

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court October 24, 2023, 9:00 AM



Hoppy Haden	County Judge	B.J. Westmoreland	Commissioner, Pct. 1
Teresa Rodriguez	County Clerk	Rusty Horne	Commissioner, Pct. 2
		Ed Theriot	Commissioner, Pct. 3
		Dyral Thomas	Commissioner, Pct. 4

A. Judge Pro Tem Westmoreland called the meeting to order at 9:00 a.m.

B. Commissioner Thomas opens the meeting in prayer.

C. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS:

(Texas Pledge: Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible).

Judge Pro Tem Westmoreland leads all present in the pledge to both flags.

No Announcements.

No Staff Announcements.

D. 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.

E. CONSENT AGENDA:

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

MOTION APPROVED.

E.1.To approve payments of County Invoices and Purchase Orders in the amount of \$858,002.35

E.2.To ratify re-occurring County Payroll payment - \$410,643.58 (09/24/2023 - 10/07/2023)

E.3.To ratify re-occurring County Payroll Tax payment - \$121,299.30 (09/24/2023 - 10/07/2023)

E.4.To pay bond for Art Villarreal, Constable PCT. 4 F.5.To

pay bond for Devante Coe, Elections Administrator F.6.To

pay bond for Jenifer Watts, Chief Deputy Clerk, JP 3

E.7.To approve Caldwell County Constable PCT 1 September 2023 Report

E.8.To accept the September 2023 Tax Collection Report from the Caldwell County Appraisal District

E.9.To ratify Work Authorization No. 1, authorizing American Structurepoint, Inc. to begin development of an Infrastructure Capital Improvement Plan and Program (CIPP)

E.10.To. ratify an amendment to Odyssey contract for the addition of 8 mobile handsets

E.1 To approve payments of County Invoices and Purchase Orders in the amount of \$858,002.35
Payment Register 10.24.2023.pdf
Expense Approval Register 10.24.2023.pdf

E.2 To ratify re-occurring County Payroll payment - \$410,643.58 (09/24/2023 - 10/07/2023)
Payroll 09.24.2023 - 10.07.2023.pdf

E.3 To ratify re-occurring County Payroll Tax payment - \$121,299.30 (09/24/2023 - 10/07/2023)
Payroll Tax 09.24.2023 - 10.07.2023.pdf

E.4 To pay bond for Art Villarreal, Constable PCT. 4
Villarreal - Bond Invoice_Redacted.pdf

E.5 To pay bond for Devante Coe, Elections Administrator
Coe - Bond Invoice_Redacted.pdf

E.6 To pay bond for Jenifer Watts, Chief Deputy Clerk, JP 3
Watts - Bond Invoice_Redacted.pdf

E.7 To approve Caldwell County Constable PCT 1 September 2023 Report
Constable PCT 1 - September 2023 Report.pdf

E.8 To accept the September 2023 Tax Collection Report from the Caldwell County Appraisal District
District CCAD - September 2023 Report.pdf

E.9 To ratify Work Authorization No. 1, authorizing American Structurepoint, Inc. to begin development of an Infrastructure Capital Improvement Plan and Program (CIPP)
CIPP Work Authorization and Attachments.pdf

E.10 To ratify an amendment to Odyssey contract for the addition of 8 mobile handsets
Odyssey Contract Amendment.pdf

E. DISCUSSION/ACTION ITEMS:

- F.1 Regarding burn ban. Speaker: Judge Haden/Hector Rangel; Backup: 2; Cost: \$0.00
Hector Rangel Chief EMC recommends keeping the burn ban off.

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

MOTION APPROVED.

Burn Ban Order 10.24.23.docx

- F.2 To approve the Caldwell County Employee Holiday Schedule for calendar year 2024. Speaker: Judge Haden/Kristianna Ortiz; Backup: 1; Cost: \$0.00

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Caldwell County Employee Holiday Schedule for calendar year 2024. All voting "Aye".

MOTION APPROVED.

2024 Employee Holiday Calendar.pdf

- F.3 To appoint Gloria Garcia to the position of Caldwell County Treasurer. Speaker: Kristianna Ortiz; Backup: 0; Cost: \$0.00
Ezzy Chan, Judge Haden, and Kristianna Ortiz recommend that Gloria Garcia be appointed as Treasurer.

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Gloria Garcia to the position of Caldwell County Treasurer. All voting "Aye".

MOTION APPROVED.

Amended Motion by Commissioner Thomas, seconded by Commissioner Horne to include November 1st, 2023 as the start date. All voting "Aye".

MOTION APPROVED.

- F.4 To approve the reappointment of Billy Ray Buckner to the Luling Foundation Farm Board as the Caldwell County representative. Speaker: Judge Haden/Wayne Morse; Backup: 0; Cost: \$0.00 Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Billy Ray Buckner to the Luling Foundation Farm Board as the Caldwell County representative. All voting "Aye".

MOTION APPROVED.

- F.5 To approve budget amendment #02 for Rocky Road project in the amount of \$100,000.00. Speaker: Judge Haden/Danie Teltow; Backup: 1; Cost: \$100,000.00

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve budget amendment #02 for Rocky Road project in the amount of \$100,000.00. All voting "Aye".

MOTION APPROVED.

BUDGET AMENDMENT #02 - Rocky Road Project.pdf

- F.6 To approve Colorado Materials PO #02732 in the amount of \$100,000.00 for the Monte Sagrado Rocky Road Project. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$100,000.00 Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Colorado Materials PO #02732 in the amount of \$100,000.00 for the Monte Sagrado Rocky Road Project. All voting "Aye".

MOTION APPROVED.

Monte Sagrado Rocky Road Project - REQ02732.pdf

- F.7 To approve REQ02696 and payment #2 Biggs Road for WJC Constructors Services in the amount

of \$57,353.44. Speaker: Judge Haden/Carolyn Caro; Backup: 2; Cost: \$57,353.44
Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve REQ02696 and payment #2 Biggs Road for WJC Constructors Services in the amount of \$57,353.44. All voting "Aye".

MOTION APPROVED.

REQ02696 & Payment #2 Biggs Road for WJC.pdf

- F.8 To approve FY 23-24 blanket purchase orders for the jail. Speaker: Judge Haden/Carolyn Caro; Backup: 4; Cost: None
Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve FY 23-24 blanket purchase orders for the jail. All voting "Aye".

MOTION APPROVED.

Jail Purchase Orders.pdf

- F.9 To approve Resolution 03-2024 to (1) designate the Caldwell County Judge as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the 2024 Indigent Defense Grant Program; and (2) designate the County Auditor as the Financial Officer for this grant. Speaker: Judge Haden/Dennis Engelke; Backup: 7; Cost: \$0.00
Resolution 03-2024 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Resolution 03-2024 to (1) designate the Caldwell County Judge as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the 2024 Indigent Defense Grant Program; and (2) designate the County Auditor as the Financial Officer for this grant. All voting "Aye".

MOTION APPROVED.

RESOLUTION 03-2024 - Indigent Defense Grant Program.pdf

- F.10 To approve Resolution 04 -2024: (1) authorizing the County Judge to request funding under the CAPCOG Regional Solid Waste Grants Program Grant; (2) committing the County to compliance with grant requirements; (3) committing awarded funds to authorized purposes; and (4) committing to compliance with regional and local solid waste management plans. Speaker: Judge Haden/Dennis Engelke; Backup: 19; Cost: \$1,500.00
Resolution 04-2024 is read.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Resolution 04-2024: (1) authorizing the County Judge to request funding under the CAPCOG Regional Solid Waste Grants Program; (2) committing the County to compliance with grant requirements ; (3) committing awarded funds to authorized purposes; and (4) committing to compliance with regional and local solid waste management plans. All voting "Aye".

MOTION APPROVED.

RESOLUTION 04-2024 - Solid Waste Grant Application.pdf

- F.11 To approve separate contracts between the County and Dale VFD, Delhi VFD, McMahan VFD, and Southeast Caldwell County VFD for rural fire protection and emergency medical services. Speaker: Commissioner Theriot/Hank Alex ; Backup: 36; Cost: \$72,000.00
Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve separate contracts between the County and Dale VFD, Delhi VFD, McMahan VFD, and Southeast Caldwell County VFD for rural fire protection and emergency medical services. All voting "Aye".

MOTION APPROVED.

Dale VFD Contract 2023.pdf
Delhi VFD Contract 2023.pdf
McMahan VFD Contract 2023.pdf
Southeast VFD Contract 2023.pdf

- F.12 To approve Amendment No. 2 to the contract with PHI Air Medical, for an extension of coverage to September 30, 2024. Speaker: Judge Haden/James Green; Backup: 14; Cost: \$78,732.50
James Green with PHI reports program is a success for Caldwell County.

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Amendment No. 2 to the contract with PHI Air Medical, for an extension of coverage to September 30, 2024. All voting "Aye".

MOTION APPROVED.

Amendment No. 2 to PHI Membership Agreement
Signed Agreement.pdf
Signed Amendment 1.pdf

- F.13 To approve REQ02748 and payment for PHI Air Medical services for FY 23-24 in the amount of \$78,732.50. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$78,732.50

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve REQ02748 and payment for PHI Air Medical services for FY 23-24 in the amount of \$78,732.50. All voting "Aye".

MOTION APPROVED.

PHI - Requisition and Payment.pdf

- F.14 To approve an interlocal cooperation agreement between the County, the City of Lockhart, and the City of Luling, for the division of costs for resident membership in the PHI CARES program for air ambulance services. Speaker: Judge Haden/Chase Goetz; Backup: 4; Cost: \$0.00

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve interlocal cooperation agreement between the County, the City of Lockhart, and the City of Luling, for the division of costs for resident membership in the PHI CARES program for air ambulance services. All voting "Aye".

MOTION APPROVED.

INTERLOCAL COOPERATION AGREEMENT--Air Ambulance.v1.docx

- F.15 To approve an agreement between the County and Ben Courtney for repair and maintenance of the Seth Clock Tower. Speaker: Judge Haden/Chase Goetz; Backup: 5; Cost: \$4,600.00

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve an agreement between the County and Ben Courtney for repair and maintenance of the Seth Clock Tower. All voting "Aye".

MOTION APPROVED.

Clock Tower Agreement FY23-24.pdf

- F.16 To approve a professional services agreement between the County and Someday Strategies, LLC, for professional oversight of pre-construction activities for the evacuation center. Speaker: Judge Haden/Chase Goetz; Backup: 4; Cost: \$49,000.00.

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve professional services agreement between the County and Someday Strategies, LLC, for professional oversight of pre-construction activities for the evacuation center. All voting "Aye".

MOTION APPROVED.

PSA--Someday_Strategies--Evac_Center.vFINAL[56299].pdf

- F.17 To approve a development agreement between the County and RODG DT Lockhart PropCo, LLC for The Gristmill at Prairie Lea, an approximately 346.047-acre subdivision located at SH 80 and Plant Road. Speaker: Commissioner Horne/Kasi Miles/Tracy Bratton; Backup: 18; Cost: \$0.00 Luke Caraway Project Engineer for Red Oak Development Group presented a slideshow for the Gristmill of Prairie Lea Subdivision. Handouts were provided to the court.

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve development agreement between County and RODG DT Lockhart PropCo, LLC for The Gristmill of Prairie Lea, an approximately 346.047-acre subdivision located at SH 80 and Plant Road. All voting "Aye".

MOTION APPROVED.

Development Agreement Gristmill at Prairie Lea Updated 10-18-2023.pdf

- F.18 To approve fiscal security for construction with a bond in the amount of \$2,630,706.00 for Hartland Ranch Phase 2 located on Borchert Loop. Speaker: Judge Haden/BJ Westmoreland/Donald Leclerc; Backup: 3; Cost: \$2,630.706.00

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve fiscal security for construction with a bond in the amount of \$2,630,706.00 for Hartland Ranch Phase 2 located on Borchert Loop. All voting "Aye".

MOTION APPROVED.

Hartland Ranch Phase 2 - Bond.pdf

G. DISCUSSION ONLY:

- G.1 To consider a development agreement between the County and Political 339, LLC for an approximately 901.8-acre subdivision located at Political Road and SH 80. Speaker: Joseph Yaklin/Kasi Miles/Tracy Bratton; Backup: 101; Cost: \$0.00

JK Ranch provided a presentation for future development at Political Road and SH 80.
JK Ranch Development Agreement - Draft_10032023.pdf

- G.2 To consider a development agreement between the County and CHISHOLM HILL LP, an approximately 776.772-acre subdivision located at Black Ankle Road and Boggy Creek Road. Speaker: Kristal Harris/Kasi Miles/Tracy Bratton; Backup: 19; Cost: \$0.00

Kristal Harris with BGE provided handouts along with a presentation on the development located at Black Ankle Road and Boggy Creek Road.
Draft Development Agreement for Hillside.docx

- G.3 To consider a development agreement between the County and TAC Forward LLC for Acorn Oaks, an approximately 93.459-acre subdivision located at 484 Acorn Road. Speaker: Tyler Dorsey/Henry Juarez/Tracy Bratton; Backup: 12; Cost: TBD

Tyler Dorsey a representative for Acorn Oaks Subdivision provided handouts and a presentation. Draft Development Agreement - Acorn Oaks.docx

H. ADJOURNMENT:

Motion made by Commissioner Theriot, seconded by Commissioner Horne to adjourn, All voting "Aye".

The court adjourns at 10:18 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 October 24, 2023.

Teresa Rodriguez

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

