

COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court August 8<sup>th</sup>, 2023, 9:00 a.m.



AMENDED 8/04/2023.

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 calls the meeting to order at 9:00 a.m.

**Invocation**

Pastor Kyle Hope with New Ground Ministries of Lockhart 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.

Judge Haden announces that we are at 86% on the Cyber Security Training course being completed and we need to be close to 100 % as possible.

**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>

Al Hoelscher, a Lockhart resident voices his concerns with speeding and passing of school buses on County Road 671 off 183 and suggests possible speed bumps and signs.

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 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: \$598,984.83**
2. **Ratify re-occurring County Payments:**
  - A. **\$400,075.84 Payroll (07/16/2023 – 07/29/2023)**
  - B. **\$118,983.36 Payroll Tax (07/16/2023 – 07/29/2023)**
3. **To accept the July 2023 Indigent Burial Report**
4. **To accept the Notice of the Board of Judges Meeting, Agenda, and the Fiscal Years 2024 and 2025 Budget Summaries from the Community Supervision and Corrections Department (Adult Probation)**
5. **To approve ESD #1 Financial Reports for the year ending December 31, 2022**
6. **To approve the Bond #72501925 – Assistant Elections**
7. **To approve the Bond #72563016 – Grants Department Assistant**
8. **To ratify Amendment 1 to Capital Area Council of Governments Contract for Implementation of Solid Waste Management Activities**

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

**MOTION APPROVED.**

**DISCUSSION/ACTION ITEMS:**

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

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

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

**MOTION APPROVED.**

11. **Discussion/Action** to approve a Proclamation designating August 19, 2023, as the River Appreciation Day, and commemorating local commitment to San Marcos River cleanup and preservation efforts. **Speaker: Commissioner Theriot; Backup: 2; Cost: None**

Commissioner Theriot announces August 19<sup>th</sup> in Martindale the 2<sup>nd</sup> Annual River Appreciation event will take place to recognize those groups that help maintain the river.

Proclamation is read.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve Proclamation designating August 19, 2023, as the River Appreciation Day, and commemorating local commitment to San Marcos River cleanup and preservation efforts. All voting "Aye".

**MOTION APPROVED.**

12. **Discussion/Action** to discuss donation to the Caldwell County Historical Commission. **Speaker: Judge Haden/Coyle Buehler; Backup: 3; Cost: To Be Determined**



**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 a.m.**

---

Judge Haden states Mr. Buehler with the Caldwell County Historical Commission has asked for a \$4,000.00 donation.

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve a \$4,000.00 donation to the Caldwell County Historical Commission. All voting "Aye".

**MOTION APPROVED.**

- 13. Discussion/Action** to approve funding in the amount of \$2,597.00 from Caldwell County to Capital Area Councils of Governments (CAPCOG) in support of CAPCOG's Air Quality Program for FY 2024. **Speaker: Commissioner Westmoreland/Judge Haden; Backup: 10; Cost: \$2,597.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve funding in the amount of \$2,597.00 from Caldwell County to Capital Area Councils of Governments (CAPCOG) in support of CAPCOG's Air Quality Program for FY 2024. All voting "Aye".

**MOTION APPROVED.**

- 10. Discussion/Action** to discuss tax rate for FY 2024 and schedule public hearing to approve tax rate. **Speaker: Judge Haden; Backup: 1; Cost: None**

Danie Teltow, County Auditor reports the proposed tax rate for next year and will go forward if approved by court with the 2023 voter approval tax rate of .4692.

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to schedule a Public Hearing on August 22nd. All voting "Aye".

**MOTION APPROVED.**

- 14. Discussion/Action** to consider the imposition of optional County fees through the Texas Department of Motor Vehicles for the Calendar Year (CY) 2024. **Speaker: Judge Haden/Darla Law; Backup: 2; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve the imposition of optional County fees through the Texas Department of Motor Vehicles for the Calendar Year (CY) 2024. All voting "Aye".

**MOTION APPROVED.**

- 15. Discussion/Action** to approve Order 09-2023, approving a petition for the creation of Caldwell County Emergency Services District No. 5, and ordering an election to submit said issue to the voters of Caldwell County. **Speaker: Judge Haden; Backup: 57; Cost: None**

Judge Haden asks to Table Item 15 to schedule for August 16<sup>th</sup> at 9:00 a.m.

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

**MOTION TO TABLE APPROVED.**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 a.m.**

---

- 16. Discussion/Action** to approve budget amendment #56 for Unit Road to approve the transfer of Fuel to Seal Coating on a blanket PO# REQ01946. **Speaker: Judge Haden/Danie Teltow; Backup: 7; Cost: \$95,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Theriot to approve budget amendment #56 for Unit Road to approve the transfer of Fuel to Seal Coating on a blanket PO# REQ01946. All voting "Aye".

**MOTION APPROVED.**

- 17. Discussion/Action** to approve change order in the amount of \$150,000.00 (Paving) and \$98,649.10 (Dust Control) for Ergon Blanket PO #01946. **Speakers: Judge Haden/Carolyn Caro; Backup: 3; Cost: \$248,649.10**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve change order in the amount of \$150,000.00 (Paving) and \$98,649.10 (Dust Control) for Ergon Blanket PO #01946. All voting "Aye".

**MOTION APPROVED.**

- 18. Discussion/Action** to approve payment of nine (9) Unit Road invoices totaling the amount of \$162,446.12 for Ergon Asphalt and Emulsions. **Speakers: Judge Haden/Carolyn Caro; Backup: 10; Cost: 162,446.12**

Motion made by Commissioner Theriot, seconded by Commissioner Thomas to approve payment of nine (9) Unit Road invoices totaling the amount of \$162,446.12 for Ergon Asphalt and Emulsions. All voting "Aye".

**MOTION APPROVED.**

- 19. Discussion/Action** to approve budget amendment #57 for Building Maintenance – A/C for Slater Building. **Speaker: Judge Haden/Danie Teltow; Backup: 5; Cost: \$1,500.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve budget amendment #57 for Building Maintenance – A/C for Slater Building. All voting "Aye".

**MOTION APPROVED.**

- 20. Discussion/Action** to approve budget amendment #58 request for Commissioner's Court Advertising line item to increase \$1,500.00 from Contingency. **Speakers: Judge Haden/Danie Teltow; Backup: 3; Cost: \$1,500.00**

Motion made by Commissioner Horne, seconded by Commissioner Thomas to approve budget amendment #58 request for Commissioner's Court Advertising line item to increase \$1,500.00 from Contingency. All voting "Aye".

**MOTION APPROVED.**

- 21. Discussion/Action** to approve budget amendment #59 for County Jail to cover costs of food supplies and Utilities. **Speakers: Judge Haden/Danie Teltow; Backup: 9; Cost: \$50,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve budget amendment #59 for County Jail to cover costs of food supplies and Utilities. All voting "Aye".

**MOTION APPROVED.**



**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 a.m.**

---

- 22. Discussion/Action** to approve budget amendment #60 for County Court at Law Adult Expert Witness and Indigent Attorney Fee expenditure line item increase from Contingency and Medical Contingency. **Speakers: Judge Haden/Danie Teltow; Backup: 3; Cost: \$100,000.00**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve budget amendment #60 for County Court at Law Adult Expert Witness and Indigent Attorney Fee expenditure line-item increase from Contingency and Medical Contingency. All voting "Aye".

**MOTION APPROVED.**

- 23. Discussion/Action** to approve budget amendment #61 for District Judge administrative expenditure line item increase from Adult Indigent Attorney's fees. **Speakers: Judge Haden/Danie Teltow; Backup:3; Cost: \$10,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve budget amendment #61 for District Judge administrative expenditure line-item increase from Adult Indigent Attorney's fees. All voting "Aye".

**MOTION APPROVED.**

- 24. Discussion/Action** to approve budget amendment #62 for Grant Department to cover invoices for contract extension for Texas SAVNS/VINE Grant. **Speakers: Judge Haden/Danie Teltow; Backup: 5; Cost: \$12,823.31**

Motion made by Commissioner Horne, seconded by Commissioner Theriot to approve budget amendment #62 for Grant Department to cover invoices for a contract extension for Texas SAVNS/VINE Grant. All voting "Aye".

**MOTION APPROVED.**

- 25. Discussion/Action** to approve budget amendment #63 for Sheriff's Office to increase Machinery & Equipment from Retirement and Transportation line items. **Speaker: Judge Haden/Danie Teltow; Backup: 3; Cost: \$24,866.10**

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve budget amendment #63 for Sheriff's Office to increase Machinery & Equipment from Retirement and Transportation line items. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot recused himself on Item 26 & 27.**

- 26. Discussion/Action** to approve change order in the amount of \$75,000.00 for Doucet Blanket PO #01940. **Speaker: Judge Haden/Carolyn Caro; Backup: 1; Cost: \$75,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Horne to approve change order in the amount of \$75,000.00 for Doucet Blanket PO #01940. All voting "Aye".

**MOTION APPROVED.**

- 27. Discussion/Action** request to ratify approval of Doucet REQ02436 in the amount of \$146,500.00. **Speaker: Judge Haden/Carolyn Caro; Backup: 6; Cost: \$146,500.00**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 a.m.**

---

Motion made by Commissioner Thomas, seconded by Commissioner Horne to approve the request to ratify approval of Doucet REQ02436 in the amount of \$146,500.00. All voting "Aye".

**MOTION APPROVED.**

**Commissioner Theriot returns to the courtroom.**

**28. Discussion/Action** to consider approval to pay training invoice numbers 67180, 67181,67182 and 67280 for JP #1 and JP# 2. **Speakers: Judge Haden/Danie Teltow; Backup: 6; Cost: \$300.00**

Motion made by Commissioner Horne, seconded by Commissioner Westmoreland to approve to pay training invoice numbers 67180, 67181,67182 and 67280 for JP #1 and JP# 2. All voting "Aye".

**MOTION APPROVED.**

**29. Discussion/Action** to approve final draft and solicitation of qualifications for RFQ23CCP01Q Subdivision Engineering Services. **Speakers: Judge Haden/Carolyn Caro; Backup: 55; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Thomas to approve final draft and solicitation of qualifications for RFQ23CCP01Q Subdivision Engineering Services. All voting "Aye".

**MOTION APPROVED.**

**30. Discussion/Action** to approve a proposed scope of work for engineering services for Capital Improvements Plans and Program (CIPP) and bond support services. **Speaker: Judge Haden/Chase Goetz; Backup:7; Cost: None**

Steven D. Widacki, American Structurepoint, Senior Project Manager explains the scope of work for engineering services for Capital Improvements Plans and Program and bond support services.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve the proposed scope of work for engineering services for Capital Improvements Plans and Program (CIPP) and bond support services. All voting "Aye".

**MOTION APPROVED.**

**Executive Session opens at 9:35 a.m. closes at 10:04 a.m.**

**31. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 5551.087, the discussion of deliberation regarding economic development negotiations associated with Project Apple Pie. Possible action may follow in open court. **Speaker Judge Haden; Backup: 1; Cost: None**

**NO ACTION WAS TAKEN.**

**32. Adjournment**

Motion made by Commissioner Thomas, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". The court adjourns at 10:05 a.m.

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting August 8th, 2023, 9:00 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 8, 2023.

---

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