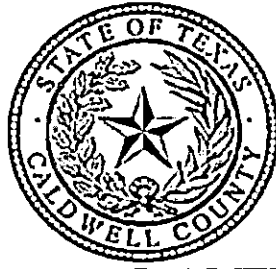


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court March 22, 2022, 9:00 a.m.



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 meeting to order at 9:00 a.m.

Invocation.

Commissioner Roland opens 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 asks that everyone sign up with Warn Central Texas.org for weather alerts. Gives thanks to all the County Emergency responders and power personnel. Prayers to all surrounding counties.

Commissioner Shelton, Commissioner Roland and Judge Haden thank all Emergency Personnel and EMC department for all the updates.

Dennis Engelke, Grants Administrator reports the Water Development Board will be holding a public information meeting tonight at the Scott Annex building from 5:00 p.m. to 7:00 p.m.

Ezzy Chan, Executive Assistant reminds everyone a Cyber Security Training email will be sent out.

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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>

No Citizen's Comments.

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

1. **Approve payment of County invoices and County Purchase Orders: \$1,012,553.18**
2. **Ratify re-occurring County Payments:**
 - A. **\$340,412.14 Payroll (2/13/2022 – 02/26/2022)**
 - B. **\$100,623.55 Payroll Tax (2/13/2022 – 02/26/2022)**
 - C. **\$437,684.54 DMV Comptroller**
 - D. **\$70,838.52 DMV Remittance**
 - E. **\$1,856.60 TPWD Comptroller**
3. **To approve February 2022 Tax Collection report for Caldwell County Tax Appraisal Office.**
4. **To approve the renewal bond for Kimber Daniel, Elections Administrator.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".
MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

7. **Discussion/Action** to consider the approval of creating two (2) new Corporal and two (2) new Animal Control job positions for the Caldwell County Sheriff's Office. **Speaker: Judge Haden/ Mike Lane/ Jon Craigmile; Backup: 10; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve creating two (2) new Corporal and two (2) new Animal Control job positions for the Caldwell County Sheriff's Office. All voting "Aye".
MOTION APPROVED.

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

Hector Rangel, Chief EMC updates court on storm and confirms a tornado did land in Caldwell County, recommends keeping the Burn Ban off.
Motion made by Commissioner Roland, seconded by Commissioner Westmoreland. All voting "Aye".
MOTION APPROVED.

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- 8. Discussion/Action** to consider Budget Amendment #34, creating two (2) Corporal and two (2) Animal Control Position. **Speaker: Judge Haden/ Mike Lane/ Jon Craigmile/ Mayra Castillo; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment #34, creating two (2) Corporal and two (2) Animal Control Position. All voting "Aye".
MOTION APPROVED.

- 9. Discussion/Action** to consider Budget Amendment #37 to transfer money from (001-6560-3510) Machinery & Equipment and (001-6560-4310) Advertising and Legal Notice to (001-6560-4810) Training for upcoming commissioners and judges conference. **Speaker: Judge Haden/ Mayra Castillo; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Budget Amendment #37 to transfer money from (001-6560-3510) Machinery & Equipment and (001-6560-4310) Advertising and Legal Notice to (001-6560-4810) Training for upcoming commissioners and judges conference. All voting "Aye".
MOTION APPROVED.

- 10. Discussion/Action** to consider Budget Amendment #38 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-7620-4320) Indigent Funeral for the Luling Care Center Donation. **Speaker: Judge Haden/ Mayra Castillo; Backup: 9; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment #38 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-7620-4320) Indigent Funeral for the Luling Care Center Donation. All voting "Aye".
MOTION APPROVED.

- 11. Discussion/Action** to consider Budget Amendment #39 to transfer money from (001-6510-4860) Contingency to (001-6520-5310) Building Maintenance Machinery and Equipment for the REQ01252-R1, DK Haney Roofing Inc. **Speaker: Judge Haden/ Mayra Castillo; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Budget Amendment #39 to transfer money from (001-6510-4860) Contingency to (001-6520-5310) Building Maintenance Machinery and Equipment for the REQ01252-R1, DK Haney Roofing Inc. all voting "Aye".
MOTION APPROVED.

- 12. Discussion/ Action** to consider the approval of REQ01252-R1 DK Haney Roofing Inc., **Speaker: Judge Haden/ Mayra Castillo/ Carolyn Caro; Backup: 2; Cost: None**

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Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve REQ01252-R1 DK Haney Roofing Inc. All voting "Aye".
MOTION APPROVED.

- 13. Discussion/Action** to consider Budget Amendment #40 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6510-4860) Contingency to receive reimbursement from Juvenile Probation. **Speaker: Judge Haden/ Mayra Castillo; Backup: 6; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment #40 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6510-4860) Contingency to receive reimbursement from Juvenile Probation. All voting "Aye".
MOTION APPROVED.

- 14. Discussion/Action** to consider Budget Amendment #41 to transfer money from Contingency to each of the Justice of the Peace's Software Maintenance line item in Fund 16 Justice Court Technology Fund. **Speaker: Judge Haden/ Mayra Castillo; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment #41 to transfer money from Contingency to each of the Justice of the Peace's Software Maintenance line item in Fund 16 Justice Court Technology Fund. All voting "Aye".
MOTION APPROVED.

- 15. Discussion/Action** to consider the approval of payment for NetProtec LLC Invoice #2636 in the amount of \$1,890.00. **Speaker: Judge Haden/ Ezy Chan; Backup: 2; Cost: \$1,890.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve the approval of payment for NetProtec LLC Invoice #2636 in the amount of \$1,890.00. All voting "Aye".
MOTION APPROVED.

- 16. Discussion/Action** to consider ratification of Employment Agreement between Caldwell County and Leticia Nino. **Speaker: Judge Haden/ Judge DeLeon; Backup: 9; Cost: TBD**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve ratification of Employment Agreement between Caldwell County and Leticia Nino. All voting "Aye".
MOTION APPROVED.

- 17. Discussion/Action** to consider the approval of Employment Agreement between Caldwell County and Miles Smith. **Speaker: Judge Haden; Backup: 8; Cost: TBD**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Employment Agreement between Caldwell County and Miles Smith. All voting "Aye".
MOTION APPROVED.

18. Discussion/Action to consider ratification of a release agreement between Caldwell County and Melvin Gurley. **Speaker: Judge Haden/ Chase Goetz; Backup: 8; Cost: \$640.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to table Item 18. All voting "Aye".

MOTION TO TABLE APPROVED.

19. Discussion/Action to rebate Pure Casting FY 2020 and FY 2021 taxes, resulting from Pure Casting compliance with an economic development agreement with Caldwell County. **Speaker: Judge Haden; Backup: 8; Cost: TBD**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve rebate Pure Casting FY 2020 and FY 2021 taxes, resulting from Pure Casting compliance with an economic development agreement with Caldwell County. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action to make a recommendation to the Texas Commission on Environmental Quality regarding the creation of a Municipal Utilities District encompassing the Bollinger subdivision in Caldwell County. **Speaker: Commissioner Theriot/Tracy Bratton/Scott Miller; Backup: 10; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve recommendation to the Texas Commission on Environmental Quality regarding the creation of a Municipal Utilities District encompassing the Bollinger subdivision in Caldwell County. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to approve a roadway agreement between RREAF Holdings, LLC and the County, consisting of right-of-way dedications and roadway improvements for the Cherryville #5 and RonJon subdivisions located on County Road 107. **Speakers: Commissioner Theriot/ Tracy Bratton/Shannon Livingston; Backup: TBD; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve with corrections a roadway agreement between RREAF Holdings, LLC and the County, consisting of right-of-way dedications and roadway improvements for the Cherryville #5 and RonJon subdivisions located on County Road 107. All voting "Aye".

MOTION APPROVED.

Commissioner Theriot returns to courtroom.

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6. Discussion/Action to discuss the creation of a Library District for Precinct 3. Speaker: Judge Haden/ Ashley Guerrero; Backup: 1; Cost: None

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to table discussion on the creation of a Library District for Precinct 3 until a petition and proposed tax rate can be presented to the court. All voting "Aye".

MOTION TO TABLE APPROVED.

22. Discussion/Action to consider a variance request to the lot frontage requirement of the Caldwell County Development Ordinance (A.2.D) concerning 476 Crossroads Drive Austin Skyline Section 5, Block B, Lot 5. Speakers: Commissioner Theriot/ Kasi Miles; Backup: 5; Cost: None

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve variance request to the lot frontage requirement of the Caldwell County Development Ordinance (A.2.D) concerning 476 Crossroads Drive Austin Skyline Section 5, Block B, Lot 5. All voting "Aye".

MOTION APPROVED.

Judge Haden opens Item 23 Executive Session at 9:30 a.m. attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland and Chase Goetz.

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

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot approving Texas Government Code Section 551.087, the deliberation regarding economic development negotiations associated with Project Summertime. All voting "Aye".

EXECUTIVE SESSION Pursuant to Texas Government Code Section 551.071(2) and Section 551.087: Consultation with counsel and deliberation regarding an economic development agreement with Visionary Fiber Technologies. Possible action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

Action taken on Item 25.

24. Discussion/Action to rebate Visionary Fiber Technologies (VFT) FY 2020 and FY 2021 taxes, resulting from VFT's compliance with an economic development agreement with Caldwell County. Speaker: Judge Haden; Backup: 1; Cost: TBD

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve rebate Visionary Fiber Technologies (VFT) FY 2020 and FY 2021 taxes, resulting from VFT's compliance with an economic development agreement with Caldwell County. All voting "Aye".


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Judge Haden closes Executive Session Item 23, 24 at 9:56 a.m.

25. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Roland that we adjourn. All voting "Aye".
Court adjourns at 9:57 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 March 22, 2022.


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

