

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 23, 2021 9:00 a.m



HOPPY HADEN County Judge
TERESA RODRIGUEZ County Clerk

B.J. WESTMORELAND Commissioner Pct. 1
BARBARA SHELTON Commissioner Pct. 2
ED THERIOT Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct. 4

Call Meeting to Order

Judge Haden calls meeting to order at 9:00 a.m.

Invocation.

Commissioner Roland 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 recommends everyone to sign up with www.WarnCentralTexas.org for weather alerts.

Dennis Engelke announces Basic Texas Indigent Defenders Commission Program reports a reimbursement of \$40,158.00 dollars was submitted to county in 2020.

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). Citizens' Comments may be submitted to the Court by using the form found at: <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtForm>

No Citizens' Comments.

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

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2021 9:00 a.m.

1. Approve payment of the following County invoices and County Purchase Orders: \$365,416.50
2. Ratify re-occurring County Payments:
 - A. \$337,947.62 (Payroll 2/14/2021 – 2/17/2021)
 - B. \$101,314.64 (Payroll Tax 2/14/2021 – 2/17/2021)
 - C. \$61,453.84 (DMV Remittance)
3. Accept Commissioner Barbara Shelton education Certificate of completion for the County Judge and Commissioners Association of Texas.
4. Accept Commissioner B.J. Westmoreland education Certificate of completion for the County Judge and Commissioners Association of Texas.
5. Accept Certificate of Completion to Hoppy Haden from the V.G. Young Institute of County Government
6. Accept Certificate of Completion to B.J. Westmoreland from the V.G. Young Institute of County Government
7. Accept Certificate of Completion to Barbara Shelton from the V.G. Young Institute of County Government
8. Accept Certificate of Completion to Ed Theriot from the V.G. Young Institute of County Government
9. Accept Certificate of Completion to Joe Roland from the V.G. Young Institute of County Government.
10. Accept the February 2021 Tax Collection Report from the Caldwell County Appraisal District.
11. Accept the 2021-2022 Caldwell County Historical Commission Members.
12. Accept the 2021-2022 Caldwell County Historical Commission Officers and the Caldwell County Historic Preservation/CLG Committee members.

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

DISCUSSION/ACTION ITEMS:

13. **Discussion/Action** regarding the burn ban. **Speaker: Judge Haden/ Hector Rangel; Backup: 3; Cost: None**

Hector Rangel recommends keeping the Burn Ban Off. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

14. **Discussion/Action** to adopting an order permitting the sale of fireworks during the San Jacinto Day period. **Speaker: Judge Haden; Backup: 3; Cost: None**

Judge Haden requests order permitting the sale of fireworks during San Jacinto Day period. So moved by Commissioner Westmoreland with exceptions of sticks and fins, second by Commissioner Shelton. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2021 9:00 a.m.

15. Discussion/Action to approve Resolution 22-2021 opposing H.B. 2948, relating to the authority of a county to regulate condominiums. **Speaker: Judge Haden/ JJ Wells; Backup: 2; Cost: None**

Judge Haden recommends approval of Resolution 22-2021 opposing H.B. 2948, relating to the authority of a county to regulate condominiums. Motion made by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

16. Discussion/Action to approve Resolution 23-2021 authorizing execution of an Interlocal agreement between Caldwell County Homeland Security and Emergency Management and Caldwell County Emergency Services District #3. **Speaker: Judge Haden/ JJ Wells; Backup: 4; Cost: None**

JJ Wells requests the approval of Resolution 23-2021. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

17. Discussion/Action to approve Budget Amendment #34 to receive donation from wedding held on 03.05.2021. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

Judge Haden requests approval of Budget Amendment 34, to receive wedding donation. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

18. Discussion/Action to approve Budget Amendment #35 in reference to the CO's 2018 needed for making the necessary major capital improvement payments. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 7; Cost: Net Zero**

Barbara Gonzales requests approval of Budget Amendment 35 in making necessary major capital improvement payments. Motion made by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

19. Discussion/Action to approve Purchase Order #00215-R1 for Freightliner M2-112 belly dump from CO funds. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: \$201,586.00**

Judge Haden requests to approve Purchase Order #00215-R1 for Freightliner M2-112 belly dump from CO funds. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

20. Discussion/Action to approve payment of invoice #VM101007202 for Freightliner M2-112 belly dump from CO funds. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$201,586.00**

Judge Haden requests to approve payment of invoice #VM101007202. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

21. Discussion/Action to approve Budget Amendment #36 for elections admin fee increasing estimated revenues and budget respectively. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2021 9:00 a.m.

Judge Haden requests approval of Budget Amendment 36, for elections admin fee increasing estimated revenues and budget respectively. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

22. Discussion/Action to approve Budget Amendment #37 to move \$30,000.00 from Medical Contingency (001-6510-4864) to Autopsy (001-6510-4123) to submit change order on PO REQ00701. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: \$30,000.00**

Judge Haden requests the approval of Budget Amendment 37, for PO REQ00701. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

23. Discussion/Action to approve the Change Order for Blanket PO #00704 for Central Texas Autopsy. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$60,000.00**

Judge Haden requests to approve the Change Order for Blanket PO #00704 for Central Texas Autopsy. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

24. Discussion/Action to approve Budget Amendment #38 to place funding back into the General Fund from the HAVA funds to reimburse for funds allowed in accordance to the CARES act. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

Judge Haden requests to approve Budget Amendment 38 to reimburse for funds allowed in the CARES act. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

25. Discussion/Action to approve Budget Amendment #39 for the reimbursement for TAC training (increasing revenue and expenditure line items respectively). **Speaker: Judge Haden/ Barbara Gonzales; Backup: 5; Cost: Net Zero**

Judge Haden requests to approve Budget Amendment 39 for reimbursement for TAC training. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

26. Discussion/Action to approve Budget Amendment #40 for the CDBG-DR Infrastructure – Hurricane Harvey Allocation referencing Black Ankle and Biggs Roads. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 6; Cost: Net Zero**

Judge Haden requests the approval of Budget Amendment 40, for the CDBG-DR Infrastructure. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

27. Discussion/Action to approve Change Order for PO #00808 GLO Harvey CDBG Infrastructure Engineer Services. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$53,639.33**

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2020 9:00 a.m.

Commissioner Theriot recused himself from court room.

Danie Blake requests to approve Change Order for PO #00808 GLO Harvey CDBG Infrastructure Engineer Services. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye". Commissioner Theriot returns to court room.

28. Discussion/Action to acknowledge the non-compliance purchase made by Code Enforcement with T7 Enterprise. **Speaker: Judge Haden/ Danie Blake; Backup: 4; Cost: None**

Danie Blake requests to acknowledge the non-compliance purchase made by Code Enforcement with T7 Enterprise. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

29. Discussion/Action to approve payment of invoice #9991 in the amount of \$755.00 to T7 Enterprise, LLC. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$755.00**

Judge Haden requests the approval of invoice #9991 to T7 Enterprise, LLC. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

30. Discussion/Action to acknowledge the non-compliance purchase made by Building Maintenance with Invoice from John Paul Silva. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: None**

Danie Blake requests to acknowledge the non-compliance purchase made by Building Maintenance with invoice from John Paul Silva. Motion made by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

31. Discussion/Action to approve donation to Ascension Seton Care-A-Van program for FY2021. **Speaker: Judge Haden; Backup:11; Cost: Not to exceed \$2,000.00**

Judge Haden requests to approve donation to Ascension Seton Care-A-Van program for FY2021 for \$2,000.00 dollars. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

32. Discussion/Action to consider and select bids submitted for the GLO Harvey CDBG Infrastructure Project RFB 20-0665-020-C066. **Speaker: Judge Haden/ Danie Blake; Backup: 5; Cost: \$737,046.41**

Danie Blake requests to consider and select bids submitted for the GLO Harvey CDBG Infrastructure Project RFB 20-0665-020-C066. Danie Blake recommends WJC Constructors Service for award. Dan and Adam Meuth, 304 Construction owners, were present and provided handouts to court and question not being recommended. When being the lowest bidder. Motion made by Commissioner Theriot, second by Commissioner Westmoreland. Commissioner Shelton oppose. 4-1 in favor.

33. Discussion/Action to approve payment to Pure Casting Company for FY 2020 per 381 agreement. **Speaker: Judge Haden/ JJ Wells; Backup: 6; Cost: \$12,973.17**

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2020 9:00 a.m.

Judge Haden requests Executive Session at 9:42 a.m. for consultation with attorney Tx.Gov.Code 551.071, closed at 9:57 a.m. Motion to table item 33 made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

34. Discussion/Action to approve the draft of the Standard Texas Water Development Board Agreement pertaining to the "Caldwell County Flood Protection Planning Study Grant". **Speaker: Judge Haden/ Dennis Engelke; Backup: 39; Cost: \$243,750.00**

Dennis Engelke requests to approve draft of the Texas Water Development Board Agreement pertaining to "Caldwell County Flood Protection Planning Study Grant". So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

35. Discussion/Action to seek approval of establishing an Escrow Account at First Lockhart National Bank for the receipt of Texas Water Development Board grant funds. **Speaker: Judge Haden/ Dennis Engelke/ Angela Rawlinson; Backup: 10; Cost: None**

Dennis Engelke requests approval of Escrow Account at First Lockhart National Bank. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

36. Discussion/Action to approve the application from Constable, Precinct 1 to increase number of reserve deputies from 5 to 8. **Speaker: Judge Haden/ Richard Sanders; Backup: 5; Cost: TBD**

Richard Sanders requests approval of increase of reserve deputies for Precinct 1. Motion made by Commissioner Shelton to table item 36, second by Commissioner Westmoreland. All voting "Aye".

37. Discussion/Action to consider implementation of a participation in the Countywide Polling Place Program under Section 43.007 of the Texas Elections Code. **Speaker: Judge Haden/ Kimber Daniel; Backup: 2; Cost: None**

Kimber Daniel reports Election Department progress and introduces staff Mayra Calderon and Sarah Fullilove, asks to consider participation in the Countywide Polling Place Program and form an advisory committee. Motion to approve with consideration of committee list to be presented at next meeting. Motion made by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

38. Discussion/Action to approve the public street and drainage location in Caldwell County jurisdiction of the El Dorado Subdivision as complete and ready to begin the two year performance period of said public improvements as evidenced by a check in the amount of \$3,329.81 for Maintenance Security. **Speaker: Judge Haden/ Donald LeClerc; Backup: 3; Cost: None**

Judge Haden requests to approve the public street and drainage located in the El Dorado Subdivision. Motion made by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

39. Discussion/Action to approve an Order authorizing the filing of a Final Plat (Short Form Procedure) for the Corrected Plat of Pickens Subdivision of Dale Lane. **Speaker: Commissioner Joe Roland/ Kasi Miles; Backup: 12; Cost: None**

COMMISSIONERS COURT MINUTES
Regular Meeting March 23, 2020 9:00 a.m.

Kasi Miles requests the approval of Final Plat for Corrected Plat of Pickens Subdivision of Dale Lane. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".


40. Discussion/Action to approve the Affordable Care Act Reporting and Tracking Service (ARTS) Renewal information from Texas Association of Counties (TAC). **Speaker: Judge Haden/ Bob Bush; Backup: 7; Cost: TBD**

Bob Bush requests the approval of the Affordable Care Act Reporting and Tracking Service Renewal. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye":

41. Adjournment.

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:29 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 March 23, 2021.


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

