

COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court January 24, 2023, 9:00 a.m.



**Amended 1.20.2023**

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.

Ezzy Chan Executive Assistant reminds everyone the Cyber Security awareness 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>

Casondra Dailey – No Show

Ray Jones – No Show

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

1. Approve payment of County invoices and County Purchase Orders: \$233,515.64
2. Ratify re-occurring County Payments:
  - A. \$380,191.05 Payroll (1/01/2023 – 1/14/2023)
  - B. \$112,710.60 Payroll Tax (1/01/2023 – 1/14/2023)
  - C. \$441,567.77 DMV Comptroller
3. To approve the Bond for Fred Weber, District Attorney.
4. To approve the Bond for Debra Flores, County Clerk Chief Deputy.
5. To approve the Bond for Juanita Allen, District Clerk.
6. To approve the Bond for Leslie Estrada, District Clerk Chief Deputy.
7. To approve the Constable Pct. 1 December 2022 Monthly Report.
8. To approve the increase of 2023 IRS Mileage Reimbursement Amount.

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

**MOTION APPROVED.**

**SPECIAL PRESENTATION**

- 2022 AgriLife Program Review

Elsie Lacy and Wayne Morse with Texas A & M AgriLife Extension.

**DISCUSSION/ACTION ITEMS:**

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

Hank Alex Assistant Chief EMC provides fire updates and recommends leaving the Burn Ban Off.

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland. All voting "Aye".

**MOTION APPROVED.**

10. **Discussion/Action** to consider the approval of the reinstatement of the Luling Foundation Farm Board President Gary Dickenson. **Speaker: Judge Haden/ Wayne Morse; Backup: 1; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve the reinstatement of the Luling Foundation Farm Board President Gary Dickenson. All voting "Aye".

**MOTION APPROVED.**

11. **Discussion/Action** to consider the approval of a Proclamation to designate February 2023 as Career and Technical Education Month. **Speaker: Judge Haden/Mark Estrada/ Rachel Sotelo; Backup: 2; Cost: None**

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Proclamation is read.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Proclamation to designate February 2023 as Career and Technical Education Month. All voting "Aye".

**MOTION APPROVED.**

**12. Discussion/ Action** to consider the approval to appoint Mr. Natalio Ramos, and reappointment of Mr. Tony Collins, as Commissioners of Caldwell County Emergency Services District #2. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Mr. Natalio Ramos, and reappointment of Mr. Tony Collins, as Commissioners of Caldwell County Emergency Services District #2. All voting "Aye".

**MOTION APPROVED.**

**13. Discussion/Action** to consider the approval of the appointment of Alicia Thornton and Alex Worthington to the Caldwell County Animal Control Advisory Committee. **Speaker: Commissioner Theriot; Backup: 1; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve the appointment of Alicia Thornton and Alex Worthington to the Caldwell County Animal Control Advisory Committee. All voting "Aye".

**MOTION APPROVED.**

**14. Discussion/Action** to approve a development agreement between Permian Highway Pipeline (PHP) and the County, for the development of a compressor station site. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve development agreement between Permian Highway Pipeline (PHP) and the County, for the development of a compressor station site. All voting "Aye".

**MOTION APPROVED.**

**15. Discussion/Action** to consider the approval of a \$1,000,000.00 donation from Kinder Morgan Texas Pipeline, LLC and the County, with specific provisions of use. **Speaker: Judge Haden; Backup: 1; Cost: None**

Greg Neal and Alan Fore with Kinder Morgan Texas Pipeline LLC speak on the investment agreement and donation.

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve a \$1,000,000.00 donation from Kinder Morgan Texas Pipeline, LLC, and the County, with specific provisions of use. All voting "Aye".

**MOTION APPROVED.**



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**16. Discussion/Action** to consider the approval of Budget Amendment #10 for Elections to pay Temp Election workers salary wages. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$25,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Budget Amendment 10 for Elections to pay Temp Election workers salary wages thru payroll. All voting "Aye".

**MOTION APPROVED.**

**17. Discussion/Action** to consider the approval of Budget Amendment #11 for Pct. 4 Constable's School Patrol Program in the amount of \$20,000.00. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$20,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve Budget Amendment 11 for Pct. 4 Constable's School Patrol Program in the amount of \$20,000.00. All voting "Aye".

**MOTION APPROVED.**

**18. Discussion/Action** to consider the approval of Budget Amendment #12 for Grants Department for Rifle Resistant Body Armor in the amount of \$42,804.15. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$42,804.15**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Budget Amendment 12 for Grants Department for Rifle Resistant Body Armor in the amount of \$42,804.15. All voting "Aye".

**MOTION APPROVED.**

**19. Discussion/Action** to consider the approval of submitting a grant application to the Texas General Land Office for \$100,000.00 to provide for the facilitation of the preparation of a "2025-2030 FEMA-Approved Hazard Mitigation Plan". **Speaker: Judge Haden/ Dennis Engelke; Backup: 56; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve submitting a grant application to the Texas General Land Office for \$100,000.00 to provide for the facilitation of the preparation of a "2025-2030 FEMA-Approved Hazard Mitigation Plan". All voting "Aye".

**MOTION APPROVED.**

**20. Discussion/Action** to consider the approval to submit a "State Criminal Alien Assistance Program" (SCAAP) application to secure funds for labor and overtime expenses for the County Jail. **Speaker: Judge Haden/ Dennis Engelke; Backup: 1; Cost: None**

Dennis Engelke Grants Administrator requests to submit the SCAAP application by the February 1<sup>st</sup> deadline.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve submitting a "State Criminal Alien Assistance Program" (SCAAP) application to secure funds for labor and overtime expenses for the County Jail. All voting "Aye".

**MOTION APPROVED.**

- 21. Discussion/Action** to consider the approval to submit a “Rebuilding American Infrastructure with Sustainability and Equity” (RAISE) grant on behalf of SH 130 Concessions. **Speaker: Judge Haden/ Dennis Engelke/ James Lovett; Backup: 11; Cost: None**

James Lovett Director of Public Affairs SH 130 Concessions explained the state-of-the-art Trucking Station project.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve submitting a “Rebuilding American Infrastructure with Sustainability and Equity” (RAISE) grant on behalf of SH 130 Concessions. All voting “Aye”.

**MOTION APPROVED.**

- 22. Discussion/Action** to consider the approval to nominate three Directors to the Caldwell County Community Services Foundation Board of Directors: Phil McBride, Pct. 1; Jerry Hinkle, Pct. 2; and Christina Arias by position as Grants Administrative Assistant. **Speaker: Judge Haden/ Dennis Engelke; Backup: 1; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve nominating three Directors to the Caldwell County Community Services Foundation Board of Directors: Phil McBride, Pct. 1; Jerry Hinkle, Pct. 2; and Christina Arias by position as Grants Administrative Assistant. All voting “Aye”.

**MOTION APPROVED.**

- 23. Discussion/Action** to consider the approval of amending the Court’s Rules of Procedure, Conduct, and Decorum. **Speaker: Judge Haden; Backup: 17; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve amending the Court’s Rules of Procedure, Conduct, and Decorum. All voting “Aye”.

**MOTION APPROVED.**

- 24. Discussion/Action** to approve Resolution 05-2023, exempting the purchase of real property from competitive bidding requirements and approving the purchase of said real property. **Speaker: Judge Haden; Backup7; Cost: None**

Resolution 05-2023 is read.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Resolution 05-2023, exempting the purchase of real property from competitive bidding requirements, and approving the purchase of said real property. All voting “Aye:”.

**MOTION APPROVED.**



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**25. Discussion only** of the GLO Infrastructure Grant Roads. **Speaker: Judge Haden; Backup: 1; Cost: None**

Dennis Engelke Grants Administrator reports a 60-day extension was granted.  
David Clark updates the court on road projects due to weather.

Danie Teltow County Auditor announces W-2s are ready and can be picked up in her office.

Judge Haden opens Item 26 and Item 27 Executive Session at 9:57 a.m. and closes at 10:36 a.m. attended by Commissioner Westmoreland, Commissioner Horne, Judge Haden, Commissioner Theriot, Commissioner Thomas, and Chase Goetz.

**26. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071 (1): Consultation with counsel regarding pending or contemplated litigation or settlement offers in cause No. 22-O-283. Possible action may follow in court. **Speaker: Judge Haden; Backup: 1; Cost: None**

**No action was taken.**

**27. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071 (1): Consultation with counsel regarding pending or contemplated litigation or settlement offers in cause No. 21-O-272. Possible action may follow in court. **Speaker: Judge Haden; Backup: 1; Cost: None**

**No action was taken.**


**28. Adjournment.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to adjourn. All voting "Aye". The court adjourns at 10:36 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 January 24, 2023.



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