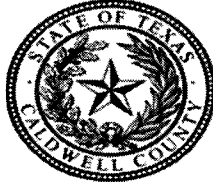


COMMISSIONERS COURT MINUTES  
Scott Annex Building at 1403 Blackjack St, Lockhart, Texas  
Commissioners Court October 14, 2019 9:00 a.m.



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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

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**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, staff or community.

**Dennis Engelke** updates the Court on both approved grants and pending grants, detailing their amounts and what they are being used for.

**Carine Chalfoun** discusses the Fire Chief Association class for emergency vehicle driver training that was held over the past weekend.

**Bob Bush** thanks the Commissioners for raises and all who helped implement the County Budget.

**Commissioner Shelton** says she attended a conference in Galveston, the McMahan Volunteer Fire Department Night and Night in Old Luling.

**Commissioner Theriot** says he attended the Maxwell National Night Out and the Sheriff's Department National Night Out.

**Commissioner Roland** says good morning.

**Judge Haden** says next week's agenda item request forms are due tomorrow.

**Pamela Olehndorf** reminds everyone that early voting is Monday October 21, 2019 from 8:00 a.m. to 5:00 p.m.

**Commissioner Theriot** confirms with Ezzy Chan the next Court meeting is Tuesday October 22, 2019.

**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.

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**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 \$455,710.26; Backup:50**
2. **Ratify re-occurring County payments**
  - A. **\$300,518.16 ( Payroll Roll 9/15/2019 – 9/28/2019); Backup:21**
  - B. **\$91,178.60 ( Payroll Tax 9/15/2019 – 9/28/2019); Backup:2**
  - C. **\$399,851.56 (DMV/ Comptroller); Backup:12**
  - D. **\$3,479.37 (Texas Boat and Boat and Motor Comptroller) Backup:2**
  - E. **\$85,420.94 (DMV Funds Remittance); Backup: 2**
3. **Accept September 2019 Reports from Caldwell County Extension Office:**
  - A. **Wayne Morse: Backup: 3**
4. **Accept the September 2019 Auto Drafts for Utilities. Backup:2**
5. **Accept the September 2019 Tax Collection report from the Caldwell County Appraisal District. Backup:4**
6. **Accept Constable, Precinct 3, 2019 River Operation Yearly Report. Backup: 2**
7. **Accept the September 2019 Environmental Investigator Report from Mike Bittner: Backup:3**
8. **Accept the renewal of Tax Assessor deputies' bond effective 11/02/2019: Backup: 2**
9. **Approve the renewal of Surety Bond # 63823170 for Dennis Engelke. Backup: 4**
10. **Approve the renewal of Surety Bond # 62926227 for Donald LeClerc. Backup: 4**
11. **Approve the renewal of Surety Bond # 63823158 for Danielle Blake. Backup: 4**

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

**AGENDA ACTION ITEMS**

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

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

13. **Discussion/Action** to approve Resolution 26-2019 for the Texas Department of Agriculture Texans Feeding Texans: Home-Delivered Meal Grant Program. **Speaker: Judge Haden; Backup: 3; Cost: \$1,700**

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

14. **Discussion/Action** to approve Resolution 27-2019 to pursue a 2020 Texas Indigent Defense Commission Grant. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke describes and reads the Resolution. Judge Haden asks for approval. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

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15. **Discussion/Action** to approve the Proclamation for the Hays-Caldwell Center to Promote Domestic and Teen Dating Violence Awareness. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads the Proclamation and asks for approval. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye". Elva Gonzalez, with Hays-Caldwell Center, expresses appreciation and provides a handout to the court (a copy was not provided to the Clerk for minutes).

16. **Discussion/action** to approve the Proclamation for the month of October 2019 as Manufacturers Month. **Speaker: Judge Haden; Backup: 2; Cost: None**

Adriana Cruz explains the Proclamation and thanks the Commissioners for their consideration. Judge Haden reads the Proclamation and asks for approval. Motion made by Commissioner Roland, second by Commissioner Westmoreland that we approve item 16. All voting "Aye".

17. **Discussion/Action** to approve Budget Amendment #51 to move money from Unit Road, Machinery and Equipment to cover rental renewal. **Speaker: Judge Haden/ Donald LeClerc; Backup: 2; Cost: Net Zero**

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

18. **Discussion/Action** to approve Budget Amendment #52 to meet overages in several employee position line items and account for SCAAP revenue and expense line items. **Speaker; Judge Haden/Mike Lane; Backup: 2; Cost: Net Zero**

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

19. **Discussion/Action** to approve Budget Amendment #53 for Sheriff's Office Machinery and Equipment to cover cost for Sergeants, Patrol Deputies, Dispatches, Overtime cost. **Speaker: Judge Haden/ Mike Lane; Backup: 2; Cost: Net Zero**

Judge Haden asks for a motion to approve the budget amendment. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to approve item 19. All voting "Aye".

20. **Discussion/Action** to approve Budget Amendment #54 to move money from Contingency 001-6510-4860 to Indigent Funeral 001-7620-4320 to cover overage expenses. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

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

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21. **Discussion/Action** to approve Budget Amendment #55 for Emergency Management's LEPC and CERT line item to the office supply for the purchase of 2 Dell laptops. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

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

22. **Discussion/Action** to approve Budget Amendment #56 for County Court at Law to move money into Repairs and Maintenance line item to pay for EDOC annual maintenance. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

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

23. **Discussion/Action** to approve Budget Amendment #57 to transfer money from Building and Maintenances Utilities line item to cover overages in several over budget line items as listed. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden asks for a motion to approve the budget amendment. Motion made by Commissioner Roland, second by Commissioner Shelton to approve item 23. All voting "Aye".

24. **Discussion/Action** to approve Purchase Order REQ00151 for all staining of all wood materials in the Caldwell County Courthouse Courtroom. **Speaker; Judge Haden; Backup: 2; Cost: \$4,680**

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

25. **Discussion/Action** to approve the Purchase Order for four (4) Sheriff Department vehicles from Caldwell County Ford in the amount of \$179,200.60 from the FY 18/19 budget. **Speaker: Judge Haden/ Danie Blake; Backup: 26; Cost: \$179,200.60**

Judge Haden asks for a motion to approve the Purchase Order. Motion made by Commissioner Shelton, second by Commissioner Roland to approve. All voting "Aye".

26. **Discussion/Action** to accept an Interlocal Agreement for Provision of Equipment and Consumables between Caldwell County and the State of Texas, acting by and through the Texas Department of Motor Vehicles. **Speaker: Judge Haden/ Darla Law; Backup: 13; Cost: TBD**

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

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27. **Discussion/Action** to authorize the County Judge to execute a Professional Services Agreement with Doucet & Associates for engineering services for Caldwell County with an initial term of two years commencing on October 14, 2019. **Speaker: Judge Haden; Backup: 16; Cost: TBD**

Commissioner Theriot recuses himself and steps away. Judge Haden asks for a motion to approve. Motion made by Commissioner Shelton, second by Commissioner Roland to approve Doucet & Associates for engineering services. All present voting "Aye".

28. **Discussion/Action** to authorize the County Judge to receive and acknowledge receipt of any Disclosure of Engagement and Potential Conflict of Interest notices that may be submitted by Doucet & Associates or employees of Doucet & Associates. **Speaker: Judge Haden; Backup: 2; Cost: None** [AM1]

Judge Haden asks for a motion to approve. Motion made by Commissioner Shelton, second by Commissioner Roland to approve item 28. All present voting "Aye".

29. **Discussion/Action** to accept the amendment to Capital Area Emergency Communications District (CAECD) Interlocal Contract for Geographic Information System Data. **Speaker: Judge Haden; Backup: 19; Cost: None**

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

30. **Discussion/Action** to appoint Commissioner Barbara Shelton to the Community Action of Central Texas Board of Directors. **Speaker: Judge Haden; Backup: 1; Cost: None**

Judge Haden asks for approval to appoint Commissioner Shelton to the Board of Directors. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

31. **Discussion/Action** regarding the extension of the existing lease and rental agreement with Anderson Machinery Austin, LLC. for (1) Laymor SM 450ST Sweeper (Emergency Purposes) **Speaker: Judge Haden/ Donald LeClerc; Backup: 3; Cost: 10,000**

Judge Haden asks for a motion to extend the existing lease. Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve. All voting "Aye".

32. **Discussion/Action** to consider passing the regulations concerning the permitting and operations of game rooms located in unincorporated areas in Caldwell County. **Speaker: Judge Haden/ Amanda Montgomery; Backup: 14; Cost: None**

Judge Haden, Commissioner Theriot, Amanda Montgomery, and Commissioner Westmoreland discusses Caldwell County's authority to regulate game rooms along with potential guidelines and which County offices might have responsibilities. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to table item 32. All voting "Aye".

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33. **Discussion/Action** to consider the reconciliation and closing of the 800 MHz Frequency Reconfiguration Agreement by and between City of Lockhart, Caldwell County, and Nextel of Texas, Inc. dated January 14, 2008 and authorize the County Judge to execute the Closing Agreement. **Speaker: Judge Haden; Backup: 15; Cost: None**

Judge Haden explains the item and asks for a motion to approve. Motion made by Commissioner Westmoreland, second by Commissioner Theriot to approve item 33. All voting "Aye".

34. **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**

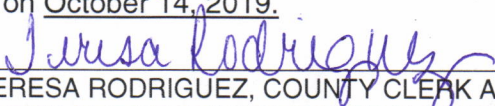
Judge Haden recuses himself and steps away. Commissioner Theriot acts as Pro Tem explaining details have been worked out and asks for motion. Motion made by Commissioner Roland, second by Commissioner Westmoreland to approve item 34. All present voting "Aye".

35. **Adjournment.**

Judge Haden returns and asks for a motion to adjourn. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to adjourn. All voting "Aye". Court adjourns at 9:40 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 October 14, 2019.

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

