school building projects and improvements, as well as forecasted projections, and answers questions from court members.

### PUBLIC HEARING at 9:30 AM

- Concerning the approval of a Final Plat for Alexander Acres to include 13 lots on approximately 27.11 acres located on Ivy Switch Road (CR 133). **Speaker: Commissioner Shelton /Kasi Miles; Backup: 11; Cost: None.**

Kasi Miles opens the Public Hearing at 9:30 a.m. She invites up anyone who would like to speak. There are no public speakers. The Public Hearing closes at 9:31 a.m.

### AGENDA ACTION ITEMS

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

Hector Rangel recommends extending the burn ban. Motion made by Commissioner Roland, second by Commissioner Theriot to leave the burn ban on. All voting "Aye".

7. **Discussion/Action** to approve Budget Amendment #45 for Unit Road increase in line items for uniforms, machinery and equipment, and fuel. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

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

8. **Discussion/Action** to approve Budget Amendment #46 for Commissioners Court to cover expenses for trainings. **Speaker; Judge Haden; Backup: 2; Cost: Net Zero**

Judge Haden reads the budget amendment. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve. All voting "Aye".

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9. **Discussion/Action** to approve Budget Amendment #47 for Non-Departmental to cover Fax and internet overage expenses. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

Judge Haden reads the budget amendment. Motion made by Commissioner Shelton, second by Commissioner Theriot to approve. All voting "Aye".

10. **Discussion/Action** to approve Budget Amendment #48 to move money from 001-6520-3540 L.W. Scott Annex to cover expenses in other Building Maintenance line items. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

Judge Haden reads the budget amendment. Motion made by Commissioner Roland, second by Commissioner Shelton to approve. All voting "Aye".

11. **Discussion/Action** to approve Budget Amendment #49 to move from machinery and equipment 001-6640-5310 to cover other expenses in Code Enforcer's other line items as listed. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

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

12. **Discussion/Accept** to approve Budget Amendment #50 to adjust NIBRS final cost. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

Dennis Engelke confirms the cost difference is covered by the grant. Motion made by Commissioner Shelton, second by Commissioner Roland to approve. All voting "Aye".

13. **Discussion/Action** to approve a donation request for Night in Old Luling. **Speaker: Judge Haden; Backup: 3; Cost: TBD**

Ezzy Chan says the Donation Fund currently holds \$700.00. Commissioner Shelton moves to donate \$500.00. Motion made by Commissioner Shelton, second by Commissioner Theriot that we approve the donation. All voting "Aye".

14. **Discussion/Action** to approve the Proclamation for Texas Extension Education Week, October 6-12, 2019. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judy Wheeler shares the Extension Education Association's accomplishments, presenting a check representing volunteer hours. Elsie Lacey reads the Proclamation. Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

15. **Discussion/Action** to approve the Proclamation for National 4-H week October 6-12, 2019. **Speaker: Judge Haden; Backup: 2; Cost: None**

Elsie Lacey reads the Proclamation. Motion made by Commissioner Roland, second by Commissioner Theriot that we approve the Proclamation. All voting "Aye".

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16. **Discussion/Action** to approve Resolution 25-2019 for the Nominees for the Appraisal District Board of Directors term 2020-2021. **Speaker: Judge Haden; Backup: 2; Cost: None**

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

17. **Discussion/Action** to approve the award to Doucet & Associates for the Caldwell County Professional Engineering Services for FY 2019/2020 & 2020/2021. **Speaker: Judge Haden; Backup: 2; Cost: None**

Commissioner Theriot steps away due to conflict of interest. Judge Haden asks for a motion to approve the award. So moved by Commissioner Westmoreland, second by Commissioner Roland. All present voting "Aye".

18. **Discussion/Action** to approve the award opportunity to Armstrong, Vaughn & Associates, PC for RFP 19CCP03P Caldwell County Financial Audit Services. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 47; Cost: None**

Commissioner Theriot Returns. Judge Haden explains the item. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve the award. All voting "Aye".

19. **Discussion/Action** to approve the award for RFB 19CCP02B Caldwell County Road Materials, Flex Base, Aggregate, Fuel, and Oil/Lubricants for fiscal year 2019-2020. **Speaker: Judge Haden/ Donald LeClerc; Backup: 84; Cost: None**

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

20. **Discussion/Action** to approve the submission of \$75,000 grant to the Texas Veterans Commission in support of the Veteran County Services Office to provide client services such as food allowances, utility payments, transportation cost, documents expenses, temporary lodging, and cost of home repair **Speaker: Judge Haden/ Dennis Engelke/ Al Dos Santos; Backup: 2; Cost: None**

Dennis Engelke says he is asking permission to begin the grant process. Judge Haden asks for a motion to approve. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

21. **Discussion/Action** to approve the renewal of Caldwell County's Capital Area Council of Governments (CAPCOG) Air Quality Local Funding Request for FY 2020. **Speaker: Judge Haden; Backup: 8; Cost: \$3,450**

Judge Haden explains the item. Motion made by Commissioner Roland, second by Commissioner Theriot to approve item 21. All voting "Aye".

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22. **Discussion/Action** to approve advanced funding agreement between Caldwell County and State of Texas for a project using funds held in the State Highway 130 Concession. **Speaker: Judge Haden; Backup: 13; Cost: TBD**

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

23. **Discussion/Action** to approve an Intern in the Department of Homeland Security and Emergency Management Office of Caldwell County. **Speaker; Judge Haden/ Hector Rangel; Backup: 1; Cost: None**

Hector Rangel introduces Devante Coe as Intern candidate, explaining his background and associations. Motion made by Commissioner Shelton, second by Commissioner Roland that we welcome Devante Coe to Emergency Management. All voting "Aye".

24. **Discussion/Action** to adopt the second and fourth Tuesdays of each month as the official meeting day for the Caldwell County Commissioners Court for the 2019-2020 fiscal year as required by section 81.005(a) of the Local Government Code. **Speaker: Judge Haden/ Amanda Montgomery; Backup: 1; Cost: None**

Judge Haden explains the item and asks for a motion to approve. Motion made by Commissioner Shelton, second by Commissioner Theriot to approve. Commissioner Westmoreland, Commissioner Shelton, Judge Haden, and Commissioner Theriot all vote "Aye". Commissioner Roland votes "Nay". Motion passes.

25. **Discussion/Action** regarding the rescheduling of the October 8<sup>th</sup> Commissioners Court Meeting. **Speaker: Judge Haden; Backup: 1; Cost: None**

Judge Haden explains the scheduling conflict on October 8, 2019 and he and court members discuss changing the date to October 14, 2019. Motion made by Commissioner Shelton, second by Commissioner Theriot to move from the 8<sup>th</sup> to the 14<sup>th</sup>. All voting "Aye".

26. **Discussion/Action** regarding the Texas Hazard Communication Act. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads the Texas Hazard Communication Act, explaining it is informative and that no action is needed.

27. **Discussion/Action** regarding the 2020 Sheriff and Constable fees. **Speaker: Judge Haden; Backup: 3; Cost: None**

Judge Haden says the Sheriff's Office has confirmed fees will remain the same and asks for a motion to approve. Motion made by Commissioner Roland, second by Commissioner Westmoreland to approve fees as they are. All others vote "Aye".

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28. **Discussion/Action** to authorize the County Judge to execute a Memorandum of Understanding (MOU) between Kinder Morgan and Caldwell County for specific consideration as a part of the Right-of-Way (ROW) and Road Crossing permit application process. **Speaker: Judge Haden; Backup: 180; Cost: None**

Judge Haden says both parties are requesting the item be tabled and he asks for a motion to table. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

29. **Discussion/ Action** regarding the approval of the Final Plat for Alexander Acres to include 13 lots on approximately 27.11 acres located on Ivy Switch Road (CR 133). **Speaker: Commissioner Shelton /Kasi Miles; Backup: 10; Cost: None.**

Kasi Miles explains the item and asks for approval. Motion made by Commissioner Shelton, second by Commissioner Roland that we approve Alexander Acres.

30. **Discussion/Action** to adopt the tax rate of \$0.7431 per \$100.00 of valuation for the fiscal year 2019-2020. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden explains this is the rate previously discussed and asks for a motion to approve. Motion made by Commissioner Shelton, second by Commissioner Roland to approve the tax rate. Commissioner Westmoreland votes "Aye", Commissioner Shelton votes "Aye", Judge Haden votes "Aye", Commissioner Theriot votes "Aye", Commissioner Roland votes "Aye". No "Nays". Motion Passes.

31. **Discussion/Action** to adopt the 2020 proposed Budget. **Speaker; Judge Haden/ Ezzy Chan; Backup: 70 (copy of proposed budget available upon request); Cost: None**

Judge Haden confirms for Pamela Ohlendorf that any overtime during elections will be covered by the Contingency Fund. Judge Haden asks for a motion to approve the 2020 Budget. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

Bob Bush thanks the Commissioners for the budget approval, explaining that Personal Action Forms can now be passed out, signed, and turned in to him by Noon on Friday September 27, 2019.

32. **Adjournment.**

Motion by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:13 a.m.

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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 had by the Caldwell County Commissioners' Court on September 23, 2019.



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