

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 10, 2020 9:00 a.m.



HOPPY HADEN	County Judge	B.J. WESTMORELAND	Commissioner Pct. 1
TERESA RODRIGUEZ	County Clerk	BARBARA SHELTON	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order

Judge Haden calls the meeting to order at 9:00am. All members are present.

Invocation.

Bob Bush 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 in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Commissioner Westmoreland stated he attended the 2nd West Caldwell County Transportation meeting.

Commissioner Shelton attended ground breaking for CARTS in Austin for new substation routes also attended banquets in Luling and Lockhart.

Commissioner Theriot discussed meeting with El Campo group discussing improvements on I-35.

Commissioner Roland attended Jr. Livestock & Rodeo along with all the Commissioners. Announced the Census sign up at the Joe Roland Community Center will be March 28, 2020.

Judge Haden mentioned he attended some of the same meetings as other Commissioners. Briefly spoke about the COVID- VIRUS, stating that the County is prepared and keeping close contact with Texas Department of Health and Human Services. Expressed that all County events will be taken by a case by case basis. For more information on the VIRUS, KXAN has a video available.

Staff Announcements.

Dennis Engelke mentioned that the US Census rollout is March 12th and a reminder that it can be done online or over the phone. He attended Census events in Luling and Martindale that provided booths for recruiting and hiring census workers.

Judge Haden thanked Dennis Engelke for being on the Complete Count committee and commends Dennis on going above and beyond the call of duty.

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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).

Andrew McClish resident in Prairie Lea, discussed problems and conditions of the roads that have been addressed but not resolved.

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

1. **Approve payment of County invoices and County Purchase Orders in the amount of \$424,382.46; Backup: 26**
2. **Ratify re-occurring County Payments**
 - A. **\$318,932.41 (Payroll 2/02/2020 – 2/15/2020); Backup: 21**
 - B. **\$97,179.02 (Payroll Tax 2/02/2020 – 2/15/2020); Backup: 2**
3. **To accept Constable, Precinct 3, 2019 racial profiling report; Backup: 4**
4. **To accept Constable, Precinct 2, January 2020 Report; Backup: 4**
5. **To accept the Financial Statements of the Community Supervision and Corrections Department; Backup: 53**
6. **To accept the annual report summary from Adult Probation fiscal year 2019; Backup: 22**
7. **To accept the February 2020 Indigent Burial/Cremation Report; Backup: 2**
8. **To accept the February 2020 Code Enforcer report from Mike Bittner; Backup:2**
9. **To accept the renewal bond #62344376 for Leticia Nino; Backup: 2**

Judge Haden made motion to approve Consent Agenda. Motion made by Commissioner Shelton and second by Commissioner Westmoreland. All voting "Aye".

SPECIAL PRESENTATION

Detective Jeff Ferry to present CRASE recognition

Jeff Ferry presented Mr. Allen McMullen with a plaque of recognition from the "See Something, Say Something" Program for taking active steps to save lives by reporting concerning behavior.

AGENDA ACTION ITEMS

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

Hector Rangel recommends keeping Burn Ban off. Motion made by Commissioner Roland and second by Commissioner Theriot. All voting "Aye".

Commissioner Theriot added that he received a letter from the Mayor of Martindale commending Hector Rangel regarding his action taken with a gasoline spill at a local station.

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11. **Discussion/Action** to discuss amendments to Resolution 13-2020 authorizing both the County Judge and County Auditor as signatories for contractual and financial documents pertaining to the Texas General Land Office Buyout Grant 20-066-012-CO94. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke reads Resolution along with amendment for Resolution 13-2020. Motion made by Commissioner Theriot to accept Resolution as amended, second by Commissioner Roland. All voting "Aye".

12. **Discussion/Action** to accept the Texas Indigent Defense Commissioner Grant of \$30,363 to Caldwell County **Speaker: Judge Haden/ Dennis Engelke; Backup: 3; Cost: None**

Dennis Engelke asks to approve Texas Indigent Defense Commissioner Grant. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

13. **Discussion/Action** to approve Budget Amendment #19 to align monies to appropriate revenue line items for FY20 Formula Grant Statement. **Speaker: Judge Haden; Backup: 6; Cost: None**

Judge Haden asks for a motion to approve Budget Amendment #19. Motion made by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

14. **Discussion/Action** to approve Budget Amendment #20 for insurance reimbursement for Constable, Precinct 4, for vehicle repair. **Speaker: Judge Haden/ Barbara Gonzales/ Art Villarreal; Backup: 6; Cost: Net Zero**

Judge Haden explained that a Deputy Constable from Pct.4 paid a deductible for an incident and as the County we believe it was not appropriate and would like to reimburse monies. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

15. **Discussion/Action** to approve Budget Amendment #21 for Procurement of (5) Chev 2500 HD, Change to reflect from 1102 Machinery and Equipment. **Speaker: Judge Haden/ Donald LeClerc; Backup: 2; Cost: None**

Barbara Gonzales explained the movement of monies from vehicle maintenance divisions to Unit Road for Machinery and Equipment. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

16. **Discussion/Action** to approve Budget Amendment #22 to cover all expenses in dues and subscriptions line items. **Speaker: Judge Haden; Backup: 2; Cost: Net Zero**

Judge Haden requests to approve budget amendment #22. Motion by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

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17. **Discussion/Action** to approve the usage of Sourcewell as the purchasing cooperative that is needed for procurement requirements on entering into contract with Johnson Controls, Inc. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: None**

Danie Blake explained a need for approval that was requested by Purchasing Department to use Sourcewell in entering contract with Johnson Control, upon approval Danie Blake will meet with JJ Wells to look over contract information. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

18. **Discussion/Action** to approve the Project Development Agreement with Johnson Controls, Inc. **Speaker; Judge Haden; Backup: 4; Cost: None**

Judge Haden stated he met with Barbara Gonzales to discuss the approval of Project Development Agreement with Johnson Controls and Caldwell County, Sourcewell contract #030817-JHN. Danie Blake had handouts for Commissioners and County Clerk. Motion by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

19. **Discussion/Action** to approve the formal notification of termination to Abescape Group for Caldwell County Mowing Maintenance contract. **Speaker: Judge Haden/ Danie Blake/ Donald LeClerc; Backup: 2; Cost: None**

Diane Blake requests to approve the termination letter to Abescape Group, Termination letter explains the ongoing issues and complaints. Commissioner Shelton was informed of the issues by citizens. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

20. **Discussion/Action** to Memorandum of Understanding (MOU) between Caldwell County and Tx-CivicTec, LLC for mobile electronic ticketing application and warrant collections platform. **Speaker: Judge Haden; Backup: 8; Cost: None**

Judge Haden met with Tx-CivicTec Company, Constables, JP's and Sheriffs' Office for this Pilot program that would give the opportunity for a ticketed warrant to be paid on the spot. During the BETA test the program will be free of charge, if approved a contract will be negotiated.

Mike Lane added he was approached by this Program and brought to the attention of Judge Haden. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

21. **Discussion/Action** to approve a \$3,000 donation request from CARTS. **Speaker: Judge Haden; Backup: 3; Cost: Not to Exceed \$3,000**

Judge Haden request the approval of donation to CARTS. Commissioner Shelton asks about balance in Donation Budget. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

22. **Discussion/Action** to adopt an order prohibiting political signs on the Courthouse grounds or any County owned property. **Speaker; Judge Haden; Backup: 2; Cost: None**

Judge Haden explained the adoption of this order would be best tabled at this time for further discussion and research. Due to Commissioner Shelton bringing to his attention a letter from Jim Allison stating that a

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County passed this type of ordinance and was sued. He said in short, you need to clarify all signs or no signs. Motion made by Commissioner Shelton to table Item #22, second by Commissioner Roland. All voting "Aye".

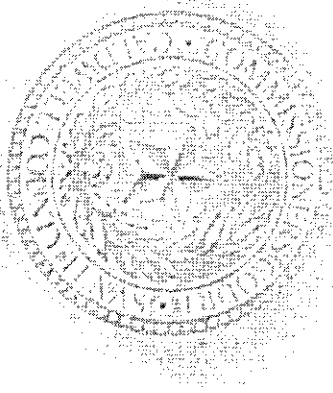
- 23. Discussion/ Action** to consider the approval of the Preliminary Plat for Five Star Subdivision to include 18 lots on approximately 19.98 acres located on west side of US Highway 183. **Speaker: Commissioner Theriot /Kasi Miles; Backup: 33; Cost: None**

Kasi Miles requests approval of Preliminary Plat for Five Star Subdivision, with amendment of boundary survey description added to final plat, as well as a Short Form Plat.
So moved by Commissioner Theriot subject to admendments, second by Commissioner Shelton. All voting "Aye".

- 24. Ad journment.**

Motion made by Commissioner Shelton , second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourned at 9:57a.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 March 10, 2020.



Teresa Rodriguez

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