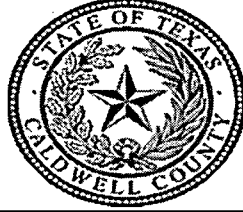


COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court June 23, 2020 9:00 a.m.



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.

Judge Haden 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 Shelton requests a moment of silence for Klayton Manning and Landin Robinson two young teens that lost their lives June 9th, 2020.

Commissioner Roland announced that June 19th gathering at St. Johns Colony was a success and Senator Michael Cloud attended.

SPECIAL PRESENTATION

Hays County SH 21 Corridor Preservation Study Project

Hays County, in cooperation with Caldwell County, conducted a virtual town hall on the SH 21 Corridor Preservation project from May 18, 2020 to May 31, 2020. The Project team will present material from the virtual town hall, town hall website metrics and finding based on public comments

Allen Crozier, HDR Engineer, manager for Hays County SH 21 Corridor Preservation Project gave overview of project with improvements that will be needed. He presented a slideshow with handouts. A viral town hall meeting was held a second meeting will be held in August for project summary.

COMMISSIONERS COURT MINUTES
Regular Meeting June 23, 2020 9:00 a.m.

25. **Discussion/Action** concerning approval for a variance request from the Caldwell County Development Ordinance for Julian Hills located on Julian Trail off CR 301. **Speaker: Commissioner Shelton/ Kasi Miles; Cost: None; Backup: 7**

Kasi Miles requests approval of variance from Caldwell County Development or Ordinance for Julian Hills. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

26. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Flat (Short Form Procedure) for Julian Hills located on Julian Trail off CR 301. **Speaker: Commissioner Shelton/ Kasi Miles; Cost: None; Backup: 12**

Kasi Miles requests approval of Final Flat for Julian Hills. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

27. **Discussion/Action** concerning the approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Marqwhite Terrace located on FM 1854 & White Tail Lane (PR4030) **Speaker: Commissioner Roland/ Kasi Miles; Cost: None; Backup: 12**

Kasi Miles requests approval of Final Flat for Marqwhite Terrace. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

28. **Discussion/Action** to consider the approval of the Final Plat for Rebecca's Crossing Subdivision to include 18 lots on approximately 55.56 acres located at the southwest corner of State Highway 80 and Callihan Road (CR 112). **Speaker: Commissioner Shelton/ Kasi Miles; Cost: None; Backup: 34**

Kasi Miles requests approval of Final Flat for Rebecca's Crossing Subdivision. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

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>

Pursuant to Executive Order GA-26 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>

COMMISSIONERS COURT MINUTES
Regular Meeting June 23, 2020 9:00 a.m.

Citizens of Caldwell County requests a Caldwell County African American Heritage and Culture Commission to be formed. Citizens of Caldwell County discussed the Confederate Monument.

Judge Haden requested a short recess at 10:24 a.m.

Court resumes at 10:30 a.m.

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 \$416,893; Backup: 27**
2. **Ratify re-occurring County Payments**
 - A. **\$323,504.87 (Payroll 5/24/2020 – 6/06/2020)**
 - B. **\$97,653.44 (Payroll Tax 5/24/2020- 6/06/2020)**
 - C. **\$523,806.87 DMV Comptroller**
 - D. **\$68,206.64 DMV Remittance**
3. **Accept the proposed 2021 Appraisal District and Collection Budgets; Backup: 9**
4. **Accept the Tax Collection report for May 2020 from the Caldwell County Appraisal District; Backup: 4**
5. **Accept the May 2020 Indigent Burial Report; Backup: 3**
6. **Accept the Commissary and Inmate Trust Fund Audit; Backup: 6**

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

ACTION ITEMS

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

Judge Haden recommends the burn ban stay off. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

8. **Discussion/Action regarding the Confederate Soldiers Monument. Speaker: Judge Haden; Cost: None; Backup: 1**

This was discussion on the different options regarding the Confederate Monument. A committee will be formed to discuss and research options to present recommendations to the court. Motion made by Commissioner Theriot, second by Commissioner Westmoreland, Judge Haden calls vote "All Aye" Judge Haden opposed.

9. **Discussion/Action to authorize the county Judge to sign all documents related to the facility improvement measures at all County Facilities with Johnson Controls, Inc. Speaker: Judge Haden/ JJ Wells; Cost: None; Backup: 167**

COMMISSIONERS COURT MINUTES
Regular Meeting June 23, 2020 9:00 a.m.

Judge Haden asks permission from court to sign all documents related to Johnson Controls, Inc. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

- 10. Discussion/Action** regarding the administration and procedures relating to public nuisance enforcement under Texas Health and Safety Code. **Speaker: Commissioner Theriot; Cost: None; Backup: 12**

Commissioner Theriot reported the meeting regarding administration and procedures relating to public nuisance enforcement is scheduled for next Tuesday. Motion to table Item #10, made by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

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

Judge Haden reads Resolution 25-2020 extending and continuing the State of Disaster within Caldwell County to July 14, 2020 at 11:59 p.m. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

- 12. Discussion/Action** to approve Budget Amendment #44 to receive training reimbursement for canceled legislative conference. **Speaker: Judge Haden; Cost: Net Zero; Backup: 3**

Judge Haden requests to approve budget amendment #44, reimbursement from canceled conference. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 13. Discussion/Action** to approve Budget Amendment #45 to move money from JP 3's miscellaneous line item to machinery and equipment to procure security cameras for JP3. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 4**

Judge Haden requests to approve budget amendment #45, to move money for purchase of security cameras. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

- 14. Discussion/Action** to approve Budget Amendment #46 to move money from Contingency to FEMA -4485-DR expense line item for COVID-19 expenses. **Speaker: Judge Haden/ Danie Blake; Cost: Net Zero; Backup: 7**

Judge Haden requests to approve budget amendment #46 to move money from Contingency to COVID-19 expenses. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye"

- 15. Discussion/Action** to approve Budget Amendment #47 to move money from Community Collection Events to Postage and Disposal Fees for Code Investigator. **Speaker: Judge Haden/ Mike Bittner/ Barbara Gonzales; Cost: Net Zero; Backup: 4**

Judge Haden requests approval of budget amendment #47 to move monies for Code Investigator. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting June 23, 2020 9:00 a.m.

16. **Discussion/Action** to approve Budget Amendment #48 to move money from Clerical and Assistants to ADA-Staff-Sal Supplement expense line item for District Attorney. **Speaker: Judge Haden/ Amanda Montgomery/ Michaele Howard/ Barbara Gonzales; Cost: Net Zero; Backup: 3**

Judge Haden requests approval of budget amendment #48 to move money for District Attorney. Motion made by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

17. **Discussion/Action** to approve Budget Amendment #49 for donation for wedding services performed by Caldwell County Judge. **Speaker: Judge Haden; Cost: Net Zero; Backup: 4**

Judge Haden requests approval budget amendment #49 from wedding service performed. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

18. **Discussion/Action** to discuss the disposition of outstanding jury checks. **Speaker: Judge Haden/ Barbara Gonzales; Cost: None; Backup: 3**

Barbara Gonzales requests guidance to which account the outstanding jury checks will be deposited. Motion to place funds in General Account was made by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

19. **Discussion/Action** to approve the Caldwell County Statement of Financial Goals and Policies. **Speaker: Judge Haden/ Barbara Gonzales; Cost: None; Backup: 20**

Barbara Gonzales requests to approve Caldwell County Statement of Financial Goals and Policies. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

20. **Discussion/Action** to approve the Caldwell County Investment Policy. **Speaker: Judge Haden/ Barbara Gonzales; Cost: None; Backup: 19**

Barbara Gonzales requests to approve Caldwell County Investment Policy. Judge Haden read Policy and resolution. So moved by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

21. **Discussion/Action** to approve opening of three new county bank accounts to receive and account for governmental grant funds (Coronavirus Relief Fund Program, Help America Vote Act, Fund from Veteran's Assistance) **Speaker: Judge Haden/ Angela Rawlinson/ Dennis Engelke; Cost: None; Backup: 1**

Dennis Engelke requests the opening of three bank accounts for governmental grant funds. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting June 23, 2020 9:00 a.m.

22. **Discussion/Action** to approve the use of Harris County Department of Education Purchasing Cooperative needed for procurement requirements to move forward with Xerox contract. **Speaker: Judge Haden/ Danie Blake; Cost: None; Backup: 5**

Danie Blake requests to approve Xerox contract. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye"

23. **Discussion/Action** to approve Xerox as the County's vendor for printer, faxing, and copier services; upgrading and installing new devices throughout the county. **Speaker: Judge Haden/ Danie Blake/ Dan Warblow; Cost: \$5,338.00 per month; Backup: 13**

Danie Blake and Dan Warblow provided the streamline contract with Xerox and report on the upgrading and installing of new devices throughout the county. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

24. **Discussion/Action** to approve a Texas Water Development Board Flood Infrastructure Fund (FIF) Abridged Application Category 1 Planning application submission. **Speaker: Judge Haden/ Judy Langford/ Dennis Engelke; Cost: None; Backup: 47**

Dennis Engelke requests approval of the ratification of submission of application to Texas Water Development Board. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye"

29. **Discussion/Action** to approve the budget changes since 6.08.2020 worksheet. **Speaker: Judge Haden/ Barbara Gonzales/ Ezzy Chan; Cost: None; Backup: 3**

Ezzy Chan requests to approve budget changes since 6-8-2020 worksheet. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

30. **EXECUTIVE SESSION**

Pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Focus. Possible action may follow in open court. **Speaker: Judge Haden/Jason Giulietti; Cost: TBD Backup: 0**

Judge Haden opens Item #30 Executive Session at 11:59 a.m. and closes at 12:21 p.m. Executive Session is attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland and JJ Wells. No action is taken.

31. Adjournment.

So moved by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 12:22 p.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 23, 2020



Teresa Rodriguez

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