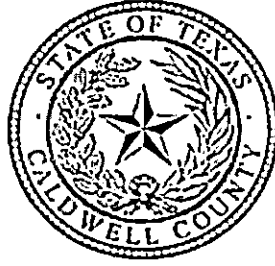


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court April 26, 2022, 9:00 a.m.



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

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, Commissioner Shelton are appreciative of the rain.

Commissioner Shelton attended the Old Settlers Music Festival and the Alliance Water update that started in Delhi with water to flow in mid-2023.

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>

Jennifer Aviles- Mondragon Lockhart resident not present.

Doris Steubing Lockhart resident dissatisfied with Black Ankle bridge progress.

Byron Friedrich and Susan Lane Lockhart residents supports Resolution 32-2022.

Kim Roland Lockhart resident requesting completion of bridge on Black Ankle due to public safety.

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

1. **Approve payment of County invoices and County Purchase Orders: \$395,510.50**
2. **Ratify re-occurring County Payments:**
 - A. **\$331,637.85 Payroll (3/27/2022 – 4/09/2022)**
 - B. **\$98,441.30 Payroll Tax (3/27/2022 – 4/09/2022)**
3. **To approve the 2021 Form 990 from Delhi Volunteer Fire Department.**
4. **To approve the March 2022 Collection Report from the Caldwell County Appraisal District.**
5. **To approve the Bond for Kasi Miles, Sanitation Department.**
6. **To approve ratification of an Emergency Manual request for Fuelman.**
7. **To approve ratification of an Emergency Manual request for Cellular Controlled Products.**
8. **To approve ratification of an Emergency Manual request for WJC Constructor Services.**
9. **To approve ratification of an Emergency Manual request for Daren Campbell.**

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

MOTION APPROVED.

SPECIAL PRESENTATION

Paige Johnson to update Commissioners Court on Children's Care-a-van, ask support for this year

Paige Johnson Associate Director provides a presentation on county health rankings and resources available to the community and requesting a \$4,000.00 annual contribution.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC provides update and recommends the Burn Ban off.

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

MOTION APPROVED.

11. **Discussion/Action to consider adopting Resolution 32-2022, stating the County's opposition to the 130 Industrial Park's application to amend its permitted operational hours to 24/7 operation. Speaker: Judge Haden; Backup: 2; Cost: None**

Resolution 32-2022 is read.

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve adopting Resolution 32-2022, stating the County's opposition to the 130 Industrial Park's application to amend its permitted operational hours to 24/7 operation. All voting "Aye".

MOTION APPROVED.

12. Discussion/Action to discuss a \$3,000 donation requested from CARTS. **Speaker: Judge Haden; Backup: 3; Cost: Not to Exceed \$3,000.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve \$3,000 donation requested from CARTS. All voting "Aye".

MOTION APPROVED.

13. Discussion/ Action to consider approval of a temporary employment contract between Caldwell County and Scotty Cannon and authorizing the County Judge to execute the same. **Speaker: Judge Haden; Backup: 9; Cost: TBD**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve a temporary employment contract between Caldwell County and Scotty Cannon, and authorizing the County Judge to execute the same. All voting "Aye".

MOTION APPROVED.

14. Discussion/Action to consider the approval of Budget Amendment #51 to transfer money from (001-6510-4860) Contingency to (001-6610-1020) for the IT manager contacted Caldwell County Employee position. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment #51 to transfer money from (001-6510-4860) Contingency to (001-6610-1020) for the IT manager contracted Caldwell County Employee position. All voting "Aye".

MOTION APPROVED.

15. Discussion/Action to consider the approval of Budget Amendment #44 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6560-4810) Commissioners Court Training for reimbursement check and to allocate expenditures. **Speaker: Judge Haden/ Danie Teltow; Backup: 6; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment #44 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6560-4810) Commissioners Court Training for reimbursement check and to allocate expenditures. All voting "Aye".

MOTION APPROVED.

16. Discussion/Action to consider the approval of Budget Amendment #45 to transfer money from (001-6000-0950) Insurance Proceeds to (001-6510-5610) General Fund Machinery and Equipment to receive TAC Insurance Proceeds and allocate expenditures for Xerox Invoice. **Speaker: Judge Haden/ Danie Teltow; Backup: 8; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment #45 to transfer money from (001-6000-0950) Insurance Proceeds to (001-6510-5610) General Fund Machinery and Equipment to receive TAC Insurance Proceeds and allocate expenditures for Xerox Invoice. All voting "Aye".

MOTION APPROVED.

29. Discussion of the status of Black Ankle Rd. in the CDBG-DR Program Infrastructure Projects. **Speaker: Commissioner Westmoreland/ Dennis Engelke/ David Clark/ David Jenkins**

Commissioners discuss project issues, concerns, and the lack of communication as well as notifications. Recommendation for updates to county staff and unit road. David Clark Doucett Project manager and David Jenkins W.J.C. The senior project manager explains the project process.

NO ACTION WAS TAKEN.

31. Discussion/Action to consider adopting a Development Agreement for the Bollinger Subdivision located on Sundance Court (FM 2720). **Speaker: Commissioner Theriot/ Kasi Miles/ Tracy Bratton/ Scott Miller; Backup: 19; Cost: None**

Scott Miller Ranch Road Development, presented a slideshow with the development agreement process and concept review, providing plans and affordable housing along with HOA and MUD management and maintenance.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve adopting a Development Agreement for the Bollinger Subdivision located on Sundance Court (FM 2720). All voting "Aye".

MOTION APPROVED.

23. Discussion/Action to consider the creation of an Assistant Court Coordinator position in the County Court at Law. **Speaker: Judge Haden/ Judge Molina; Backup: 4; Cost: \$19,365.00**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve the creation of an Assistant Court Coordinator position in the County Court at Law. 2 Aye, 3 Nay.

MOTION DENIED.

17. Discussion/Action to consider the approval of REQ01618 in the amount of \$30,408.82 for the copier insurance buyout. **Speaker: Judge Haden/ Carolyn Caro; Backup: 9; Cost: \$30,408.82**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve REQ01618 in the amount of \$30,408.82 for the copier insurance buyout. All voting "Aye".

MOTION APPROVED.

18. Discussion/Action to consider the approval of payment for REQ01618 in the amount of \$30,408.82. **Speaker: Judge Haden/ Carolyn Caro; Backup: 9; Cost: \$30,408.82**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve payment for REQ01618 in the amount of \$30,408.82. All voting "Aye".
MOTION APPROVED.

19. Discussion/Action to consider the approval of Budget Amendment #46 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6510-4860) Contingency for the reimbursement for Regional Public Defenders Office. **Speaker: Judge Haden/ Danie Teltow; Backup: 6; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Budget Amendment #46 to transfer money from (001-6000-0940) Reimbursed Revenue to (001-6510-4860) Contingency for the reimbursement for Regional Public Defenders Office. All voting "Aye".
MOTION APPROVED.

20. Discussion/Action to consider the approval to increase the pay to the Sr. Deputy Clerk for additional duties in the County Clerk's office. **Speaker: Judge Haden/ Teresa Rodriguez; Backup: 2; Cost: \$700.00**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve an increase in pay to fulfill the position of Sr. Deputy Clerk to take on additional duties in the County Clerk's office.
All voting "Aye".
MOTION APPROVED.

21. Discussion/Action to consider the approval of Budget Amendment #47 to transfer money from (001-6510-4860) Contingency to the (001-9000-4945) County Clerk's Office/(003-7000-1000) Records Reservation Position for the pay increase for the Sr. Deputy Clerk. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment #47 to transfer money from (001-6510-4860) Contingency to the (001-9000-4945) County Clerk's Office/ (003-7000-1000) Records Preservation Position for the pay increase to fulfill the Sr. Deputy Clerk position.
All voting "Aye".
MOTION APPROVED.

22. Discussion/Action to consider the approval of Budget Amendment #48 to transfer money from (001-6520-3560) JP 1/ DRC Building, (001-6520-3610) County Barn, (001-6520-5120) Caldwell Co. Courthouse to (001-6520-3620) Unit Road/Sanitation for FINA Construction Services Estimate. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment #48 to transfer money from (001-6520-3560) JP 1/ DRC Building, (001-6520-3610) County Barn, (001-6520-5120) Caldwell Co. Courthouse to (001-6520-3620) Unit Road/Sanitation for FINA Construction Services Estimate. All voting "Aye".
MOTION APPROVED.

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Regular Meeting April 26, 2022, 9:00 a.m.

24. Discussion/Action to consider the approval of Budget Amendment #49 to transfer money from County Court at Law (001-3240-4160) Adult – Indigent Attorney Fees and (001-3240-4180) Juvenile – Indigent Attorney Fees to (001-3240-109) Office and Labor to create assistant court coordinator position. **Judge Haden/ Danie Teltow/ Judge Molina; Backup: 5; Cost: \$19,365.00**

Motion to table Item 24 by Commissioner Shelton, seconded by Commissioner Westmoreland. All voting “Aye”.

MOTION TO TABLE APPROVED.

25. Discussion/Action to consider the approval of Budget Amendment #50 for the Auditor’s Office salary revisions. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment #50 for the Auditor’s Office salary revisions. All voting “Aye”.

MOTION APPROVED.

26. Discussion/Action to consider the approval of Budget Amendment #52 to transfer money from (001-6510-4825) Tax Abatement to (001-6510-4260) Transportation for Texas Fleet Fuel Fees. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Budget Amendment #52 to transfer money from (001-6510-4825) Tax Abatement to (001-6510-4260) Transportation for Texas Fleet Fuel Fees. All voting “Aye”.

MOTION APPROVED.

27. Discussion/Action to consider the approval of Budget Amendment #53 to transfer money from (001-6510-4825) Tax Abatement to (001-6510-4610) Rentals for Xerox Rental Overages and Service Fee’s. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Budget Amendment #53 to transfer money from (001-6510-4825) Tax Abatement to (001-6510-4610) Rentals for Xerox Rental Overages and Service Fees. All voting “Aye”.

MOTION APPROVED.

28. Discussion/Action to approve the transfer the supervision of Building Maintenance from Commissioner Pct. 4 to County Judge. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve the transfer of the supervision of Building Maintenance from Commissioner Pct. 4 to County Judge. All voting “Aye”.

MOTION APPROVED.

30. Discussion/ Action to consider the approval of the Preliminary Plat for Lytton Creek Ranch, Phase 1 consisting of 17 single residential on approximately 23.8 9 acres located on Hidden Oak Road. **Speaker: Commissioner Roland /Kasi Miles. Backup: 32; Cost: None**

COMMISSIONERS COURT MINUTES
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Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Preliminary Plat for Lytton Creek Ranch, Phase 1 consisting of 17 single residential on approximately 23.8 9 acres located on Hidden Oak Road. All voting "Aye".

MOTION APPROVED.

32. EXECUTIVE SESSION Pursuant to Texas government Code Section 551.074, Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Director of Sanitation. Possible Action may follow in open court. **Speaker: Judge Haden/ Chase Goetz; Backup: 1; Cost: None**

Judge Haden opens Item 32 Executive Session at 11:06 a.m. close at 11:31 a.m. Item 32 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, commissioner Roland and Chase Goetz.

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

Motion made by Commissioner Theriot, seconded by Commissioner Roland to consider salary increase for Director of Sanitation Kasi Miles to \$72,000.00. All voting "Aye".


MOTION APPROVED.

34. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 11:33 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 April 26, 2022.




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