

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court August 11 , 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.

Reverend Steve Digby 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 Roland says he was notified by Mark Longoria that a flag was flown over the Capital in honor of Saint Johns Colony and Representative Cloud will be visiting September 2, 2020 to personally deliver flag to Saint Johns Colony church.

Dennis Engelke reports the United States Farmers Commerce has changed date of Census to be completed by September 30, 2020.

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-28 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. Face coverings are required when inside the building except as provided by Executive Order GA-29. The meeting will be broadcast over the internet and may be viewed at <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtLive-OnDemand>

Jayson Trapp Cordova of Caldwell County spoke on behalf of leaving the Confederate Monument on the Courthouse lawn.

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 \$295,814.89; Backup: 24**
2. **Ratify re-occurring County Payments**
 - A. \$327,143.33 (Payroll 6/21/2020 – 7/04/2020)
 - B. \$97,599.56 (Payroll Tax 6/21/2020 – 7/04/2020)
 - C. 327,921.76 (Payroll 7/05/2020 – 7/18/2020)
 - D. \$98,569.28 (Payroll Tax 7/05/2020 – 7/18/2020)
 - E. \$174,687.94 DMV Remittance
 - F. \$536,186.23 DMV Comptroller
 - G. \$831.25 Boat Comptroller
3. **Accept the July 2020 Indigent Burial Report from Judge Haden**
4. **Accept the July 2020 Environmental Code Enforcer report from Mike Bittner**

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

AGENDA ACTION ITEMS

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

Hector Rangel highly recommends keeping the burn ban on as well as spotters for welders. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

7. **Discussion/Action** to discuss the tax rate. If the proposed tax rate will exceed voter-approval rate or no-new revenue tax rate, whichever is lower, a record vote is to be taken and a public meeting to be scheduled. **Speaker: Judge Haden; Cost: None; Backup: 2**

Judge Haden discussed tax rate of .7054 and a public meeting will be scheduled for August 25, 2020. No action taken.

9. **Discussion/Action** to approve Resolution 33-2020 regarding removal and relocation of the Caldwell County Courthouse confederate monument. **Speaker: Judge Haden/ JJ Wells; Cost: None; Backup: 2**

Judge Haden reads resolution 33-2020 regarding the Confederate monument. Motion made by Commissioner Shelton to amend resolution, second by Commissioner Theriot. Commissioner Theriot request approval to accept a Friendly Amendment to motion to approve as amended. Commissioner Shelton approves, second by Commissioner Theriot. All voting "Aye".

10. **Discussion/Action** to approve Budget Amendment #61 for the roofing repairs at the Justice Center and Scott Annex building with DK Haney. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 6**

Judge Haden request to table item #10 ,budget amendment #61, to further review list of repairs to be done by DK Haney. Motion made by Commissioner Westmoreland to table item #10, second by Commissioner Roland. All voting "Aye".

11. **Discussion/Action** to approve Budget Amendment #62 to receive a TAC Health and Employee Benefits Pool Surplus Distribution. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 4**

Judge Haden request to approve budget amendment #62. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

12. **Discussion/Action** to approve Budget Amendment #63 to receive and appropriate the HAVA CARES act funds. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 4**

Judge Haden request to approve budget amendment #63. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

13. **Discussion/Action** to approve Budget Amendment #64 in support to align revenues and expenditures for refund on constable training. **Speaker: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 4**

Judge Haden request to approve budget amendment #64. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

PUBLIC HEARING at 9:30

Regarding the Elected Officials' Salaries

Judge Haden opens public hearing at 9:30 a.m. regarding elected officials salaries that have been posted. Ezzy Chan reported a correction on County Court at law Judge and Sheriffs salaries. No citizens to comment, Judge closes public hearing at 9:34 a.m.

AGENDA ACTION ITEMS

6. **Discussion/Action** to approve the Elected Officials' salaries to align with the 5-year step program for FY2021. **Speaker: Judge Haden; Cost: None; Backup: 2**

Judge Haden requests to approve elected officials' salaries. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

8. **Discussion/Action** Consideration and Approval of an order authorizing the issuance of "Caldwell County, Texas combination tax and limited pledge revenue certificates of obligation, series 2020"; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the county and further securing said certificates by a lien on a pledge of the pledged revenues of the county jail; authorizing the execution of any necessary engagement agreement with the county's financial advisor and providing an effective date. **Speaker: Judge Haden/ Barbara Gonzales; Cost: None; Backup: 45**

Jennifer Ritter, with Specialized Public Finance, joined by phone to discuss and report on revenue certificates of obligation.

5 minute recess

Resumed session at 9:43 a.m.

Handouts were given to the court. Ms. Ritter summarized bids and determined that 1st National Bank of Texas gave lowest bid at 1.28 %. Judge Haden reads order, so moved by Commissioner Theriot to adopt order authorizing the issuance of Caldwell County Texas combination tax and limited pledge revenue certificates of obligation series 2020 exhibit B, second by Commissioner Roland. All voting "Aye".

14. **Discussion/Action** to approve the ratification of the 2020-2021 CAPCOG Interlocal Agreement for the 9-1-1 Capital Area Emergency Communications District (CAECD) with awarding of compensation not to exceed \$98,427 for services provided. **Speaker: Judge Haden/ Dennis Engelke; Cost: None; Backup: 7**

Dennis Engelke requests to approve the ratification of 2020-2021 CAPCOG Interlocal Agreement for the 911 CAECD. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

15. **Discussion/Action** to approve a \$20,000 "2020-2021 County Feral Hog Grant" through the Texas AgriLife Extension Service. **Speaker: Judge Haden/ Dennis Engelke; Cost: None; Backup: 10**

Dennis Engelke requests to apply for 2020-2021 County Federal Hog Grant. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

AGENDA ACTION ITEMS

16. **Discussion/Action** to approve the list of prospective Republican poll workers. **Speaker: Judge Haden/ Pat Daniel; Cost: None; Backup: 4**

Pat Daniel request to update list provided with prospective Republican poll workers. Motion made by Commissioner Shelton to table item #16. Second by Commissioner Westmoreland. All voting "Aye".

17. **Discussion/Action** to approve the Preliminary Plat for Eloise Estates Subdivision to include 14 lots on approximately 27.11 acres fronting Fox Lane (CR 198) and Lake Road (CR 199). **Speaker: Commissioner Shelton/ Kasi Miles; Cost: None; Backup:65**

Kasi Miles requests to approve Preliminary Plat for Eloise Estates Subdivision. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

18. **Discussion/ Action** to approve the Order authorizing the filing of a Final Plat (Short Form Procedure) for DGOG 20 Addition located on FM 20 and Old Colony Line Road (CR 160). **Speaker: Commissioner Shelton/ Kasi Miles; Cost: None; Backup: 9**

Kasi Miles requests approval of filing Final Plat for DGOG 20 addition. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

19. **Discussion/Action** to approve a County Essential Grant through the Criminal Justice Division of the Office of the Governor to help defray the anticipated judicial expenses pertaining to a Capital Murder Trial. **Speaker: Judge Haden/ Dennis Engelke/ Fred Weber; Cost: None; Backup: 3**

Dennis Engelke requests to apply for County Essential Grant. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

20. **Discussion/Action** pertaining to closing the "Coronavirus Relief Fund" bank account at First Lockhart National Bank. **Speaker: Judge Haden/ Bennis Engelke/ Barbara Gonzales; Cost: None; Backup: None**

Dennis Engelke request to close Coronavirus Relief Fund bank account. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting August 11, 2020 9:00 a.m.

- 21 **Discussion/Action** to approve the 2020 Caldwell County Democratic Party Election Judges.
Speaker: Judge Haden/ Pamela Ohlendorf; Cost: None; Backup: 6

Pamela Ohlendorf requests approval of 2020 Democratic Party Election Judges. So moved by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

22. **EXECUTIVE SESSION:** pursuant to Sections 551.071 and 551.087 of the Texas Government Code, consultation with counsel and deliberation regarding economic development negotiations. Possible action may follow in open court. **Speaker: Judge Haden/ JJ Wells; Cost: None; Backup: None**


Judge Haden opens item 22 Executive Session at 10:05 a.m. and close item at 10:22 a.m.

Judge Haden announces action in court allowing council to amend the Fashion Glass 381 agreement to prorate amendment and bring back to court on August 25, 2020. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

23. **Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". court adjourns at 10:23 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 August 11, 2020


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

