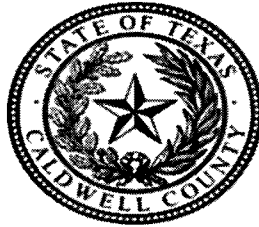


COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court February 11, 2019 9:00 a.m.



HOPPY HADEN	County Judge	B.J. WESTMORELAND	Commissioner Pct. 1
TERESA RODRIGUEZ	County Clerk	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. All members are present.

Invocation. Lockhart Ministerial Alliance

Bob Bush 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 thanks Bluebonnet Electric for allowing him to be a judge for Government in Action Youth Contest this evening.

Commissioner Shelton says she met with Meals on Wheels representative Kelly Frank, moving toward the program being enacted in McMahan.

Commissioner Theriot says he attended a Go Texan scholarship fundraiser and that there is a hearing regarding the TCEQ Sewer Discharge Permit Application in Prairie Lea tomorrow.

Commissioner Roland says he is President of the Progressive Club who host a banquet every third Saturday of February because it is Black History Month and that three new subdivisions are proposed in Precinct 4.

Judge Haden says he attended the Go Texan Banquet as well, adding that his wife is on their board.

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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).

John Daring is a Lockhart resident who says he is part of a group who is trying to stop dumping.

Charles Nagel is a Dale resident and company owner who says ordinances should be monitored, enforced, and audited or people will not want to live in the area and the tax base will go down.

Jerry West says Dale, where he resides, has decreased in quality, the Commissioner and the Justice of the Peace for Precinct 4 are not prosecuting infractions, and dumping has negatively impacted his business.

Gretchen Boyet is a Dale resident who says that she has picked up trash herself, government should take action without being prompted, and that property improvements should not result in higher tax rates.

Danny Santos is a Dale resident who says he complained about loud music and bass but was told by the Sheriff's Office that there is no noise ordinance.

Randy Laney lives on State Park Rd and says there are chickens at a house in Lytton Springs that have been an issue complained about for four years.

SPECIAL PRESENTATION

Julie Zimmerman: Texas A&M AgriLife Extension Master Gardeners

Brande Beck, Lee Rust, and Julie Zimmerman share the services and monetary value of the Master Gardeners' volunteer work, presenting to the Court an oversized artificial check representing the value.

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

1. **Approve payment of County invoices in the amount of \$ 313,895.54.**
2. **Ratify re-occurring County payments in the amount of:**

A. \$ 286,460.02 (Payroll for 01/06/2019 – 01/25/2019); Backup: 21.
B. \$ 87,611.43 (Payroll Tax for 01/06/2019 – 01/25/2019); Backup: 1.
C. \$ 56,584.36 (Department of Motor Vehicle Fees); Backup: 1.
3. **Accept Mandated Reporting submitted by the County Treasurer’s Office: Backup: 6.**

A. 2018 Transmittal of Wage and Tax Statements: W-2 and W-3 filings completed and timely filed.
B. \$ 280.00 (Sexual Abuse/Substance Abuse Programs)
C. \$ 123,342.63 (State Criminal Costs & Fees)
D. \$ 18,572.95 (Civil Fees)
E. \$ 940.31 (Specialty Court Program Account)
F. \$ 6,165.71 (Electronic Filing System State Fund for Civil and Criminal)
4. **Accept and approve Certificate of Course Completion for the Texas Open Meetings Act that satisfies the legal requirements of Government Code, Section 551.005 and Texas Public Meetings Act that satisfies the legal requirements of Government Code, Section 552.012 for County Judge, Hopsy Haden; Backup: 2.**
5. **Accept and approve Certificate of Course Completion for the Texas Open Meetings Act that satisfies the legal requirements of Government Code, Section 551.005 and Texas Public Meetings Act that satisfies the legal requirements of Government Code, Section 552.012 for Commissioner, Precinct Two, Barbara Shelton; Backup: 2.**
6. **Accept and approve Certificate of Course Completion of the Texas Registered Election Official from the Election Center for Pamela Ohlendorf, Elections Administrator; Backup: 1.**
7. **Accept and approve Certificate of Course Completion of the Texas Registered Election Official from the Election Center for Mary Sanchez, Elections Clerk; Backup: 1.**
8. **Accept the December 2018 Tax Collection Report submitted by the Caldwell County Appraisal District; Backup: 3.**
9. **Accept and approve the 2017 Audit Reports submitted by the Caldwell County Appraisal District; Backup: 35.**

Commissioner Theriot steps away. Motion made by Commissioner Shelton, second by Commissioner Westmorland to accept the Consent Agenda. All present voting “Aye”.

AGENDA ACTION ITEMS

- 10. Discussion/Action** regarding the burn ban. **Cost: None; Speaker: Judge Haden / Carine Chalfoun; Backup: None.**

Commissioner Theriot returns. Carine Chalfoun recommends leaving the burn ban off and mentions there are predictions of increment weather over the next week. Motion made by Commissioner Roland, second by Commissioner Shelton to leave the burn ban off. All voting "Aye".

- 11. Discussion/Action** to approve a Proclamation declaring February 2019 as Black History Month. **Cost: None; Speaker: Commissioner Roland; Backup: 1.**

Commissioner Roland reads the Proclamation. Motion made by Commissioner Shelton, second by Commissioner Roland that we approve the Proclamation. All voting "Aye".

- 12. Discussion/Action** to approve a donation to the Luling Lions Club for rental of flags for the Slater Building. **Cost: \$50.00; Speaker: Judge Haden; Backup: 2.**

Judge Haden says the agenda item was changed to "rental" instead of "purchase" and asks for a motion. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

- 13. Discussion/Action** to approve Resolution 07-2019 consenting to and supporting the conversion of Maxwell Water Supply Corporation to a Special Utility District operating under Chapter 65, Texas Water code; providing findings of fact; providing for open meeting; providing an effective date. **Cost: None; Speaker: Commissioner Theriot; Backup: 2.**

Commissioner Theriot introduces Justin Ivicic with Maxwell Water Supply Corporation who provides court members a handout (copy was not given to the County Clerk for the minutes) and explains the Resolution. Commissioner Theriot reads the Resolution.

Recommendation by Commissioner Theriot, second by Commissioner Shelton for approval. All voting "Aye".

- 14. Discussion/Action** to discuss and/or approve the wine and beer permit for Old Settler's Music Festival. **Cost: None; Speaker: Judge Haden; Backup: 2.**

Judge Haden explains the permit request and asks for a motion to approve. So moved by Commissioner Westmorland, second by Commissioner Shelton. All voting "Aye".

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- 15. Discussion/Action** to approve the permit filed as Old Settler's Music Festival. **Cost: None; Speaker: Judge Haden; Backup: 15.**

Mike Lane and Carine Chalfoun confirm for Judge Haden that all requirements are met to approve the permit. Motion made by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

- 16. Discussion/Action** regarding approval of the Contract for the FM 150/Yarrington Road Project and Interlocal Agreement with the Capital Area Metropolitan Planning Organization (CAMPO). **Cost: None; Speaker: Commissioner Theriot; Backup: 21.**

Commissioner Theriot and Ashby Johnson with CAMPO explain the Contract and the Interlocal Agreement along with continued steps towards its implementation. Commissioner Theriot and Judge Haden review the scoring and firm selection process.

Motion made by Commissioner Theriot, second by Commissioner Roland we approve the selection of Brown and Gay Engineers as a consultant for the FM 150 and Yarrington Road Project and the Interlocal Agreement between CAMPO and Caldwell County. All voting "Aye".

- 17. Discussion/Action** to approve the applications of six (6) new members to the Child Welfare Board. **Cost: None; Speaker: Commissioner Theriot; Backup: 1.**

Judge Haden reads the names of the appointees: Flora Amaya, Pam Cantwell, Raysha Faycosh, Matt Kiely, Megan Tull, and JJ Wells.

Motion made by Commissioner Roland, second by Commissioner Shelton to approve item 17. All voting "Aye".

- 18. Discussion/Action** to discuss Elected Officials' and Department Heads' procedures for position changes and wage changes. **Cost: None; Speaker: Judge Haden; Backup: 4.**

Judge Haden explains the new process. Motion made by Commissioner Shelton, second by Commissioner Westmoreland to accept item 18. All voting "Aye".

- 19. Discussion/Action** to approve decreased budget line item 001-4310-1052 / Jailers in the amount of \$50,000; and increasing budget line item(s) 001-4310-1150/ Overtime in the amount of \$50,000, netting a \$0 cost to General Fund. **Cost: None; Speaker: Judge Haden; Backup: 1.**

Mike Lane explains the transfer and Judge Haden confirms with Barbara Gonzales that everything is in order. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

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20. **Discussion/Action** to approve decreased budget line item(s) 001-4300-1033 / Dispatchers in the amount of \$2,900; 001-4300-1034 / Detectives in the amount of \$12,000; 001-4300-1035 / Patrol Deputies in the amount of \$59,322; and 001-4300-5310 / Machinery and Equipment in the amount of \$5,100; and increasing budget line item(s) 001-4300-1031 / Captain in the amount of \$59,322; and 001-4300-1150 / Overtime in the amount of \$20,000, netting a \$0 cost to General Fund. **Cost: None; Speaker: Judge Haden; Backup: 1.**

Mike Lane confirms that Barbara Gonzales oversaw the budget transfer and Judge Haden asks for a motion to approve. So moved by Commissioner Roland second by Commissioner Shelton. All voting "Aye".

21. **Discussion/Action** to approve the request of property owners Roger Birt and Marsha Ruth Phelps for the County to abandon a portion of the Old Public Road located off of FM 1386, a County-owned Road. **Cost: None; Speaker: Commissioner Shelton / The Law Office of Elizabeth Raxter and Linda Hinkle; Backup: 22.**

Linda Hinkle works for Claude Hinkle Surveyors who surveyed the property and Elizabeth Raxter is their attorney. She explains the reason for the request. Judge Haden asks for a motion to approve.

So moved by Commissioner Shelton. Commissioner Theriot, Amanda Montgomery, Linda Hinkle, and Commissioner Shelton discusses the process for property abandonment. Second by Commissioner Westmoreland. All voting "Aye".

22. **Discussion/Action** to discuss the City of Luling's request to have the Caldwell County Unit Road System (URS) help level the baseball field in Luling. **Cost: None; Speaker: Judge Haden; Backup: None.**

Court members, Donald LeClerc, and Amanda Montgomery discuss what the request would entail. Judge Haden asks for a motion to table until an interlocal agreement can be created with the City of Luling.

So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

23. **Discussion/ Action** to discuss the policies and procedures for Announcements made by County Staff during Commissioners Court. **Cost: None; Speaker: Judge Haden; Backup: None.**

Amanda Montgomery explains the recommendation that Commissioners Court Agendas include what topics will be covered during Announcements.

Judge Haden asks for a motion to approve the policy. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

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24. **EXECUTIVE SESSION** pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding employment and duties of the County Court at Law Court Reporter. Possible action may follow in open court. **Cost: TBD; Speaker: Judge Haden; Backup: None.**

The Executive Session begins at 10:05 a.m.

Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, Amanda Montgomery, Barbara Molina, and Leigh Hagg are all present.

The Executive Session ends at 10:43 a.m. No action is taken.

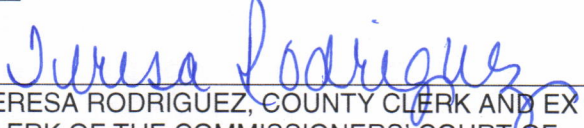
25. **Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Theriot that we adjourn. All voting "Aye".

Court adjourns at 10:43 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 February 11, 2019.




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