

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court June 22, 2021 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 meeting to order at 9:00 a.m.

Invocation.

Commissioner Roland 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.

Commissioner Westmoreland thanks all who contributed and attended the Chisolm Trail Round-Up and along with Commissioner Shelton announce the Watermelon Thump in Luling is this weekend.

Commissioner Shelton attended the Flag Day Ceremony at the American Legion, and visited Prairie Lea School with Dennis Engelke to present CRF grant and attended the Luling ISD presentation of CRF grant with Judge Haden.

Commissioner Roland recognizes the success of Chisolm Trail Round-Up and overjoyed June 19th, will be a National Holiday.

Judge Haden announces Commissioner Court approved hiring a Lobbyist to help with legislation. House Bill 4374 has passed and will be effective September 1, 2021.

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.

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(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.

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

- 1. Approve payment of County invoices and County Purchase Orders: \$875,121.02**
- 2. Ratify re-occurring County Payments:**
 - A. \$333,712.89 (Payroll 5/23/2021 – 6/05/2021)**
 - B. \$99,574.58 (Payroll Tax 5/23/2021 – 6/05/2021)**
 - C. \$5,732.65 TPWD Comptroller**
 - D. \$437,560.37 DMV Comptroller**
 - E. \$211,610.67 DMV Remittance**
- 3. To approve County Extension Agent Wayne Morse May 2021 Report**
- 4. To approve May 2021 Tax Collection Report from the Caldwell County Appraisal District**
- 5. To accept the Proposed 2022 Appraisal District and Collection Budgets from the Caldwell County Appraisal District.**
- 6. To accept the annual Financial Statement from Caldwell Hays Emergency Services District #1 for year ending September 30, 2020.**

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

PRESENTATIONS

- Martha Joyce, Executive Director of Dispute Resolution Center to give report

Martha Joyce provides slideshow and handouts about the organization.

- Present the Caldwell County Historical Commission with a Distinguished Service Award for the 2020 year of service from the Texas Historical Commission.

Judge Haden presents certificate to Coyle Buhler Chairman of CCHC.

DISCUSSION/ACTION ITEMS:

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

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Hank Alex Assistant Chief EMC suggests to leave Burn Ban off.

Motion made by Commissioner Roland, seconded by Commissioner Theriot to keep Burn Ban off. All voting "Aye".

MOTION APPROVED.

8. Discussion/Action to consider approval to enroll in the Healthy County: County Specific Incentive Program for 2021-2022 year. **Speaker: Judge Haden/Bob Bush; Backup: 2; Cost: None.**

Ezzy Chan Executive Assistant provides details of the Health County Program.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve enrollment in the Healthy County: County Specific Incentive Program for 2021-2022 year. All voting "Aye".

MOTION APPROVED.

9. Discussion/Action to consider the Texas Association of Counties Health and Employee Benefits Pool (TAC HEBP) and to determine the amount for county portions dependent coverage for FY 2021-2022. **Speaker: Judge Haden/ Bob Bush; Backup: 5; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve the Texas Association of Counties Health and Employee Benefits Pool (TAC HEBP) and determine the amount for county portions dependent coverage for FY 2021-2022. All voting "Aye"

MOTION APPROVED.

10. Discussion/Action to consider Countywide air flight coverage plan from PHI Medical **Speaker: Judge Haden/ Kennie Kerr; Backup: 11; Cost: TBD**

James (Scooter) Green, Flight Coordinator provides handouts and talks about different options for the PHI Medical plan. Jim Doyle EMS Director provides input on the service coverage used within the County. Judge Haden announces there will be more discussion at Budget Workshop.

11. Discussion/Action to consider Resolution 32-2021, approving an agreement with the City of Mustang Ridge for limited delegation of development authority within the City's Extraterritorial Jurisdiction. **Speaker: Ed Theriot/ JJ Wells; Backup: 2; Cost: None**

Commissioner Theriot reads Resolution 32-2021. J.J. Wells Assistant Criminal District Attorney- Civil, provides information not provided in backup.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Resolution 32-2021, approving an agreement with the City of Mustang Ridge for limited delegation of development authority within the City's Extraterritorial Jurisdiction. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to consider the 2-year reappointment of Tom Bonn to the Bluebonnet Trails Community Services Board of Trustees for the period September 1, 2021 through August 31, 2023. **Speaker: Judge Haden; Backup: 2; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve the 2-year reappointment of Tom Bonn to the Bluebonnet Trails Community Services Board of Trustees for the period September 1, 2021 through August 31, 2023. All voting "Aye".
MOTION APPROVED.

- 13. Discussion/Action** to consider approval of Budget Amendment #62 from Contingency to Tax Assessor-Collector, Professional Services in reference to the CCAD funds due to timing of budget adoption. **Speaker: Judge Haden/Barbara Gonzales; Backup: 12; Cost: None.**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Budget Amendment 62 from Contingency to Tax Assessor-Collector, Professional Services in reference to the CCAD funds due to timing of budget adoption. All voting "Aye".
MOTION APPROVED.

- 14. Discussion/Action** to accept the FEMA-approved Scope Modification of \$35,000.00 pertaining to the Harwood Road Culvert Project; including an additional local match of \$3,500.00. **Speaker: Judge Haden/ Dennis Engelke; Backup: 3; Cost: \$3,500.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve FEMA-approved Scope Modification of \$35,000.00 pertaining to the Harwood Road Culvert Project; including an additional local match of \$3,500.00. All voting "Aye".
MOTION APPROVED.

- 15. Discussion/Action** to consider approval of Budget Amendment #63 in reference to the Harwood Road Culvert scope modification. **Speaker: Judge Haden/ Barbara Gonzales/Dennis Engelke; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 63 in reference to the Harwood Road Culvert scope modification. All voting "Aye".
MOTION APPROVED.

- 16. Discussion/Action** to consider approval of Budget Amendment #64 which is establishing expense account for funds awarded by American Rescue Plan Act of 2021. **Speaker: Judge Haden/ Barbara Gonzales/ Dennis Engelke; Backup: 29; Cost: Net Zero.**

Judge Haden informs the court "miscellaneous" line item will be named American Rescue Plan Funds Expense.

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Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 64, which is establishing expense account for funds awarded by American Rescue Plan Act of 2021. All voting "Aye".
MOTION APPROVED.

JJ Wells asks the court to resolve Item 10 with a motion.
Judge Haden request to table item 10. Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to table item 10. All voting "Aye"
MOTION APPROVED.

17. Discussion/Action to consider approval of Budget Amendment #65 to move money from contracted services to Luling Annex line item to complete payment to Fina Construction Services, LLC. **Speaker: Judge Haden/ Barbara Gonzales/Curtis Weber; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 65 to move money from contracted services to Luling Annex line item to complete payment to Fina Construction Services, LLC. All voting "Aye".
MOTION APPROVED.

18. Discussion/Action to consider the increase in pay for IT Administrator for PT salary to FT position. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

Judge Haden introduces new IT Administrator Patricia Ehrlich.
Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve increase in pay for IT Administrator for PT salary to FT position. All voting "Aye".
MOTION APPROVED.

19. Discussion/Action to consider approval of Budget Amendment #66 to align part time to full time IT Administrator Salary. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Budget Amendment 66 to align part time to full time IT Administrator Salary. All voting "Aye".
MOTION APPROVED.

20. Discussion/Action to consider approval of Budget Amendment #67 for Hot Spots cost for the end of FY 2021. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 6; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 67 for Hot Spots cost for the end of FY 2021. All voting "Aye".
MOTION APPROVED.

21. Discussion/Action to consider approval of Public Improvement District policy. **Speaker: Judge Haden/ JJ Wells; Backup: 12; Cost: TBD**

Motion made by Commissioner Theriot , seconded by Commissioner Roland to approve Public Improvement District policy. All voting "Aye".
MOTION APPROVED.

22. Discussion/Action to discuss and take possible action regarding Greenhouse Road. **Speaker: Commissioner Theriot; Backup: 1; Cost: TBD**

Commissioner Theriot discusses issues and efforts to have Greenhouse Road brought up to standards and the County to consider the adoption of ownership and maintenance. Commissioner Theriot request to ask residents to maintain maintenance of the road for 2 years.

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve taking action regarding Greenhouse Road. All voting "Aye"
MOTION APPROVED.

23. Discussion/Action to accept public streets and draining in Bluff view at Dale Estates as complete and ready to begin the two-year performance period of said public improvements as evidenced by a maintenance bond in the amount of \$34,461.36. **Speaker: Judge Haden/ Donald LeClerc; Backup: 4; Cost: None.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve public streets and draining in Bluff view at Dale Estates as complete and ready to begin the two-year performance period of said public improvements as evidenced by a maintenance bond in the amount of \$34,461.36. All voting "Aye".
MOTION APPROVED.

24. Discussion/Action to consider the approval of the Preliminary Plat for Luxor Ranch Subdivision consisting of 25 lots on approximately 76.40 acres fronting on Barth Road CR 179. **Speaker: Commissioner Roland /Kasi Miles. Backup: 19; Cost: None.**

Commissioner Shelton noted errors to be corrected

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Preliminary Plat for Luxor Ranch Subdivision consisting of 25 lots on approximately 76.40 acres fronting on Barth Road CR 179. All voting "Aye".
MOTION APPROVED.

25. EXECUTIVE SESSION

Closed Session under Texas Government Code 551.071, consultation with Attorney regarding pending litigation. **Speaker: Neil Kucera; Backup: None; Cost: None.**


Judge Haden opens Item 25 Executive Session at 10:18 a.m. and close at 11:13 a.m. Item 25 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, Alberto Luna, JJ Wells and Neil Kucera. No Action Taken.

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26. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". Court adjourns at 11:13 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 June 22, 2021.


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

