

COMMISSIONERS COURT MINUTES 110 S Main St. 2nd Floor,  
Lockhart, Texas Commissioners Court  
December 12, 2023, 9:00 AM



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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. CALL MEETING TO ORDER**

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

**B. INVOCATION**

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 Haden leads all present in the pledge to both flags.

**D. ANNOUNCEMENTS:**

Items or comments from Court members or staff.

There were no announcements from the Commissioners.

Ezzy Chan, Executive Assistant, reminds department heads to send a list of employees for cybersecurity training.

**E. 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.

**F. CONSENT AGENDA:**

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

**F.1. To approve County Payroll payment in the amount of \$465,579.84 (11/19/2023 - 12/02/2023).**

**F.2. To approve County Payroll Tax payment in the amount of \$143,995.46 (11/19/2023 - 12/02/2023).**

**F.3. To approve payments of County Invoices and Purchase Orders in the amount of \$923,666.37.**

- F.4.To approve DMV payment to Comptroller for November 2023 Sales Tax in the amount of \$478,340.65.**
- F.5.To approve the bond for Melanie Ruiz, Chief Deputy Clerk, PCT 1.**
- F.6.To accept 2023 Certificate CE Hours for Juanita Allen, District Clerk.**
- F.7.To accept 2023 Certificate CE Hours for Teresa Rodriguez, County Clerk.**
- F.8.To accept the November 2023 Indigent Burial Report.**

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

**MOTION APPROVED.**

- F.1 To approve County Payroll payment in the amount of \$465,579.84 (11/19/2023 - 12/02/2023). Payroll 11.19.2023 - 12.02.2023.pdf
- F.2 To approve County Payroll Tax payment in the amount of \$143,995.46 (11/19/2023 - 12/02/2023). Payroll Tax 11.19.2023 - 12.02.2023.pdf
- F.3 To approve payments of County Invoices and Purchase Orders in the amount of \$923,666.37. Payment Register 12.12.2023.pdf  
Expense Approval Register 12.12.2023.pdf
- F.4 To approve DMV payment to Comptroller for November 2023 Sales Tax in the amount of \$478,340.65.  
DMV Comptroller Sales Tax - November 2023\_Redacted.pdf
- F.5 To approve the bond for Melanie Ruiz, Chief Deputy Clerk, PCT 1.  
11.29.23\_Bond\_Ruiz\_Redacted.pdf
- F.6 To accept 2023 Certificate CE Hours for Juanita Allen, District Clerk.  
2023 CE Hours.pdf
- F.7 To accept 2023 Certificate CE Hours for Teresa Rodriguez, County Clerk.  
2023 CE Hours\_Rodriguez.pdf
- F.8 To accept the November 2023 Indigent Burial Report.  
Nov. 2023 Indigent Burial.pdf

**H. DISCUSSION/ACTION ITEMS:**

- H.1 Regarding the burn ban. Speaker: Judge Haden/Hector Rangel; Backup: 2; Cost: \$0.00  
Hector Rangel, Chief EMC recommends keeping the burn ban off.  
Burn Ban Order 12.12.23.pdf

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

**MOTION APPROVED.**

- H.2 To approve Order 02-2024 restricting certain fireworks in unincorporated areas. Speaker: Judge Haden/Hector Rangel; Backup: 2; Cost: \$0.00  
Hector Rangel, Chief EMC recommends restricting sticks and fins.  
Order 02-2024 is read.  
December Fireworks Order Backup.pdf  
02-2024\_New\_Years.docx

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

**MOTION APPROVED.**

H.3 To consider Resolution 08-2024, reappointing Commissioner B.J. Westmoreland as the Capitol Area Council of Governments' Clean Air Coalition representative for a period of two years. Speaker: Judge Haden; Backup: 0; Cost: \$0.00  
Resolution 08-2024 is read.  
2024\_Resolution\_for\_Clean\_Air\_Coalition\_Nominee.docx

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

**MOTION APPROVED.**

H.4 To reappoint Mr. Jerry Doyle, Mr. Coralon Busch, and Mr. Greg Pope, for a two -year term to the Caldwell County ESD#4 Board of Directors. Speaker: Judge Haden; Backup: 1; Cost: \$0.00 ESD 4\_Commissioners 2024.pdf

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

**MOTION APPROVED.**

H.5 To approve Resolution 09-2024, establishing the Caldwell County Sexual Assault Response Team and appointing statutorily required members. Speaker: Judge Haden/Chase Goetz; Backup: 35; Cost: \$0.00  
Resolution 09-2024 is read.

Melissa Rodriguez, Chief Executive Officer of Hays-Caldwell Women's Center speaks on the program.  
Caldwell Biennial Report - 11.16 (1).pdf (3).pdf  
09-2024 Resolution Establishing SART.docx

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

**MOTION APPROVED.**

H.6 To approve enrollment in the Texas Association of Counties Cybersecurity Course at a cost of \$5.00 per employee. Speaker: Judge Haden/Ezzy Chan; Backup: 5; Cost: TBD  
FY24 Cybersecurity Training Enrollment Form.pdf

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

**MOTION APPROVED.**

H.7 To approve Blanket PO #02844 in the amount of \$734,764.90 for Caldwell County Appraisal District quarterly payments. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$734,764.90 Requisition REQ02844 Report.pdf

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

**MOTION APPROVED.**

H.8 To approve IT/Purchasing Employee Setup Form. Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$0.00  
IT Setup Form 2 Fillable.pdf

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

**MOTION APPROVED.**

H.9 To approve a professional services contract between the County and Doucet & Associates, Inc., for the provision of subdivision engineering services. Speaker: Judge Haden/Carolyn Caro; Backup: 98; Cost: TBD  
Commissioner Theriot recused himself from the courtroom.

Chase Goetz, Assistant Criminal District Attorney-Civil states a correction is to be done in contract.  
Caldwell-Doucet PSA\_Partially executed.pdf  
Exhibit A-1--Unsigned.pdf  
Exhibit A-2.pdf  
Exhibit B.pdf

Commissioner Theriot recuses himself from the courtroom.

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

**MOTION APPROVED.**

Commissioner Theriot returns to the courtroom.

H.10 To approve the Preliminary Plat for Spanish Oak Acres consisting of 11 residential lots on approximately 20.03 acres. Speaker: Commissioner Horne/Kasi Miles ; Backup: 15; Cost: \$0.00  
Commissioner Theriot returns to courtroom.

Spanish Oaks Subdivision Preliminary Plat

Motion made by Commissioner Horne, seconded by Commissioner Thomas to Approve.  
4 voting "Aye" Commissioner Theriot abstains from voting.

**MOTION APPROVED.**

H.11 To approve the Preliminary Plat for Deer Creek Subdivision consisting of 14 residential lots on approximately 39.46 acres. Speaker: Commissioner Horne/Kasi Miles; Backup: 46; Cost: \$0.00  
Deer Creek Subdivision Preliminary Plat

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

**MOTION APPROVED.**

H.13 To approve an Order authorizing the filing of a Final Plat (Short Form Procedure) for Cooper Acres located off FM 2001. Speaker: Commissioner Theriot/Kasi Miles ; Backup: 13; Cost: \$0.00 Cooper Acres Plat and Letter (Short Form Procedure)

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

**MOTION APPROVED.**

H.14 To approve an Order authorizing the Final Plat (Short Form Procedure) for Plum Creek Acres located on Old Colony Line Road. Speaker: Commissioner Thomas/Kasi Miles ; Backup: 24; Cost: \$0.00  
Plum Creek Acres Final Plat (Short Form Procedure)

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to Approve.  
All voting "Aye."

**MOTION APPROVED.**

H.15 To approve a variance request to subdivide 8.167 acres in 2 tracts located on Spotted Horse Trail. Speaker: Commissioner Thomas/Kasi Miles ; Backup: 5; Cost: \$0.00  
With condition of no future development and only 1 home on tract.  
Spotted Horse - Variance\_Redacted.pdf

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to Approve. All voting "Aye."

**MOTION APPROVED.**

H.16 To consider Sagada Dos, LLC compliance with a bond requirement for the maintenance of a concrete road in the Sagada Dos Subdivision, Phase II, located at Homan Road and Homannville Trail. Speaker: Commissioner Theriot/Kasi Miles/Tracy Bratton; Backup: 0; Cost: \$0.00

Commissioner Theriot motion to Table Item H.16 until payment received.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to Postpone. All voting "Aye."

**MOTION APPROVED.**

**I. PUBLIC HEARING @ 9:30 A.M.:**

G.1 Replat of Billy and Billie Subdivision, Lot #2 located on State Park Road

Public Hearing opened at 9:30 a.m. and closed at 9:32 a.m.

There are no speakers.

Letter.pdf

11.23.23 PH Notice - Lockhart-Post Register 11.23.23.pdf

11.30.23 PH Notices - Lockhart Post-Register.jpg

12.7.23 PH Notices - Lockhart Post-Register.jpg

H.12 To approve a Replat of Billy and Billie Subdivision, Lot #2 located on State Park Road. Speaker: Commissioner Theriot/Kasi Miles ; Backup: 15; Cost: \$0.00  
Billy and Billie Subdivision Replat of Lot 2 and Letter\_Redacted.pdf  
11.23.23 PH Notice - Lockhart-Post Register 11.23.23.pdf  
11.30.23 PH Notices - Lockhart Post-Register.jpg  
12.7.23 PH Notices - Lockhart Post-Register.jpg

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

**MOTION APPROVED.**

**I. EXECUTIVE SESSION:**

Executive Session opens at 9:33 a.m.

Executive Session closes at 11:09 a.m.

I.1 Pursuant to Texas Government Code Section 551.87: Deliberation regarding economic development negotiations associated with Project Snow. Possible action may follow in open court. Speaker: Judge Haden/Chase Goetz; Backup: 0; Cost: \$0.00  
**No Action Taken.**

I.2 Pursuant to Texas Government Code Section 551.074: To deliberate the appointment of potential candidates to the board of emergency services directors for ESD No. 5. Possible action may follow in open court. Speaker: Judge Haden/Chase Goetz; Backup: 0; Cost: \$0.00

**No Action to Follow.**

I.3 To take possible action on executive session items. Speaker: Judge Haden; Backup: TBD; Cost: TBD

**J. ADJOURNMENT:**


Court adjourns at 11:10 a.m.

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

**MOTION APPROVED.**

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 held by the Caldwell County Commissioners' Court on December 12, 2023



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