

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court August 22, 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 called 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.

Commissioner Westmoreland takes a moment to give thanks and appreciation to all emergency response personnel in our county, especially the fire departments, they need all the support we can give and to the members of the community please be responsible with actions on your property to prevent fires.

Commissioner Horne attended a fire and was impressed with the locals willing to help as the fire departments and Bastrop Fire Service arrived.

Commissioner Theriot, Commissioner Thomas, and Judge Haden echo both remarks and add everyone can reduce the risk by being diligent and careful in doing a wonderful job with multiple counties helping each other.

Ezzy Chan, Executive Assistant announces we are at 98% with Cyber Training and would like to get to 100%.

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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>

Martha Joyce, Director of Central Texas Dispute Resolution Center along with Gary Graning and Paul Finley members of the outreach committee will be speaking to residents of Caldwell County on how to better serve the community.

Andrew McClish, a resident of Prairie Lea has concerns regarding the traffic safety in his neighborhood and is looking for clarification on the 2nd study that was done on November 18, 2021.

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

1. **Approve payment of County Invoices and County Purchase Orders: \$474,251.19**
2. **Ratify re-occurring County Payments:**
 - A. **\$392,822.27 Payroll (07/30/2023 – 08/12/2023)**
 - B. **\$116,173.59 Payroll Tax (07/30/2023 – 08/12/2023)**
3. **To approve the Capital Area Council of Governments (CAPCOG) Interlocal Agreement for 9-1-1 Geographic Information System Database Management FY 2024**
4. **To approve Caldwell County Constable PCT 1 July 2023 Report**
5. **To approve the Bond #72501923 – Elections Administrator**
6. **To approve the Bond #72575505 – Deputy District Clerk**

Danie Teltow, County Auditor states a correction is to be made to Item 1, the correct amount should be \$674,523.23.

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel, Chief EMC provides fire updates and thanks everyone who came out with donations, as well as those who provided an evacuation /cooling center for the citizens of Caldwell County. Recommends keeping burn ban on.

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

MOTION APPROVED.

Judge Haden is requesting to table the Budget and Tax Rate Public Hearings and 9 and 10.

9. **Discussion/Action to discuss the FY 2023-2024 Budget by roll call. Speaker: Judge Haden; Backup: 2; Cost: None**

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Judge Haden states due to SB22 the Sheriff's Department and District Attorney's office are eligible for a grant from the State and funds will be accepted, The Sheriff's Department will create 1 Lieutenant position and the rest will go to machinery and equipment. The District Attorney's office will use the funds in the form of salaries.

10. Discussion/Action to approve the FY 2023-2024 Tax Rate by roll call. **Speaker: Judge Haden; Backup: 4; Cost: None**

Judge Haden reports the State rules are to adopt a budget before tax rate.

PUBLIC HEARINGS

- **FY 2023-2024 Budget**

Motion to Table Budget Hearing made by Commissioner Westmoreland, seconded by Commissioner Horne. All voting "Aye".

MOTION TO TABLE APPROVED.

- **FY 2023-2024 Tax Rate**

Motion to Table Tax Rate Hearing till next Commissioners Court made by Commissioner Horne, seconded by Commissioner Thomas. All voting "Aye".

MOTION TO TABLE APPROVED.

9. Discussion/Action to discuss the FY 2023-2024 Budget by roll call. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion to Table Item 9 made by Commissioner Westmoreland, seconded by Commissioner Thomas. All voting "Aye".

MOTION TO TABLE APPROVED.

10. Discussion/Action to approve the FY 2023-2024 Tax Rate by roll call. **Speaker: Judge Haden; Backup: 4; Cost: None**

Motion to Table Item 10 made by Commissioner Westmoreland, seconded by Commissioner Thomas. All voting "Aye".

MOTION TO TABLE APPROVED.

11. Discussion/Action to approve a Proclamation from Capital Area Councils of Government (CAPCOG) designating the week of September 18-22, 2023, as Falls Prevention Awareness Week. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read.

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Proclamation from Capital Area Councils of Government (CAPCOG) designating the week of September 18-22, 2023, as Falls Prevention Awareness Week. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to approve a Proclamation from Capital Area Councils of Government (CAPCOG) designating the month of September 2023 as CAPCOG Preparedness Month. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read.

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve Proclamation from Capital Area Councils of Government (CAPCOG) designating the month of September 2023 as CAPCOG Preparedness Month. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to nominate Mr. Jason Rios of Luling, Texas to the Plum Creek Conservation District Board of Directors. **Speaker: Judge Haden/Commissioner Horne; Backup: 3; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve Mr. Jason Rios of Luling, Texas to the Plum Creek Conservation District Board of Directors. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider nominating up to 5 candidates to the Caldwell County Appraisal District's Board of Directors for the 2024-2025 term. **Speaker: Judge Haden; Backup: 7; Cost: None**

Chase Goetz, Assistant Criminal District Attorney-Civil reports the Appraisal District requests every year a list of new nominees from all tax entities in the county to serve on the Caldwell County Appraisal District's Board with a 2-year term.

Judge Haden asks Commissioners to submit their list to Ezzy Chan, Executive Assistant before the next Commissioners Court, a list of current members will be sent to all Commissioners.

Motion to Table Item 14 made by Commissioner Thomas, seconded by Commissioner Westmoreland. All voting "Aye".

MOTION TO TABLE APPROVED.

- 15. Discussion/Action** to approve Election Services Contract/Joint Election Agreement with City of Lockhart, Lockhart ISD, City of Mustang Ridge, Oatman Hill MUD, Open R Fresh Water Supply District, Prairie Lea ISD, Waelder ISD and the approval of Election Day Locations and the combination of certain election precincts. **Speaker: Judge Haden/Devante Coe; Backup: 18; Cost: None**

Devante Coe, Election Administrator is seeking permission to enter a contract with the 8 entities that will have a joint election with the county on November 7th and requesting the approval of locations with combining precincts.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve Election Services Contract/Joint Election Agreement with City of Lockhart, Lockhart ISD, City of Mustang Ridge, Oatman Hill MUD, Open R Fresh Water Supply District, Prairie Lea ISD, Waelder ISD and the approval of Election Day Locations and the combination of certain election precincts. All voting "Aye".

MOTION APPROVED.

PUBLIC HEARINGS @ 9:30 A.M.

- **FY 2023-2024 Elected Officials' Salaries**

Public Hearing opens at 9:30 a.m. and closes at 9:32 a.m. There are no speakers.

- 8. Discussion/Action** to approve the Elected Officials' Salaries for FY 2023-2024. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden states this is the last year of the 5-year plan for Elected Officials and action requires a roll-call vote. Commissioner Westmoreland "Aye", Commissioner Horne "Aye", Commissioner Theriot "Aye", Commissioner Thomas "Aye" and Judge Haden "Aye". All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** to approve 2024 Sheriff and Constable Fees. **Speaker: Judge Haden/Constable Clemente Verastegui (Pct.1); Backup: 3; Cost: None**

Constable Clemente Verastegui reports he visited with the Sheriff and other Constables and agreed rates are competitive with surrounding counties therefore rates will stay the same.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve 2024 Sheriff and Constable Fees to remain the same. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to approve Caldwell County to implement the Positive Pay Program through First Lockhart National Bank for our Operating Bank Account. **Speaker: Judge Haden/Danie Teltow; Backup: 8; Cost: \$780.00**

Chase Goetz, Assistant Criminal District Attorney-Civil suggests a correction to the contract is to remove the County Treasurer as the contracted person.

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve Caldwell County to implement the Positive Pay Program through First Lockhart National Bank for our Operating Bank Accounts with correction. All voting "Aye".

MOTION APPROVED.

- 18. Discussion/Action** to approve budget amendment #64 for Unit Road – Operating, Lubricants, and Tires. **Speaker: Judge Haden/Danie Teltow; Backup: 7; Cost: \$20,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve budget amendment #64 for Unit Road-Operating, Lubricants, and Tires. All voting "Aye".

MOTION APPROVED.

- 19. Discussion/Action** to approve budget amendment #65 for Emergency Management – Superior Disposal invoice and increase in operating costs due to fires. **Speaker: Judge Haden/Danie Teltow; Backup: 7; Cost: \$2,000.00**

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Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve budget amendment #65 for Emergency Management-Superior Disposal invoice and increase in operating costs due to fires. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Winn Subdivision located on Dale Lane. **Speaker: Commissioner Thomas/Kasi Miles; Backup: 35; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to approve an Order authorizing the filing of a Final Plat (Short Form Procedure) for Winn Subdivision located on Dale Lane. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to consider the approval of the Preliminary Plat for Luna Rosa consisting of 1,649 residential lots on approximately 687.908 acres. **Speaker: Commissioner Thomas/Kasi Miles; Backup: 37; Cost: None**

Kasi Miles, Director of Sanitation introduces Matthew Long with Cayetano Development, LLC.

Commissioner Theriot questions wastewater plans, and Commissioner Thomas asks about the Traffic Impact Study.

Matthew Long with Cayetano Development explains a discharge permit has been obtained by TCEQ for the building of a wastewater treatment plant and the Traffic Impact Study has been completed and determined that upgrades and improvements will be needed for County roads 1185 and 1154.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Preliminary Plat for Luna Rosa consisting of 1,649 residential lots on approximately 687.908 acres. All voting "Aye".

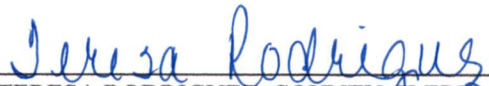
MOTION APPROVED.

22. Adjournment

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to adjourn. All voting "Aye".
The court adjourns at 9:43 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 22, 2023.




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