

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court May 12, 2020 9:00 a.m.



HOPPY HADEN County Judge
TERESA RODRIGUEZ County Clerk

B.J. WESTMORELAND Commissioner Pct. 1
BARBARA SHELTON Commissioner Pct. 2
ED THERIOT Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct. 4

Call Meeting to Order

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

Invocation.

Commissioner Roland opens 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.

Dennis Engelke gives updates for several activities throughout the county which are as follows:
Caldwell County did receive CAPCOG GRANT for five community collection events, but due to COVID-19 the events will be rescheduled for a later time.
The Saint David's Foundation Grant to sponsor a grant writing workshop has been redirected to COVID-19 relief programs.
The UNITED WAY GRANT has added addition \$5,000.00 to total \$25,000.00 to apply to Census activities, and the Census will be extended to October 31, 2020.
The emergency on Political Road Bridge damage has been fixed and in place, but still working with General Land Office for a more permanent fix.
Grant for Couty Transportation Infrastructure Fund is under review for rebuilding of roads.
Grant for Texas Department Of Transportation for support of the State Hwy I-30 Travel Plaza Center, is being worked on to finalize the application that is due May 18, 2020.
Small business grant projects are underway throughout the county.

Hector Rangel reported current emergency announcement from the National Weather Service for a tornado watch in affect for surrounding counties. Provided COVID-19 update for surrounding counties, and that there will possibly be a Third test site in Luling at the North Side baseball field.

Judge Haden announced a CORONA VIRUS RELIEF FUND was available for Corona virus related supplies. Judge Haden and Dennis Engelke have sent in the application and waiting for update.

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 at:

<http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtForm>

Jason R Salazar , no response

Deputy Schaffer called Jason R Salazar's name twice.

Judge Haden reported that Hector Rangel reported a twister had hit the McMahan Store.

Michael Laird, a resident of Caldwell County has concerns about the Confederate monument on the Caldwell County Courthouse premises. Mr. Laird would like to have a plaque made with information of its history and placed by the monument.

Pursuant to Executive Order GA-21 access to the 2nd Floor Courtroom will be limited to the County Judge, Commissioners, essential staff, and one (1) other person at a time. These measures are necessary to abide by the Governor's Executive Order and are intended to facilitate communication between members of the public and public officials. Participants and speakers will be allowed to enter the courtroom when the Court takes up their respective item on the agenda. The meeting will be broadcast over the internet and may be viewed at <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtLive-OnDemand>

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 \$303,802.41; Backup: 23**
2. **Ratify re-occurring County Payments**
 - A. **\$310,211.04 (Payroll 4/12/2020 – 4/25/2020)**
 - B. **\$92,661.01 (Payroll Tax 04/12/2020 – 4/25/2020)**
 - C. **\$172,915.29 (DMV Remittance)**
 - D. **\$27,178.55 (DMV Comptroller)**
3. **Accept the April 2020 Environmental Code Enforcer report from Mike Bittner; Backup: 3**
4. **Accept Bond #64656404 for Amy Horne at JP2; Backup: 2**
5. **Accept the April 2020 County Extension Agent Report from Wayne Morse; Backup: 2**
6. **Accept the Appraisal District Board of Directors audit report for 2019; Backup 37**
7. **Accept the April 2020 Indigent Burial Report; Backup: 3**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

AGENDA ACTION ITEMS

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

Commissioner Roland made a motion to leave burn ban off, second by Commissioner Theriot. All voting "Aye".

9. **Discussion/Action** to issue an order allowing retail fireworks permit holders to sell fireworks to the public in celebration of Memorial Day pursuant to Occupations Code Section 2154.202(h).
Speaker: Judge Haden/ JJ Wells; Cost: None; Backup: 3

Judge Haden determined that conditions are favorable to issue order to allow firework permits to sell for Memorial Day. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

10. **Discussion/Action** to approve the early voting hours for the primary run-off elections. **Speaker: Judge Haden/ Pamela Ohlendorf; Cost: None; Backup: 3**

Judge Haden suggested to table item #10 due to changes. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

11. **Discussion/Action** to approve proclamation in recognition of May 2020 as Older Americans Month. **Speaker: Judge Haden/ Commissioner Shelton; Cost: None; Backup: 2**

Judge Haden declares month of May 2020 to be "OLDER AMERICANS MONTH", to recognize older adults and the people who support them as essential members of the community. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

12. **Discussion/Action** to discuss FY 2021 Elected Officials Salaries. **Speaker: Judge Haden; Cost: TBD; Backup: 2**

Judge Haden request to stay in agreement with the five year step for FY 2021 Elected Officials Salaries. Commissioner Theriot and Commissioner Roland in agreement to raise judge salary to equal sheriff's salary. Judge Haden and Barbara Gonzales are concerned and watching over capital expenditures as well as sales tax. Judge Haden recused himself due to a vote on salary increase involving his position. Commissioner Westmoreland made a motion to stay with a 5-year step plan with the exception of Judges' salary to be equal to Sheriff's salary. Motion made by Commissioner Theriot, second by Commissioner Roland. All voting "Aye". Judge Haden returns to court room.

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- 13. Discussion/Action** to approve Budget Amendment #35 to receive RW 44257 SCAAP funds for FY 2019 and to align revenue and expenditures. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 5**

Barbara Gonzales asks to approve SCAAP funds for 2019. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 14. Discussion/Action** to approve Budget Amendment #36 for LEOSE funds referencing Constable Pct. 2, Constable Pct. 3, and Constable Pct. 4. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 11**

Judge Haden asked to approve Budget Amendment #36. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

- 15. Discussion/Action** to approve Budget Amendment #37 for County Clerk, to move money from training to machinery and equipment for purchase of scanners. **Speaker: Judge Haden/ Barbara Gonzales/ Teresa Rodriguez; Cost: Net Zero; Backup: 3**

Judge Haden requests the approval of monies moved within County Clerk's department for the purchase of scanners. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

- 16. Discussion/Action** to approve Budget Amendment #38 to increase the amount budgeted from \$18,500 to the \$23,212 accepted by CCT on April 28, 2020 for the allocation to Caldwell County of funds distributed by the 2020 Tobacco Settlement Program. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 10**

Judge Haden requests approval for Budget Amendment #38 increase. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

- 17. Discussion/Action** to determine where to send fees collected for Child Sexual Assault Fund (001-2840). **Speaker: Judge Haden/ Barbara Gonzales/ Jan Bower; Cost: None; Backup: 4**

Judge Haden requests the fees from Child Sexual Assault Fund be provided to the Hays/Caldwell Women Center. So moved by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

- 18. Discussion/Action** to determine where to send fees collected for Child Safety by Tax Office (001-2345). **Speaker: Judge Haden/ Barbara Gonzales/ Jan Bower; Cost: None; Backup: 15**

Judge Haden discussed fees collected by Tax Office for Child Safety is for the school crossing services, but can be used for child safety and health or nutrition programs. Funds will be held until further research of which municipalities in the county will receive the monies and how to distribute. Motion made by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

19. **Discussion/Action** to determine where to send fees collected for Child Safety in School Zones and ISD Parent Fine (001-2340 and 001-2845). **Speaker: Judge Haden/ Barbara Gonzales/ Jan Bower; Cost: None; Backup: 6**

Judge Haden requests fees collected by the Child Safety in School Zones and ISD Parent Fine be used toward Caldwell County Juvenile Probation Department. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

20. **Discussion/Action** to request approval of the revised Caldwell county Purchasing Manager Job description. **Speaker: Judge Haden/ Danie Blake; Cost: None; Backup: 14**

Danie Blake request approval of revised Purchasing Manager Job description. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

21. **Discussion/Action** to approve the award to H&H Enterprises the contract opportunity for RFB 20CCP01B for annual mowing maintenance for Caldwell County right-of-ways. **Speaker: Judge Haden/ Danie Blake; Cost: \$124,992.00; Backup: 41**

Danie Blake recommends awarding H & H Enterprises for mowing maintenance contract. Bid was not lowest but company came very highly recommend by references. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

22. **Discussion/Action** to approve the solicit request for qualification (RFQ) for professional engineering services for Caldwell County on GLO-CDBG-MIT grant funded projects. **Speaker: Judge Haden/Danie Blake; Cost: None; Backup: 57**

Danie Blake requests approval for a professional engineering firm, if approved the final draft will be completed May 12, 2020 for deadline that is June 11, 2020. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

23. **Discussion/Action** to approve the solicit request for qualifications (RFQ) for professional engineering services for Caldwell County on Texas Water Development Board grant funded projects. **Speaker: Judge Haden/ Danie Blake; Cost: None; Backup: 23**

Danie Blake requests approval to seek professional engineering services for Texas Water Development Board projects, deadline for submission is June 11, 2020. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

24. **Discussion/Action** to approve the solicit request for qualifications (RFQ) for professional engineering services for Caldwell County on TxDOT grant funded projects. **Speaker: Judge Haden/ Danie Blake; Cost: None; Backup:17**

Danie Blake requests approval to seek professional engineering service for TxDot projects. Deadline for submission is June 11, 2020. Motion made by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

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25. **Discussion/Action** to approve Resolution 19-2020, extending and continuing the State of Disaster within Caldwell County. **Speaker: Judge Haden/ JJ Wells; Cost: None; Backup: 2**

Judge Haden read resolution 19-2020 and declared a State of Disaster within Caldwell County hereby be extended until 11:59 p.m. May 26, 2020 effective immediately. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".


26. **EXECUTIVE SESSION** Pursuant to section 551.087 for the Texas Government Code; discussion or deliberation regarding economic development negotiations associated with Project Cali. Possible action may follow in open court. **Speaker: Judge Haden/ JJ Wells/ Christian Duran; Cost: None; Backup: 1**

Judge Haden opens Item 26 Executive Session at 10:26 a.m. and close at 10:44 a.m. Executive Session is attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot and Commissioner Roland and J.J. Wells. No action is taken.

27. **Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:45 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 May 12, 2020


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



