

COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court May 23, 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.**

Pastor Jodi Fischer 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 have a get-together at 10:30 a.m. On May 29<sup>th</sup>.

**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>

Pastor Jodie Fischer of the Old Lytton Springs Methodist Church and a member of the Lytton Springs Park Association address vandalism to the park.

**22. Discussion/Action** to consider the approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Sanchez Acres located on Brushy Branch Rd. **Speaker: Commissioner Westmoreland/ Kasi Miles; Backup: 16; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve an Order authorizing the filing of a Final Plat (Short Form Procedure) for Sanchez Acres located on Brushy Branch Rd. All voting "Aye".

**MOTION APPROVED.**

- 23. Discussion/Action** to consider the approval of the Final Plat for Tumbleweed Estates, Phase 2 consisting of 29 residential lots on approximately 38.79 acres located on Romberg Road. **Speaker: Commissioner Thomas /Kasi Miles; Backup: 21; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Final Plat for Tumbleweed Estates, Phase 2 consisting of 29 residential lots on approximately 38.79 acres located on Romberg Road. All voting "Aye".

**MOTION APPROVED.**

- 24. Discussion/Action** to consider the approval of the Preliminary Plat for Schmidt Estates consisting of 57 residential lots on approximately 103.496 acres located on Romberg Road. **Speaker: Commissioner Westmoreland /Kasi Miles; Backup: 9; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve Preliminary Plat for Schmidt Estates consisting of 57 residential lots on approximately 103.496 acres located on Romberg Road. All voting "Aye".

**MOTION APPROVED.**

**SPECIAL PRESENTATION**

Presentation from Daniel Shearer and John Cyrier, regarding the Caldwell County Evacuation Center.

Judge Haden explains the Evacuation Center project and design change to stay within budget. John Cyrier states re-grouping is necessary due to price increases and design processes allowing future growth.

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

Hector Rangel Chief EMC recommends keeping the Burn Ban Off.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve. All voting "Aye".

**MOTION APPROVED.**

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

- 1. Approve payment of County invoices and County Purchase Orders: \$436,288.49**
- 2. Ratify re-occurring County Payments:**
  - A. \$408,349.82 Payroll (04/23/2023 – 05/06/2023)**
  - B. \$117,648.67 Payroll Tax (04/23/2023 – 05/06/2023)**
  - C. \$174,996.12 DMV Remittance**
  - D. \$909.05 TWPD Comptroller**
  - E. \$394,317.54 DMV Comptroller**
- 3. To accept the April 2023 Tax Collection Report from the Caldwell County Appraisal District**

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

**MOTION APPROVED.**

**PUBLIC HEARING @ 9:30am**

Re-plat of Austin Skyline Subdivision, Lot #13, Section 3, Property ID #12530 located on Calder Road (CR 192)

Public Hearing opens at 9:30 a.m. and closes at 9:32 a.m. There are no speakers.

Re-plat of the final plat of Sagada Dos. Property ID: 15038 located on Homannville Road (CR 179)

Public Hearing opens at 9:32 a.m. and closes at 9:34 a.m. There are no speakers.

**DISCUSSION/ACTION ITEMS:**

5. **Discussion/Action** to approve Proclamation in recognition of May 2023 as Older Americans Month. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read.

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve Proclamation in recognition of May 2023 as Older Americans Month. All voting "Aye".

**MOTION APPROVED.**

6. **Discussion/Action** to consider approval of Resolution 16-2023, authorizing the County Judge to request unclaimed property capital credits pursuant to Section 381.004, Texas Local Government Code. **Speaker: Judge Haden; Backup: 4; Cost: None**

Resolution 16-2023 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Resolution 16-2023, authorizing the County Judge to request unclaimed property capital credits pursuant to Section 381.004, Texas Local Government Code. All voting "Aye".

**MOTION APPROVED.**

7. **Discussion/Action** to consider the approval of an amendment to a lease agreement between the Department of Public Safety and the County, for the continued lease of office space in Luling. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve an amendment to a lease agreement between the Department of Public Safety and the County, for the continued lease of office space in Luling. All voting "Aye".

**MOTION APPROVED.**

8. **Discussion/Action** to accept the proposal agreement between Granicus and Caldwell County for new agenda software/platform program. **Speaker: Judge Haden/Ezzy Chan; Backup: 3; Cost: \$10,200.02**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve proposal agreement between Granicus and Caldwell County for new agenda software/platform program. All voting "Aye".

**MOTION APPROVED.**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting May 23, 2023, 9:00 a.m.**

---

- 9. Discussion/Action** to seek approval of modification to securing County deposits from pledging securities to Standby Letter of Credit. **Speaker: Judge Haden/Angela Rawlinson/ Randy Till; Backup: 36; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve a modification to securing County deposits from pledging securities to Standby Letter of Credit. All voting "Aye".

**MOTION APPROVED.**

- 10. Discussion/Action** to appoint a City of Luling resident to the Plum Creek Conservation District Board of Directors. **Speaker: Judge Haden/Rusty Horne; Backup: 3; Cost: None.**

Motion made to Table Item 10 by Commissioner Horne, seconded by Commissioner Westmoreland. All voting "Aye".

**MOTION TO TABLE APPROVED.**

- 11. Discussion/Action** to appoint Mrs. Priscilla Robichaux to the board of CCESD2 to replace Natalio Ramos. **Speaker: Commissioner Theriot; Backup: 1; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve appointing Mrs. Priscilla Robichaux to the board of CCESD2 to replace Natalio Ramos. All voting "Aye".

**MOTION APPROVED.**

- 12. Discussion/Action** to authorize the Grants Department to submit a "Charging and Fueling Infrastructure Grant" on behalf of SH 130 Concessions to the DOT Federal High Administration to install 16 Electric Vehicle Charging Stations at locations along SH130. **Speakers: Judge Haden/Dennis Engelke/ James Lovett; Backup 70; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve the Grants Department to submit a "Charging and Fueling Infrastructure Grant" on behalf of SH 130 Concessions to the DOT Federal High Administration to install 16 Electric Vehicle Charging Stations at locations along SH130. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot recused himself on Items 13 & 14.**

- 13. Discussion/Action** request to approve change order in the amount of \$100,000.00 for Doucet Blanket PO # 01940. **Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$100,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve change order in the amount of \$100,000.00 for Doucet Blanket PO # 01940. All voting "Aye".

**MOTION APPROVED.**

- 14. Discussion/Action** to approve payment for Doucet invoices for services through April 23rd. **Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$28,393.01**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve payment for Doucet invoices for services through April 23rd. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot returns to the courtroom.**

COMMISSIONERS COURT MINUTES  
Regular Meeting May 23, 2023, 9:00 a.m.

---

- 15. Discussion/Action** to approve Budget Amendment #33 for Non-Departmental mid-year budgetary shortages.  
**Speaker: Judge Haden/Danie Teltow; Backup: 2; Cost: \$1,621.02**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Budget Amendment 33 for Non-Departmental mid-year budgetary shortages. All voting "Aye".

**MOTION APPROVED.**

- 16. Discussion/Action** to approve Budget Amendment #34 for Maintenance department to cover negative GL accounts. **Speaker: Judge Haden/Danie Teltow; Backup: 2; Cost: \$1,020.00**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Budget Amendment 34 for the Maintenance department to cover negative GL accounts. All voting "Aye".

**MOTION APPROVED.**

- 17. Discussion/Action** to approve Budget Amendment #35 for District Clerk – 15% increase for Edoc services.  
**Speaker: Judge Haden/ Danie Teltow; Backup; 3; Cost: \$2,192.25**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Budget Amendment 35 for District Clerk – 15% increase for Edoc services. All voting "Aye".

**MOTION APPROVED.**

- 18. Discussion/Action** to approve Budget Amendment #36 for TAC Risk Management Pool Invoice. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$34,851.25**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Budget Amendment 36 for TAC Risk Management Pool Invoice. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot recuses himself.**

- 19. Discussion/Action** to approve REQ02347 and payment of invoice #2304180 for Doucet & Associates Project R1911-03 County FFP services in the amount of \$60,000.00 **Speaker: Judge Haden/Carolyn Caro; Backup: 4; Cost: \$60,000.00**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve REQ02347 and payment of invoice #2304180 for Doucet & Associates Project R1911-03 County FFP services in the amount of \$60,000.00. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot returns to the courtroom.**

- 20. Discussion/Action** to approve change order in the amount of \$150,000.00 for Brauntex Blanket PO # 01945 and payment of invoices in the amount of \$111,323.38. **Speaker: Judge Haden/ Carolyn Caro; Backup: 9; Cost: \$150,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve change order in the amount of \$150,000.00 for Brauntex Blanket PO # 01945 and payment of invoices in the amount of \$111,323.38. All voting "Aye".

**MOTION APPROVED.**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting May 23, 2023, 9:00 a.m.**

---

- 21. Discussion/Action** to consider the approval of the FY 2024 Budget Calendar. **Speaker: Judge Haden/ Ezzy Chan/ Danie Teltow; Backup: 2; Cost: None**

Ezzy Chan Executive Assistant reports the budget calendar packets will be handed out Friday, any questions please contact her office.

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve the approval of the FY 2024 Budget Calendar. All voting "Aye".

**MOTION APPROVED.**

**Executive Session opens at 10:02 a.m. and closes at 10:52 a.m.**

- 26. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.089: deliberation regarding the deployment, or specific instances for implementation of, critical infrastructure. Possible action may follow in open court. **Speaker: Judge Haden; Backup: None; Cost: None**

**NO ACTION WAS TAKEN.**

**Executive Session 25, 27, and 28 open at 10:53 a.m. closes at 11:27 a.m.**

- 25. 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**

**NO ACTION WAS TAKEN.**

- 27. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071: Consultation with counsel regarding pending or contemplated litigation or settlement offers in Case No. 23-O-137. **Speaker: Judge Haden; Backup: 1; Cost: None**

**NO ACTION WAS TAKEN.**

- 28. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071: Consultation with counsel regarding pending or contemplated litigation or settlement offers in Cause No. SC 22-0014. **Speaker: Judge Haden; Backup: 1; Cost: None**

**ACTION WILL FOLLOW IN OPEN COURT.**

- 29. Discussion/Action** to consider the approval of Resolution 15-2023, ordering a lien against abated property for the recovery of abatement costs pursuant to Section 343.023, Texas Health and Safety Code. **Speaker: Judge Haden; Backup:**

Resolution 15-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Texas Government Code Section 551.071: Consultation with counsel regarding pending or contemplated litigation or settlement offers in Cause No. SC 22-0014. All voting "Aye".

**MOTION APPROVED.**

COMMISSIONERS COURT MINUTES  
Regular Meeting May 23, 2023, 9:00 a.m.


---

**29. Adjournment.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to adjourn. All voting "Aye". The court adjourns at 11:31 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 23, 2023.

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

