

COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court December 27, 2022, 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 the meeting to order at 9:00 a.m. Commissioner Theriot is absent.

**Invocation.**

Commissioner Roland 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** wishes everyone an Early Happy New Year and thanks the Lockhart Community on behalf of the Westmoreland Family for 122 years of service for his family business.

**Commissioner Shelton** states this is her last Commissioners Court session, and thanks Precinct 2 for the opportunity to serve.

**Commissioner Roland** thanks God for the opportunity to serve on Commissioner Court Board.

**Judge Haden** is thankful for a great Commissioner Court Board.

**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.**

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

1. **Approve payment of County invoices and County Purchase Orders: \$386,184.09**
2. **Ratify re-occurring County Payments:**
  - A. **\$376,677.81 Payroll (12/04/2022 – 12/17/2022)**
  - B. **\$114,502.88 Payroll Tax (12/04/2022 – 12/17/2022)**
  - C. **\$429,323.47 (DMV Comptroller)**
  - D. **\$385.94 (TPWD Comptroller)**
  - E. **\$295,244.41 (DMV Remittance)**
3. **To approve QTR #4 Pct. 1 Justice of the Peace Cash Audit performed on 11.02.2022.**
4. **To approve the bond for all 6 Tax-Assessor Deputies.**
5. **To approve the November 2022 Collection Report from Caldwell County Appraisal District.**

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

**MOTION APPROVED.**

**DISCUSSION/ACTION ITEMS:**

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

Hank Alex Assistant Chief EMC provides fire updates and recommends keeping Burn Ban Off.

Motion made by Commissioner Roland, seconded by Commissioner Shelton. All voting "Aye".

**MOTION APPROVED.**

8. **Discussion/Action** to consider the approval of a Proclamation recognizing Commissioner Roland's years of service to Caldwell County. **Speaker: Judge Haden; Backup: 2; Cost: None**

The Proclamation is read.

Presentation to Commissioner Roland for 32 years of service and to Commissioner Shelton for 4 years of service.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Proclamation recognizing Commissioner Roland's years of service to Caldwell County. All voting "Aye".

**MOTION APPROVED.**

9. **Discussion/Action** to consider the approval of Resolution 04-2023, approving an Interlocal Cooperation Agreement between the County and LCRA for radio equipment and services. **Speaker: Judge Haden; Backup: 16; Cost: None**

Resolution 04-2023 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Resolution 04-2023, approving an Interlocal Cooperation Agreement between the County and LCRA for radio equipment and services. All voting "Aye".

**MOTION APPROVED.**



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**10. Discussion/Action** to consider the approval of Mr. Bill Hamilton and Mrs. Josie Martinez as Caldwell County ESD #3 Commissioners. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve of Mr. Bill Hamilton and Mrs. Josie Martinez as Caldwell County ESD #3 Commissioners. All voting "Aye".

**MOTION APPROVED.**

**11. Discussion/Action** to consider the approval of the reappointments of Mr. Martin Ritchey and Mr. Steven Fogle as Caldwell County ESD #4 Commissioners. **Speaker: Judge Haden; Backup: 2; Cost: None.**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve the reappointments of Mr. Martin Ritchey and Mr. Steven Fogle as Caldwell County ESD #4 Commissioners. All voting "Aye".

**MOTION APPROVED.**

**12. Discussion/Action** to consider the approval of Caldwell County Sheriff's Office participation in the Texas LESO Program, also known as the 1033 Program, for the potential procurement of Department of Defense Surplus. **Speaker: Judge Haden/ Sheriff Lane; Backup: 28; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Caldwell County Sheriff's Office participation in the Texas LESO Program, also known as the 1033 Program, for the potential procurement of Department of Defense Surplus. All voting "Aye".

**MOTION APPROVED.**

**13. Discussion/Action** to consider the approval of Budget Amendment #5 to transfer money from Juvenile-Indigent Attorney (001-3240-4180) to Juvenile-Expert Witness (001-3240-4210) in order to pay the invoice payment. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$1,650.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 5 to transfer money from Juvenile-Indigent Attorney (001-3240-4180) to Juvenile-Expert Witness (001-3240-4210) in order to pay the invoice payment. All voting "Aye".

**MOTION APPROVED.**

**14. Discussion/Action** to consider the approval of Budget Amendment #6 to transfer money from Professional Services (001-6510-4110) to Lobbying (001-6510-3300) in order to pay the invoice payment. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$31,500.00.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 6 to transfer money from Professional Services (001-6510-4110) to Lobbying (001-6510-3300) in order to pay the invoice payment. All voting "Aye".

**MOTION APPROVED.**

- 15. Discussion/Action** to consider the approval of Budget Amendment #7 to decrease budget amounts from the Tobacco Enforcement Grant to Contingency. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: 5,961.00**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Budget Amendment 7 to decrease budget amounts from the Tobacco Enforcement Grant to Contingency. All voting "Aye".

**MOTION APPROVED.**

- 16. Discussion/Action** to consider the approval of Budget Amendment #8 to transfer money from Contingency (001-6510-4860) to City-County Patrol-OT (001-4300-1155) to cover the pay for the contract between City of Lockhart and Caldwell County Sheriff's office. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$20,000.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 8 to transfer money from Contingency (001-6510-4860) to City-County Patrol-OT (001-4300-1155) to cover the pay for the contract between City of Lockhart and Caldwell County Sheriff's office. All voting "Aye".

**MOTION APPROVED.**

- 17. Discussion/Action** to consider the approval of moving a Part-Time Deputy Constable in Pct. 3 to a Full-Time Position. **Speaker: Judge Haden/ Danie Teltow/ Michael Bell; Backup: 2; Cost: TBD**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve moving a Part-Time Deputy Constable in Pct. 3 to a Full-Time Position. All voting "Aye".

**MOTION APPROVED.**

- 18. Discussion/Action** to consider the approval of Budget Amendment # 9 to transfer money from Contingency (001-6510-4860) to Workers Comp (001-6510-2040) to cover Workers Comp Invoice of Q4. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$2,050.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 9 to transfer money from Contingency (001-6510-4860) to Workers Comp (001-6510-2040) to cover Workers Comp Invoice of Q4. All voting "Aye".

**MOTION APPROVED.**

- 19. Discussion/Action** to consider the approval of payment in the amount of \$43,532.00 to Texas Association of Counties Risk Management Pool for Worker's Comp Coverage QTR 4 invoice #34697-WC4. **Speaker: Judge Haden/ Carolyn Caro; Backup: 2; Cost: \$43,532.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve payment in the amount of \$43,532.00 to Texas Association of Counties Risk Management Pool for Worker's Comp Coverage QTR 4 invoice #34697-WC4. All voting "Aye".

**MOTION APPROVED.**



- 20. Discussion/Action** to consider the approval of REQ02113 in the amount of \$685,000.00 for Caldwell County Appraisal District Quarterly Payments FY 22-23. **Speaker: Judge Haden/ Carolyn Caro; Backup: 2; Cost: \$685,000.00**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve REQ02113 in the amount of \$685,000.00 for Caldwell County Appraisal District Quarterly Payment FY 22-23. All voting "Aye".

**MOTION APPROVED.**

- 21. Discussion/Action** to consider the approval of payment in the amount of \$170,699.56 to Caldwell County Appraisal District for invoice #2023 QTR-1 and Invoice #2023 COLL QTR-1. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: \$170,699.56**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve payment in the amount of \$170,699.56 to Caldwell County Appraisal District for invoice #2023 QTR-1 and Invoice #2023 COLL QTR-1. All voting "Aye".

**MOTION APPROVED.**

**PUBLIC HEARING @ 9:30**

Replat of Oak Trails, Section Two, Lot 9, Block Two located on Oak Trail Drive. Property ID 16565.

The Public Hearing opens at 9:30 a.m.

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

- 6. Discussion/Action** to consider the approval of Oaks Trails, Section Two Replat of lot 9 in Block Two located on Oak Trail Drive. **Speaker: Judge Haden/ Kasi Miles; Backup: 17; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve of Oaks Trails, Section Two Replat of lot 9 in Block Two located on Oak Trail Drive. All voting "Aye".

**MOTION APPROVED.**

- 22. Discussion/Action** to consider the approval of a variance of access requirements for Family Land Grant. **Speaker: Judge Haden/ Linda Hinkle/ Evie Kemp; Backup: 8; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve a variance of access Requirements for Family Land Grant. All voting "Aye".

**MOTION APPROVED.**

- 23. Discussion/Action** to consider the approval of fiscal security for construction with a surety bond in the amount of \$3,698,705.12 for Sunset Oaks, Section V, Phase 1A, Location in the 7000 block of Hwy 21. **Speaker: Judge Haden/ Donald LeClerc; Backup: 7; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve of fiscal security for construction with a surety bond in the amount of \$3,698,705.12 for Sunset Oaks, Section V, Phase 1A, Location in the 7000 block of Hwy 21. All voting "Aye".

**MOTION APPROVED.**

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- 24. Discussion/Action** to consider the approval of fiscal security for construction with a cash deposit in the amount of \$514,862.36 accompanied by cash security agreement for Hartland Ranch – Phase 1 located on Borchert Loop. **Speaker: Judge Haden; Backup: 5; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve fiscal security for construction with a cash deposit in the amount of \$514,862.36 accompanied by cash security agreement for Hartland Ranch – Phase 1 located on Borchert Loop. All voting “Aye”.

**MOTION APPROVED.**

- 25. Discussion/Action** to consider the approval of the Final Plat for Hartland Ranch subdivision, Phase 1 consisting of 8 residential lots on approximately 61.969 acres located on Borchert loop (CR 108). **Speaker: Judge Haden/ Kasie Miles; Backup: 75; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Final Plat for Hartland Ranch subdivision, Phase 1 consisting of 8 residential lots on approximately 61.969 acres located on Borchert loop (CR 108). All voting “Aye”.

**MOTION APPROVED.**

- 26. Discussion/Action** to consider the approval of the Preliminary Plat for Bollinger Subdivision consisting of 809 residential lots on approximately 322.765 acres located on FM 2720 and Sundance Court (CR 64). **Speaker: Judge Haden/ Kasi Miles; Backup: 54; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve of the Preliminary Plat for Bollinger Subdivision consisting of 809 residential lots on approximately 322.765 acres located on FM 2720 and Sundance Court (CR 64). All voting “Aye”.

**MOTION APPROVED.**

- 27. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations associated with Project Ardisia. Possible action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

**Executive Session opens at 9:46 a.m.**

**Executive Session closes at 10:01 a.m.**

- 28. Discussion/Action** to consider taking action on Executive Session. **Speaker: Judge Haden; Backup: 1; Cost: None**

**NO ACTION WAS TAKEN.**

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Commissioner Shelton requested for the court to complete unfinished business pertaining to the traffic study in Prairie Lea.

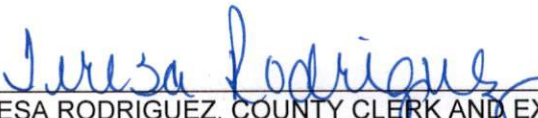
Commissioner Roland thanks everyone for having him serve.

**29. Adjournment.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". The court adjourns at 10:04 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 December 27, 2022.

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

