

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court June 13th, 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 Westmoreland congratulates those who put on the Chisholm Trail Round-Up.

Commissioner Horne announces the Luling Watermelon Thump, voting for Thump Queen will be this weekend at the pavilion.

Commissioner Thomas invites everyone to St. Johns grounds for the Juneteenth Celebration and the honoring of former Commissioner Roland with a plaque.

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>

Kelly Innerarity, a Rosanky resident request the court to consider a tax code chapter 43 lawsuit against the Appraisal District.

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

COMMISSIONERS COURT MINUTES
Regular Meeting June 13, 2023, 9:00 a.m.

1. **Approve payment of County invoices and County Purchase Orders: \$952,521.02**
2. **Ratify re-occurring County Payments:**
 - A. **\$396,677.57 Payroll (05/07/2023 – 05/20/2023)**
 - B. **\$116,001.39 Payroll Tax (05/07/2023 – 05/20/2023)**
 - C. **\$402,165.88 Payroll (05/21/2023 – 06/03/2023)**
 - D. **\$118,363.17 Payroll Tax (05/21/2023 – 06/03/2023)**
3. **To accept the May 2023 Indigent Burial Report**
4. **To approve Caldwell County ESD #4 Financial Reports for FY 2022**

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

SPECIAL PRESENTATION

Judge Haden to present the Caldwell County Historical Commission with a 2022 Distinguished Service Award from the Texas Historical Commission.

Judge Haden presents Coyle Buehler with the 2022 Distinguished Service Award.

DISCUSSION/ACTION ITEMS:

5. **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 Thomas seconded Commissioner Theriot. All voting "Aye".

MOTION APPROVED.

6. **Discussion/Action** to consider the approval of Order No. 08-2023, restricting the sale or use of certain fireworks for Independence Day. **Speaker: Judge Haden/Hector Rangel; Backup: 3; Cost: None.**

Order No. 08-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve restricting the sale or use of certain fireworks for Independence Day. All voting "Aye".

MOTION APPROVED.

7. **Discussion/Action** to approve a Proclamation recognizing June 19, 2023, as Juneteenth, and commemorating the announcement of the abolition of slavery in Texas. **Speaker Commissioner Thomas; Backup: 2; Cost: None.**

Proclamation is read.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Proclamation recognizing June 19, 2023, as Juneteenth, and commemorating the announcement of the abolition of slavery in Texas. All voting "Aye".

MOTION APPROVED.

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- 9. Discussion/Action** to consider the Texas Association of Counties Health and Employment Benefit Pool (TAC HEBP) and to determine the amount for the county portions dependent coverage for FY 2023-2024. **Speaker: Judge Haden; Backup: 10; Cost: None.**

Bob Bush, HR Coordinator request approval for county coverage with no increase in deductions.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve the Texas Association of Counties Health and Employment Benefit Pool (TAC HEBP) and to determine the amount for the county portions dependent coverage for FY 2023-2024. All voting "Aye".

MOTION APPROVED.

- 10. Discussion/Action** to reschedule the June 27, 2023, Commissioners Court meeting. **Speaker: Judge Haden; Backup: 1; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to reschedule Commissioners Court to June 26th due to a conference. All voting "Aye".

MOTION APPROVED.

- 11. Discussion/Action** regarding the Proposed 2024 Appraisal District and Collection Budgets. **Speaker: Judge Haden; Backup: 9; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Judge Haden to contact other entities to discuss the Proposed 2024 Appraisal District Budget. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to consider Resolution 17-2023: (1) approving an interlocal cooperation agreement between the County and the Texas Department of State Health Services for access to the State's vital statistics database; (2) authorizing the County Judge to execute the agreement; and (3) authorizing the County Clerk to manage the said contract. **Speaker Judge Haden/Teresa Rodriguez/Chase Goetz; Backup 2; Cost: None.**

Resolution 17-2023 is read.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Resolution 17-2023: (1) approving an interlocal cooperation agreement between the County and the Texas Department of State Health Services for access to the State's vital statistics database; (2) authorizing the County Judge to execute the agreement; and (3) authorizing the County Clerk to manage the said contract. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider Resolution 19-2023: authorizing the Caldwell County Grants Administrator to submit a grant application for funding to be used for a tire-only solid waste collection event. **Speaker Judge Haden/Dennis Engelke; Backup 3; Cost: None.**

Resolution 19-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve Resolution 19-2023: authorizing the Caldwell County Grants Administrator to submit a grant application for funding to be used for a tire-only solid waste collection event. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
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- 15. Budget Amendment** requesting approval of budget amendment #37 for Elections to cover Student Worker pay and delivery of election equipment. **Speaker: Judge Haden/Danie Teltow; Backup 8; Cost: \$8,750.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve budget amendment 37 for Elections to cover Student Worker pay and delivery of election equipment. All voting "Aye".

MOTION APPROVED.

- 16. Budget Amendment** requesting approval of budget amendment #38 for County Clerk to purchase 4 computers for Deed Record Deputies. **Speaker: Judge Haden/Danie Teltow; Backup 6; Cost: \$4,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve budget amendment 38 for County Clerk to purchase 4 computers for Deed Record Deputies. All voting "Aye".

MOTION APPROVED.

- 17. Budget Amendment** requesting approval of budget amendment #39 for Constable PCT 2 uniform transfer. **Speaker Judge Haden/Danie Teltow; Backup 4; Cost: \$1,000.00**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve budget amendment 39 for Constable PCT 2 uniform transfer. All voting "Aye".

MOTION APPROVED.

- 18. Budget Amendment** requesting approval of budget amendment #40 for jail overtime costs. **Speaker Judge Haden/Danie Teltow; Backup 5; Cost: \$50,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve budget amendment 40 for jail overtime costs. All voting "Aye".

MOTION APPROVED.

PUBLIC HEARING @ 9:30

- **Replat of Town of Prairie Lea, Part of Lot 2, 5 & 6, and All of Lots 3 & 4 located on Highway 80 and River Street in Prairie Lea, Texas. Property ID: 26395-26399**

Public Hearing opens at 9:30 a.m. and closes at 9:32 a.m. No Public Comments.

- **Replat of Paz Acres, Lot 1 and Lot 2 located on Homannville Trail. Property ID: 115747-115748**

Public Hearing opens at 9:32 a.m. and closes at 9:34 a.m. No Public Comments.

- **Replat of Maiorka Acres, Lot 3 located on Hwy 20 and Old Colony Line Road. Property ID: 118623**

Public Hearing opens at 9:34 a.m. and closes at 9:36 a.m. No Public Comments.

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- 8. Discussion/Action** regarding replat of Town of Prairie Lea, Part of Lot 2, 5 & 6, and All of Lots 3 & 4 located on Highway 80 and River Street in Prairie Lea, Texas. Property ID: 26395-26399. **Speaker Rusty Horne/Kasi Miles; Backup: 17; Cost: None.**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve Replat of Town of Prairie Lea, Part of Lots 2, 5 & 6 and All of Lots 3 & 4 located on Highway 80 and River Street in Prairie Lea, Texas. Property ID: 26395-26399. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to consider Resolution 18-2023: (1) setting public hearing to receive comments regarding a petition to create Caldwell County ESD No. 5; (2) authorizing the County Clerk to prepare notice of the public hearing; (3) authorizing the County Sheriff to post and publish the notice of public hearing; and (4) authorizing the County Judge's staff to send a copy of the petition to existing emergency services districts within the County. **Speaker: Judge Haden; Backup: 9; Cost: None.**

Resolution 18-2023 is read.

Cean Charles, Director EMTP, FP-C addresses the court that Ascension's contract for ambulance service management will terminate on September 30, 2023, and the City of Lockhart will take over the services with countywide ESD.

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve Resolution 18-2023: (1) setting public hearing to receive comments regarding a petition to create Caldwell County ESD No. 5; (2) authorizing the County Clerk to prepare notice of the public hearing; (3) authorizing the County Sheriff to post and publish the notice of public hearing; and (4) authorizing the County Judge's staff to send a copy of the petition to existing emergency services districts within the County. All voting "Aye".

MOTION APPROVED.

- 19. Budget Amendment** requesting approval of budget amendment #41 to cover Sheriff's Office overtime costs. **Speaker Judge Haden/Danie Teltow/Kirk Kuykendoll; Backup 5; Cost: \$10,000.00**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve budget amendment #41 to cover Sheriff's Office overtime costs. All voting "Aye".

MOTION APPROVED.

- 20. Budget Amendment** requesting approval of budget amendment #42 for Lytton Springs Building cameras. **Speaker Judge Haden/Danie Teltow; Backup 13; Cost: \$13,772.00**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve budget amendment 42 for Lytton Springs Building cameras. All voting "Aye".

MOTION APPROVED.

- 21. Discussion/Action** to approve payment of Invoice # IE551810 for ConvergeOne on-site labor. **Speaker Carolyn Caro/Judge Haden; Backup: 3; Cost: \$2,732.40**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve payment of Invoice # IE551810 for ConvergeOne on-site labor. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
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- 22. Discussion/Action** to approve moving 5 vehicles from constable departments into Non-Departmental for School Constable assignments. **Speaker Carolyn Caro/Judge Haden/B.J. Westmoreland; Backup: 2; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve moving 5 vehicles from constable departments into Non-Departmental for School Constable assignments. All voting "Aye".

MOTION APPROVED.

- 23. Discussion/Action** to approve all submitted RFQs to the County Engineering Pool list of vendors. **Speaker Carolyn Caro/Judge Haden; Backup: 3; Cost: None.**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve all submitted RFQs to the County Engineering Pool list of vendors. All voting "Aye".

MOTION APPROVED.

- 24. Discussion/Action** to consider public streets and drainage in Village Ranchettes Subdivision Phase 2 as complete and ready to begin the two-year performance period. **Speaker Rusty Horne/Donald Leclerc; Backup 3; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve public streets and drainage in Village Ranchettes Subdivision Phase 2 as complete and ready to begin the two-year performance period. All voting "Aye".

MOTION APPROVED.

- 25. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Country Line Ranchettes located on Old Colony Line Road near Cherokee Trail. **Speaker Rusty Horne/Kasi Miles; Backup 15; Cost: None.**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Country Line Ranchettes located on Old Colony Line Road near Cherokee Trail. All voting "Aye".

MOTION APPROVED.

- 26. Discussion/Action** concerning approval of an Order authorizing the filing of the Final Plat (Short Form Procedure) for Colony Bend Ranchettes located on Old Colony Line Road near Spanish Oak Road. **Speaker Rusty Horne/Kasi Miles; Backup 15; Cost: None.**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Order authorizing the filing of the Final Plat (Short Form Procedure) for Colony Bend Ranchettes located on Old Colony Line Road near Spanish Oak Road. All voting "Aye".

MOTION APPROVED.

- 27. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Old Colony Ranchettes located on Old Colony Line Road near Spanish Oak Road. **Speaker Rusty Horne/Kasi Miles; Backup 15; Cost: None.**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Old Colony Ranchettes located on Old Colony Line Road near Spanish Oak Road. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
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28. Discussion/Action to consider the approval of the Preliminary Plat for Acorn Oaks consisting of 60 residential lots on approximately 93.459 acres located on Acorn Road. **Speaker: Rusty Horne/Kasi Miles; Backup: 18; Cost: None.**

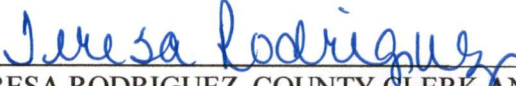
Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve the Preliminary Plat for Acorn Oaks conditioned upon significant modifications to address specific concerns regarding unbuildable lots or what appears to be unbuildable lots and concerns regarding public safety. All voting "Aye".

MOTION APPROVED.

29. Adjournment.

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to adjourn. All voting "Aye".
The court adjourns at 10:03 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 June 13, 2023.



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

