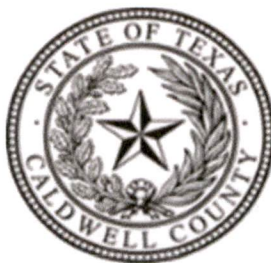


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court MAY 9th, 2023, 9:00 a.m.



HOPPY HADEN County Judge
TERESA RODRIGUEZ County Clerk

B.J. WESTMORELAND Commissioner Pct. 1
RUSTY HORNE Commissioner Pct. 2
ED THERIOT Commissioner Pct. 3
DYRAL THOMAS Commissioner Pct. 4

Call Meeting to Order

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

Invocation.

Commissioner Thomas 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 Horne announces the American Legion will host a Memorial Day Remittance on May 29th at 10:30 a.m.

Staff Announcement.

Ezzy Chan Executive Assistant reminds everyone that the Cyber Security Training needs to be completed.

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).

1. Approve payment of County invoices and County Purchase Orders: \$351,133.12
2. Ratify re-occurring County Payments:

- A. \$394,954.95 Payroll (4/09/2023 – 4/22/2023)
- B. \$116,120.42 Payroll Tax (4/09/2023 – 4/22/2023)
- 3. To approve the April 2023 Indigent Burial Report
- 4. To approve the Bond for Amy Horne, Justice of the Peace Pct. 2 Clerk.
- 5. To approve the Treasurer's Q1 2023 Quarterly State Reports.
- 6. To approve the Treasurer's Q1 Investment Report.
- 7. To approve Form 990 for 2022 from the Delhi Volunteer Fire Department.
- 8. To approve the updated fuel card policy

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve Consent Agenda. All voting "Aye".

MOTION APPROVED.

SPECIAL PRESENTATION

Texas Association of County (TAC) mid-year review for 2023

Employee Benefits Consultant Orlando Espinoza provides the court with the performance of the County health insurance plan.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel, Chief EMC provides a fire update and recommends keeping the Burn Ban Off.

Motion made by Commissioner Thomas seconded Commissioner Theriot. All voting "Aye".

MOTION APPROVED.

- 10. **Discussion/Action** to consider the approval of Order No. 07-2023 authorizing the sale of fireworks for Memorial Day. **Speaker: Judge Haden/ Hector Rangel; Backup: 3; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Order No. 07-2023 authorizing the sale of fireworks for Memorial Day. All voting "Aye".

MOTION APPROVED.

- 11. **Discussion/Action** to consider the approval of Resolution 13-2023, supporting the Texas Opioid Settlement Term Sheet. **Speaker: Judge Haden; Backup: 59; Cost: None**

Resolution 13-2023 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Resolution 13-2023, supporting the Texas Opioid Settlement Term Sheet. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to consider the approval of Resolution 14-2023, approving amendment to an Advance Funding Agreement with TXDOT for the replacement of a bridge on Holz Road at Elm Creek Branch. **Speaker: Commissioner Theriot; Backup: 32; Cost: None**

Resolution 14-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Resolution 14-2023, approving an amendment to an Advance Funding Agreement with TXDOT for the replacement of a bridge on Holz Road at Elm Creek Branch. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to consider the approval to ratify the county's opt-in to the Texas Statewide opioid settlement with Allergan, CVS, Walgreens, and Walmart. **Speaker: Judge Haden; Backup: 13; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve, and ratify the county's opt-in to the Texas Statewide opioid settlement with Allergan, CVS, Walgreens, and Walmart. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider the approval of the 2023 claim from the Texas Comptroller's request from unclaimed Property Capital Credits. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion to table Item 14 by Commissioner Westmoreland, seconded by Commissioner Theriot. All voting "Aye".

MOTION TO TABLE APPROVED.

- 15. Discussion/Action** to consider the approval of Budget Amendment #29 to transfer money from Contingency (001-6510-4860) to Emergency Management (001-6650-4510) Repairs & Maintenance for radio services with the City of Austin Wireless Communications. **Speaker: Judge Haden/ Danie Teltow/ Hector Rangel; Backup: 48; Cost: \$7,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Budget Amendment 29 to transfer money from Contingency (001-6510-4860) to Emergency Management (001-6650-4510) Repairs & Maintenance for radio services with City of Austin Wireless Communications. All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** to consider the approval of Budget Amendment #30 to transfer money for Code Enforcement abatement (001-3201-4825) to Disposal Fee (001-3201-3151) for the increase of disposal services. **Speaker: Judge Haden/ Danie Teltow/ Neil Kucera; Backup: 2; Cost: \$3,000.00**

Danie Teltow County Auditor states money will be for 2 additional dumpsters.

COMMISSIONERS COURT MINUTES
Regular Meeting May 9, 2023, 9:00 a.m.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Budget Amendment 30 to transfer money for Code Enforcement abatement (001-3201-4825) to Disposal Fee (001-3201-3151) for the increase of disposal services. All voting "Aye".

MOTION APPROVED.

17. Discussion/Action to consider the approval of Budget Amendment #31 to transfer money from Medical Contingency (001-6510-4864) to HR Office Supplies (001-6580-3110) to order supplies for the new payroll position. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$5,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 31 to transfer money from Medical Contingency (001-6510-4864) to HR Office Supplies (001-6580-3110) to order supplies for new payroll position. All voting "Aye".

MOTION APPROVED.

18. Discussion/Action to consider the approval of Budget Amendment #32 for Unit Road – Kinder Morgan \$500,000.00 donation for equipment purchase. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$500,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve Budget Amendment 32 for the Unit Road – Kinder Morgan \$500,000.00 donation for equipment purchase. All voting "Aye".

MOTION APPROVED.

19. Discussion/Action to consider the approval of REQ02343 in the amount of \$303,259.94 for Doggett Freightliner. **Speaker: Judge Haden/ Carolyn Caro; Backup: 4; Cost: \$303,259.94**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve REQ02343 in the amount of \$303,259.94 for Doggett Freightliner. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure for Scott's Addition located on Thompson Road. **Speaker: Commissioner Thomas/ Kasi Miles; Backup: 17; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Order authorizing the filing of a Final Plat (Short Form Procedure for Scott's Addition located on Thompson Road. All voting "Aye".

MOTION APPROVED.

21. EXECUTIVE SESSION Pursuant to Texas Government Code Section 551.087, the discussion of deliberation regarding economic development negotiations associated with Project Future. Possible Action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

Executive Session opens at 9:47 a.m.

Executive Session closes at 11:03 a.m.

NO ACTION TAKEN.

22. Adjournment.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to adjourn. All voting "Aye".
The court adjourns at 11:03 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 9, 2023.

Teresa Rodriguez

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

