

COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court September 26, 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 Pro-Tem B.J. Westmoreland called the meeting to order at 9:00 a.m. Judge Haden is not present.

**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 Pro-Tem B.J. Westmoreland leads all present in the pledge to both flags.

**Announcements:** Items or comments from Court members or staff.

Commissioner Horne announces on October 14<sup>th</sup> the Annual Old Night in Luling will be held and the Oldest Baptist Church on Clearfork will have a celebration at 2:00 p.m.

Commissioner Thomas announced that on September 30, at 10:00 a.m. the Masonic Lodge will be making a presentation for a donation of 3 million dollars to the restoration of Carver High School.

No Staff Announcements.

**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>

No Citizens' Comments.

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

1. **Approve payment of County Invoices and County Purchase Orders: \$397,683.95**
2. **Ratify re-occurring County Payments:**
  - A. **\$408,371.36 Payroll (08/27/2023 – 09/09/2023)**
  - B. **\$121,380.74 Payroll Tax (08/27/2023 – 09/09/2023)**
  - C. **\$205,008.53 DMV Remittance**
  - D. **\$484,230.16 DMV Comptroller**
3. **To ratify emergency check request and payment to Dahill Office Technology Corporation for outstanding invoices in the amount of \$2,636.66**
4. **To accept Disclosure Report/Financial Accounts August 2023 bank reconciliations for Hot Check, Escrow Account, Discretionary Fund Account, Asset Forfeiture, and Asset Forfeiture Account**
5. **To accept the August 2023 Tax Collection Report from the Caldwell County Appraisal District**
6. **To approve Caldwell County Constable PCT 1 August 2023 Report**
7. **To accept the Tobacco Enforcement Program Yearly Report**
8. **To approve the Bond for Clemente Verastegui, Constable Pct. 1**

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

**MOTION APPROVED.**

**SPECIAL PRESENTATION:**

- **4-H and TEEA Year Review**

Elsie Lacy introduces Esther Barney, a Caldwell CountyCare person with TEEA updates the court on club activities. Paige Bielamowicz, 4H Agent introduces Toni Martinez, President of Caldwell County Council, Joshua Fairchild, 4H Caldwell County Parliamentarian, Wyatt Fairchild, 4H Caldwell County Delegate, and Wyatt Martinez. Wayne Morse thanked the County for their continued support.

**DISCUSSION/ACTION ITEMS:**

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

Hector Rangel, Chief EMC provided updates and recommends keeping the burn ban on.

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

**MOTION APPROVED.**

10. **Discussion/Action** to approve Order 12-2023, permitting the sale of certain fireworks in unincorporated areas of Caldwell County during Diwali holiday period. **Speaker: Judge Haden/Hector Rangel; Backup 3; Cost: None**

Hector Rangel, Chief EMC states Diwali holiday is November 5<sup>th</sup> through November 14<sup>th</sup> a Festival of Lights.

Order 12-2023 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Order 12-2023, permitting the sale of certain fireworks in unincorporated areas of Caldwell County during the Diwali holiday period. All voting "Aye".

**MOTION APPROVED.**

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**11. Discussion/Action** to approve a proclamation recognizing October 2023 as National Domestic Violence Awareness Month. **Speaker: Judge Haden/Melissa Rodriguez/Ashley Rios; Backup: 2; Cost: None**

Micaela Aranda, a representative for Hays-Caldwell Women’s Center in San Marcos provided information about the program and thanked the County for its continued support. Announces events within the County as well as the Purse Bingo that will be held at the Luling Civic Center on October 21<sup>st</sup> in which Law Enforcement Officers will participate.

Proclamation is read.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve proclamation recognizing October 2023 as National Domestic Violence Awareness Month. All voting “Aye”.

**MOTION APPROVED.**

**12. Discussion/Action** to accept the appointment of Elections Day Judges for the November 2023 Election. **Speaker: Judge Haden/Devante Coe; Backup: 2; Cost: None**

Devante Coe, Election Administrator provided handouts to the court for approval of change of alternate judge at the Luling Civic Center location.

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve the amended appointment of Elections Day Judges for the November 2023 Election. All voting “Aye”.

**MOTION APPROVED.**

**24. Discussion/Action** to approve AAA Auger Plumbing Services REQ02592 in the amount of \$90,000.00 for Jail plumbing/piping issues. **Speaker: Judge Haden/Carolyn Caro; Backup: 2; Cost: \$90,000.00**

Sheriff Mike Lane explains plumbing issues at the jail.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve AAA Auger Plumbing Services REQ02592 in the amount of \$90,000.00 for Jail plumbing/piping issues. All voting “Aye”.

**MOTION APPROVED.**

**27. Discussion/Action** to consider approval of mass gathering plan for Los Avila Fest hosted by Pedro Rodriguez at Plaza San Miguel on Highway 21. **Speaker: Judge Haden/Pedro Rodriguez/Lt. Sáenz; Backup: 4; Cost: None**

Chase Goetz, Assistant Criminal District Attorney-Civil states there are a few deficiencies to the contract and recommends permit be denied. Sheriff Mike Lane, Hector Rangel, EMC Chief, and Commissioner Theriot agree.

Mariela Venova spoke on behalf of the Los Avila Fest about the event including security service discussed with Constable Micheal Bell.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to deny the mass gathering permit for Los Avila Fest hosted by Pedro Rodriguez at Plaza San Miguel on Highway 21. All voting “Aye”.

**MOTION DENIED.**

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**13. Discussion/Action** to ratify Interlocal Cooperation Contract between Caldwell County and Texas State University for Tobacco Enforcement Program. **Speaker: Judge Haden/Dennis Engelke; Backup: 9; Cost: None**

Motion made to approve by Commissioner Theriot, seconded by Commissioner Thomas to ratify Interlocal Cooperation Contract between Caldwell County and Texas State University for Tobacco Enforcement Program. All voting "Aye"

**MOTION APPROVED.**

**14. Discussion/Action** to approve Resolution 25-2023, authorizing the Grants Administrator to apply for the EDA Strategic Planning Recompete Pilot Program Grant, designating the County Judge as the official authorized to execute grant contract documents, and designating the County Auditor as the official authorized to execute grant financial documents. **Speaker: Judge Haden/Dennis Engelke; Backup: 8; Cost: None**

Resolution 25-2023 is read.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Resolution 25-2023, authorizing the Grants Administrator to apply for the EDA Strategic Planning Recompete Pilot Program Grant, designating the County Judge as the official authorized to execute grant contract documents, and designating the County Auditor as the official authorized to execute grant financial documents. All voting "Aye".

**MOTION APPROVED.**

**15. Discussion/Action** to approve Resolution 26-2023, authorizing the Grants Administrator to apply for the EDA Recompete Pilot Program Implementation Grant, designating the County Judge as the official authorized to execute grant contract documents, and designating the County Auditor as the official authorized to execute grant financial documents. **Speaker: Judge Haden/Dennis Engelke; Backup: 7; Cost: None**

Resolution 26-2023 is read.

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve Resolution 26-2023 as amended authorizing the Grants Administrator to apply for the EDA Recompete Pilot Program Implementation Grant, designating the County Judge as the official authorized to execute grant contract documents, and designating the County Auditor as the official authorized to execute grant financial documents. All voting "Aye".

**MOTION APPROVED.**

**16. Discussion/Action** to designate a day of the week on which the Court shall convene in regular term each month during the next fiscal year, pursuant to Section 81.005, Texas Local Government Code. **Speaker: Judge Haden/Chase Goetz; Backup: 1; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to designate the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month for the Court to convene in regular term each month during the next fiscal year, pursuant to Section 81.005, Texas Local Government Code. All voting "Aye".

**MOTION APPROVED.**

**17. Discussion/Action** requesting approval to renew our bank depository agreement with First Lockhart National Bank for an additional two years, making end date of depository on October 1, 2025. **Speaker: Judge Haden/Danie Teltow; Backup: 2; Cost: None**

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Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve renewing our bank depository agreement with First Lockhart National Bank for an additional two years, making the end date of the depository on October 1, 2025. All voting "Aye".

**MOTION APPROVED.**

**18. Discussion/Action** to approve budget amendment #71 for Commisioner's Court for Lockhart Post Register invoices. **Speaker: Judge Haden/Danie Teltow; Backup: 6; Cost: \$3,300.00**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve amendment #71 for Commisioner's Court for Lockhart Post Register invoices. All voting "Aye".

**MOTION APPROVED.**

**19. Discussion/Action** to approve budget amendment #72 for Unit Road Tire costs. **Speaker: Judge Haden/Danie Teltow; Backup: 5; Cost: \$10,000**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve budget amendment #72 for Unit Road Tire costs. All voting "Aye".

**MOTION APPROVED.**

**20. Discussion/Action** to approve budget amendment #73 for Unit Road Seal Coating costs. **Speaker: Judge Haden/Danie Teltow; Backup: 7; Cost: \$178,732.66**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve budget amendment #73 for Unit Road Seal Coating costs. All voting "Aye".

**MOTION APPROVED.**

**21. Discussion/Action** to approve budget amendment #74 for Juvenile Probation Detention line. **Speaker: Judge Haden/Danie Teltow; Backup: 2; Cost: \$25,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to approve budget amendment #74 for Juvenile Probation Detention line. All voting "Aye".

**MOTION APPROVED.**

**22. Discussion/Action** to approve budget amendment #75 for Elections in the amount of \$9,000.00 from various internal budget line items. **Speaker: Judge Haden/Danie Teltow; Backup: 5; Cost: \$9,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve budget amendment #75 for Elections in the amount of \$9,000.00 from various internal budget line items. All voting "Aye".

**MOTION APPROVED.**

**23. Discussion/Action** to approve REQ002549 payment to the Caldwell County Historical Commission. **Speaker: Judge Haden/Carolyn Caro; Backup: 3; Cost: \$4,000.00**

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Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve REQ002549 payment to the Caldwell County Historical Commission. All voting "Aye".

**MOTION APPROVED.**

Commissioner Theriot recused himself from the courtroom.

**25. Discussion/Action** to approve award for RFQ 23CCP01Q Subdivision Engineering Services. **Speaker: Judge Haden/Carolyn Caro; Backup: 13; Cost: None**

Carolyn Caro, Purchasing Agent requests approval of award to Doucett & Doucett for Engineering Services.

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve Doucett & Doucett for RFQ 23CCP01Q Subdivision Engineering Services. All voting "Aye".

**MOTION APPROVED.**

Commissioner Theriot returns to the courtroom.

**26. Discussion/Action** to approve a contract between the County and Verkada, Inc., and a financing agreement between the County and Leaf Capital Funding, LLC, for purchase of 29 security cameras and associated cloud storage services. **Speaker: Judge Haden/Carolyn Caro; Backup: 23; Cost: \$34,231.04**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve the contract between the County and Verkada, Inc., and a financing agreement between the County and Leaf Capital Funding, LLC, for the purchase of 29 security cameras and associated cloud storage services. All voting "Aye".

**MOTION APPROVED.**

**28. Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Gonzales Place located at 3355 Dry Creek Road. **Speaker: Commissioner Thomas/Kasi Miles; Backup: 14; Cost: None**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Gonzales Place located at 3355 Dry Creek Road. All voting "Aye".

**MOTION APPROVED.**

**29. Discussion/Action** to consider the approval of the Preliminary Plat for Tenney Creek Ranch consisting of 20 residential lots on approximately 60.58 acres. **Speaker: Commissioner Horne/Kasi Miles; Backup: 18; Cost: None**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve the Preliminary Plat for Tenney Creek Ranch consisting of 20 residential lots on approximately 60.58 acres. All voting "Aye".

**MOTION APPROVED.**

**30. Discussion/Action** to approve an interlocal cooperation agreement between the County and the City of Lockhart, for the provision of emergency medical services and emergency ambulance services in the county. **Speaker: Judge Haden/Chase Goetz; Backup: 9; Cost: \$300,000.00**

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Chase Goetz, Assistant Criminal District Attorney-Civil states agreement is still under negotiations.

Motion to Table Item 30 pending further negotiations made by Commissioner Thomas, seconded by Commissioner Horne. All voting "Aye".

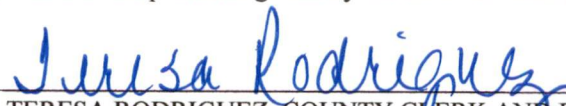
**MOTION TO TABLE APPROVED.**

**31. Adjournment**

Motion made by Commissioner Theriot, seconded by Commissioner Horne to adjourn. All voting "Aye".  
The court adjourns at 10:08 a.m.

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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 September 26, 2023.



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

