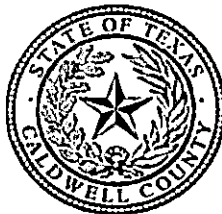


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 14th, 2023, 9:00 a.m.



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.

No Announcements.

No Staff Announcements.

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>

Johnny Malik Maxwell resident addresses the court of health issues due to a race track near his backyard.

Gary Dickenson Lockhart resident reports on the new Farmers Market group.

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

1. Approve payment of County invoices and County Purchase Orders: \$204,713.89
2. Ratify re-occurring County Payments:
 - A. \$ 391,617.68 Payroll (2/12/2023 – 2/25/2023)
 - B. \$116,739.68 Payroll Tax (2/12/2023 – 2/25/2023)
 - C. \$961.88 TPWD
 - D. \$184,287.24 DMV Comptroller
 - E. \$111,769.54 DMV Remittance
3. To approve the February 2023 Indigent Burial Report.
4. To approve Commissioner's Education Certificate of Completion to BJ Westmoreland, Commissioner Pct. 1.
5. To approve Commissioner Education Certificate of Completion to Edward Theriot, Commissioner Pct. 3.
6. To approve Certificate of Completion to Dyral Thomas Commissioner Pct. 4 for the V.G. Young Institute of County Government.
7. To approve the Constable Pct. 1 monthly report for February 2023.
8. To approve the Bond for Clemente Verastegui, Constable Pct. 1.
9. To approve the Bond for Richard Trey Hicks, County Court at Law.
10. To approve the Bond for Rusty Horne, Commissioner Pct. 2.

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

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

Hank Alex Assistant Chief EMC provides a fire update and recommends keeping Burn Ban Off.

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

MOTION APPROVED.

15. Discussion/Action to consider the approval of Resolution 10-2023 allowing the Grant Department to apply for a "Other Victim Assistance Grant" (OVAG) to support the Victim Service Department in the Caldwell County Sheriff's Office. **Speaker: Judge Haden/ Dennis Engelke; Backup: 42; Cost: None**

Dennis Engelke Grants Administrator requested to pursue an OVAG grant.

Resolution 10-2023 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Resolution 10-2023 allowing the Grant Department to apply for a "Other Victim Assistance Grant" (OVAG) to support the Victim Service Department in the Caldwell County Sheriff's Office. All voting "Aye."

MOTION APPROVED.

16. Discussion/Action to consider approval of Resolution 11-2023, in support of legislation creating the Maxwell Municipal Utility District. **Speaker: Judge Haden; Backup: 17; Cost: None**

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Blake Reed one of the land partners provided some background information on the project.

Resolution 11-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve Resolution 11-2023, in support of legislation creating the Maxwell Municipal Utility District. All voting "Aye."

MOTION APPROVED.

17. Discussion/Action to consider approval of Resolution 12-2023, in support of legislation adding powers of a MUD to Open R Fresh Water Supply District. **Judge Haden; Backup: 10; Cost: None**

Resolution 12-2023 is read.

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Resolution 12-2023, in support of legislation adding powers of a MUD to Open R Fresh Water Supply District. All voting "Aye."

MOTION APPROVED.

18. Discussion/Action to consider approval to add one part-time deputy constable to the Precinct 1 Constable's Office, at an hourly rate of \$14.63. **Speaker: Judge Haden/ Clemente Verastegui; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve adding a part-time deputy constable to the Precinct 1 Constable's Office, at an hourly rate of \$14.63. All voting "Aye."

MOTION APPROVED.

19. Discussion/Action to consider the approval to pay 2023 Annual Membership Dues to the South Texas County Judges and Commissioners Association. **Speaker: Judge Haden; Backup: 2; Cost: \$300.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve the payment of 2023 Annual Membership Dues to the South Texas County Judges and Commissioners Association. All voting "Aye."

MOTION APPROVED.

20. Discussion/Action to consider the approval of Order 04-2023, designating the approved departments/offices and spending limits for P-Cards. **Speaker: Judge Haden/ Carolyn Caro; Backup: 1; Cost: None**

Carolyn Caro Purchasing Agent and Chase Goetz Assistant Criminal District Attorney-Civil address the court on the process of the P-Card.

Order 04-2023 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve with corrections Order 04-2023, designating the approved departments/offices and spending limits for P-Cards. All voting "Aye."

MOTION APPROVED.

21. Discussion/Action to approve payment of Spectrum invoice # 0226726020423 for \$229.17 and Quadient invoice # 9800334 for \$345.11. **Speaker: Judge Haden; Carolyn Caro; Backup: 9; Cost: \$574.28**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve payment of Spectrum invoice # 0226726020423 for \$229.17 and Quadient invoice # 9800334 for \$345.11. All voting "Aye."

MOTION APPROVED.

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- 22. Discussion/Action** to consider the approval to open a new operating bank account for the Tax Assessors Collector's Office. **Speaker: Judge Haden/ Danie Teltow/ Darla Law; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve to open new operating bank account for the Tax Assessors Collector's Office. All voting "Aye."

MOTION APPROVED.

- 23. Discussion/Action** to consider the approval of Budget Amendment #23 to transfer money from Contingency to Fund 003 District Clerk Binding District Clerk. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$30,000.00**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Budget Amendment 23 to transfer money from Contingency to Fund 003 District Clerk Binding District Clerk. All voting "Aye."

MOTION APPROVED.

- 24. Discussion/Action** to consider the approval of Budget Amendment #24 to transfer money from Grants American Rescue Fund 019 (019-400-0101) to (019-1000-5164) Kologik for Constable's Kologik Invoices. **Speaker: Judge Haden/ Danie Teltow; Backup: 7; Cost: \$13,838.11**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve with corrections Budget Amendment 24 to transfer money from Grants American Rescue Fund 019 (019-400-0101) to (019-1000-5164) Kologik for Constable's Kologik Invoices. All voting "Aye."

MOTION APPROVED.

- 25. Discussion/Action** to consider the approval of Kologik invoices #10707 and #10711 totaling \$13,838.11 for subscription fees FY 22-23. **Speaker: Judge Haden/ Carolyn Caro; Backup: 6; Cost: \$13,838.11**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Kologik invoices #10707 and #10711 totaling \$13,838.11 for subscription fees FY 22-23. All voting "Aye."

MOTION APPROVED.

- 26. Discussion/Action** to consider the approval of REQ02234 in the amount of \$111,499.08 for Langford GLO-MIT bid phase costs. **Speaker: Judge Haden/ Carolyn Caro/ Dennis Engelke; Backup: 3; Cost: \$111,499.08**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve REQ02234 in the amount of \$111,499.08 for Langford GLO-MIT bid phase costs. All voting "Aye."

MOTION APPROVED.

- 27. Discussion/Action** to consider the approval of Langford Community Management Services Invoice #5026 in the amount of \$111,499.08. **Speaker: Judge Haden/ Carolyn Caro/ Dennis Engelke; Backup: 2; Cost: \$111,499.08**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Langford Community Management Services Invoice #5026 in the amount of \$111,499.08. All voting "Aye."

MOTION APPROVED.

28. Discussion/Action to consider the approval of REQ02242 to the City of Lockhart for county cost of ambulance remount. **Speaker: Judge Haden/ Carolyn Caro; Backup: 6; Cost: \$90,753.52**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve REQ02242 to the City of Lockhart for county cost of ambulance remount. All voting "Aye."

MOTION APPROVED.

29. Discussion/Action to consider the approval of payment to the City of Lockhart for the county cost of ambulance remount. **Speaker: Judge Haden/ Carolyn Caro; Backup: 6; Cost: \$90,753.52**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve payment to the City of Lockhart for the county cost of ambulance remount. All voting "Aye."

MOTION APPROVED.

PUBLIC HEARING @ 9:30

- Wild Plum Estates Replat of Lot 3-A located on Wild Plum Road and Old Colony Line Rd.

Public Hearing open at 9:30 a.m. and closed at 9:31 a.m. There are no speakers.

- Wild Plum Estates Replat of Lot 4-A located on Wild Plum Road and Old Colony Line Rd.

Public Hearing open at 9:31 a.m. and closed at 9:33 a.m. There are no speakers.

- Churchill Ranch Addition Replat of Lot 13 & 14 located at Seales Creed Rd.

Public Hearing open at 9:33 a.m. and closed at 9:34 a.m. There are no speakers.

12. Discussion/Action to consider the approval of Wild Plum Estates Replat of Lot 3-A located on Wild Plum Road and Old Colony Line Rd. **Speaker: Commissioner Horne; Backup: 16; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Wild Plum Estates Replat of Lot 3-A located on Wild Plum Road and Old Colony Line Rd. All voting "Aye."

MOTION APPROVED.

13. Discussion/Action to consider the approval of Wild Plum Estates Replat of Lot 4-A located on Wild Plum Road and Old Colony Line Rd. **Speaker: Commissioner Horne/ Kasi Miles; Backup: 16; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Wild Plum Estates Replat of Lot 4-A located on Wild Plum Road and Old Colony Line Rd. All voting "Aye."

MOTION APPROVED.

14. Discussion/Action to consider the approval of Churchill Ranch Addition Replat of Lot 13 & 14 located at Seales Creed Rd. **Speaker: Commissioner Theriot/ Kasi Miles; Backup: 19; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Churchill Ranch Addition Replat of Lot 13 & 14 located at Seales Creed Rd. All voting "Aye."

MOTION APPROVED.

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- 30. Discussion/Action** to consider the approval of Budget Amendment #22, transferring money from Professional Services (001-6510-4110) to Insurance (001-6510-4845) to complete payment to TAC for a liability claim.
Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$13,100.00

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Budget Amendment #22, transferring money from Professional Services (001-6510-4110) to Insurance (001-6510-4845) to complete payment to TAC for a liability claim. All voting "Aye."

MOTION APPROVED.

- 31. Discussion/Action** to ratify a donation agreement between the County and Daniel and Raquel Rosenberg, for the donation of an easement along Holtz Rd/ CR224. **Speaker: Commissioner Theriot/ Backup: 11; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve a donation agreement between the County and Daniel and Raquel Rosenberg, for the donation of an easement along Holtz Rd/ CR224. All voting "Aye."

MOTION APPROVED.

- 32. Discussion/Action** to consider approval of an Interlocal cooperation agreement between Caldwell County and Hays County, for the improvement of FM 2001. **Speaker: Commissioner Theriot; Backup: 1; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Interlocal cooperation agreement between Caldwell County and Hays County, for the improvement of FM 2001. All voting "Aye."

MOTION APPROVED.

- 33. Discussion only** of the GLO Infrastructure Grant Roads. **Speaker: Commissioner Westmoreland; Backup: 1; Cost: None**

Dennis Engelke Grants Administrator and David Clark update the court on the project completion of Briggs Road.

- 34. Discussion/Action** to consider the approval of the Final Plat for Chamberlin Ranch consisting of 9 residential lots on approximately 15.26 acres located on Chamberlin Road (CR 167). **Speaker: Commissioner Theriot/ Kasi Miles; Backup: 23; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve with corrections of the Final Plat for Chamberlin Ranch consisting of 9 residential lots on approximately 15.26 acres located on Chamberlin Road (CR 167). All voting "Aye."

MOTION APPROVED.

- 35. Discussion/ Action** to consider the approval of the Preliminary Plat for the Replat of Sagada Dos Subdivision, Phase II consisting of 14 residential lots on approximately 16.691 acres located on Homann Road and Homannville Trail. **Speaker: Commissioner Theriot /Kasi Miles; Backup: 16; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Horne with corrections to approve the Preliminary Plat for the Replat of Sagada Dos Subdivision, Phase II consisting of 14 residential lots on approximately 16.691 acres located on Homann Road and Homannville Trail. All voting "Aye."

MOTION APPROVED.

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36. **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 open Court. **Speaker: Judge Haden; Backup: 1; Cost: None**

Executive Session opens at 9:45 a.m.

Executive Session closes at 9:54 a.m.

NO ACTION TAKEN.

37. **Adjournment.**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to adjourn. All voting "Aye."
The court adjourns at 9:55 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 March 14, 2023.



Teresa Rodriguez

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