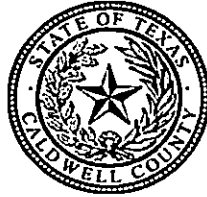


**COMMISSIONS COURT MINUTES**  
**110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas**  
**Commissioners Court April 27, 2021 9:00 a.m.**



**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 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.

Dennis Engelke announces Caldwell County received a Corona Virus Relief Fund Grant of \$937,948.00 on April 20<sup>th</sup>, 2021. Reagan McLearen and Carolyn Caro will be assisting with the reimbursement projects. Dennis updates court on additional Grants pending.

Commissioner Theriot was thankful for rain, commended Donald LeClerc and staff for looking over a few issues in County.

Commisisoner Roland reports he drove through his precinct and road projects were going well.

Ezzy Chan reminds everyone to Sign up for TextMyGov for County updates.

**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>

Kevin Hutchison speaks on MOU needing to be enforced.

Scott Poerschke attorney for 304 Construction speaks on bid outcome and provided handouts to the court.

Holly Orr owner of Texas Canoes & Kayaks, discussing activity on the river.

Stephanie Langenkamp is in agreement with the MOU.

Bruce Jennings, not present.

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

1. **Approve payment of the following County invoices and County Purchase Orders \$518,872.93**
2. **Ratify re-occurring County Payments:**
  - A. **\$349,388.36 (Payroll 3/28/2021 – 4/10/2021)**
  - B. **\$106,927.43 (Payroll Tax 3/28/2021 – 4/10/2021)**
  - C. **\$176,799.89 (DMV Remittance)**
3. **Approve the Certificate of Compliance report from the Texas Commission on Jail Standards for the Caldwell County Jail**
4. **Accept the Financial Statements of the Community Supervision and Corrections Department (CSCD) for Fiscal Year Ending on August 21, 2020**
5. **Accept the US Form 990 for the year ending December 31,2020 from the Delhi Volunteer Fire Department**

Motion by Commissioner Shelton, second by Commissioner Westmoreland that we approve the Consent Agenda. All voting "Aye".

**SPECIAL PRESENTATION**

Presentation about 2021 Stockshow

Wayne Morse with Texas A&M AgriLife Extension Service, reports 196 youths participated in the youth 4-H Program.

CAMPO and Western Caldwell County Transportation Study

Ryan Collins and Wesley Jasek with the Transportation Study, presented a power point with information on the project and will provide a chart with a timeline on progress for the court. Encourages public involvement through surveys available online.

**DISCUSSION/ACTION ITEMS:**

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

COMMISSIONERS COURT MINUTES  
Regular Meeting April 27, 2021 9:00 a.m.

---

Hector Rangel recommends keeping the Burn Ban off. Motion by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

7. **Discussion/Action** to consider Resolution 24-2021 seeking permission to apply for 2022-2023 Other Victim Assistance Grant (OVAG) funding through the Office of Attorney General for the Caldwell County. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke requests to consider Resolution 24-2021 to apply for 2022-2023 Other Victim Assistance Grant (OVAG). So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

8. **Discussion/Action** to consider Resolution 25-2021, requesting the State of Texas quitclaim interest in a tract or parcel to abutting property owners under Texas Transportation Code Section 202.025(5). **Speaker: Judge Haden/ JJ Wells; Backup: 7; Cost: None**

JJ Wells talks about Resolution 25-2021, State of Texas quitclaim interest in a tract or parcel to abutting property owners under Texas transportation code section 202-025 (5). So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

9. **Discussion/Action** to consider Resolution 26-2021, authorizing the Count Judge to execute a Development Agreement between Caldwell County and K Marcos, LLC. **Speaker: Commissioner Theriot/ Tracy Bratton; Backup: 15; Cost: None**

Commissioner Theriot requests to consider Resolution 26-2021, to execute a Development Agreement between Caldwell County and K Marcos, LLC. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

10. **Discussion/Action** to consider Resolution 27-2021 Memorandum of Understanding (MOU) between Texas State Tubes, LLC, RKY, Ltd. and Caldwell County. **Speaker: Commissioner Theriot/ JJ Wells; Backup: 10; Cost: None**

Commissioner Theriot requests to consider Resolution 27-2021, Memorandum of Understanding between Texas State Tubes LLC., Rky, Ltd. and Caldwell County. The MOU has been managed by the Sheriff's department there is a proposed change to be shifted to the Constables office. Barbara Gonzales made court aware that two Tubing Companies have outstanding balances. Motion made by Commissioner Theriot subject to past invoices brought current and acknowledge to pursue means to extend the order of conditions, second by Commissioner Shelton. All voting "Aye".

11. **Discussion/Action** to consider the payment to Pure Casting Company for FY 2020 under 381 agreement. **Speaker: Judge Haden/ JJ Wells; Backup: 6; Cost: \$12,973.17**

Judge Haden requests to consider the payment to Pure Casting Company for FY 2020. Motion made by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting April 27, 2021 9:00 a.m.**

---

- 12. Discussion/Action** to consider Budget Amendment #45 for Harwood Road Culvert Grant and County Match. **Speaker: Judge Haden/ Barbara Gonzales/ Dennis Engelke; Backup: 15; Cost: Net Zero**

Dennis Engelke requests to consider Budget Amendment 45, for Harwood Road Culvert Grant and County Match. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

- 13. Discussion/Action** to consider Budget Amendment #46 to transfer funds from Code Enforcement Repairs and Maintenance (001-6640-4510) and Training (001-6640-4810) line items to Disposal Fees (001-6640-3151) due to the increased illegal tire disposal. **Speaker: Judge Haden/ Barbara Gonzales/ Mike Bittner**

Judge Haden requests to consider Budget Amendment 46, to transfer funds from Code Enforcement Repairs and Maintenance and Training to Disposal Fees. So moved by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

- 14. Discussion/Action** to consider Budget Amendment #47 to move money from line item 013-6520-5312 (Mach & Equip – Johnson Controls) to 013-4310-5312 (Mach & Equip – Johnson Controls) to pay Johnson Controls invoice. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Judge Haden requests to consider Budget Amendment 47, to pay Johnson Controls invoice. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

- 15. Discussion/Action** to consider the change order to Purchase Order #00673 for Johnson Controls. **Speaker: Judge Haden/ Danie Blake; Backup: 6; Cost: \$164,378.00**

Judge Haden requests to consider the change order to Purchase Order #00673 for Johnson Controls. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

- 16. Discussion/Action** to consider the invoice #44275624 for payment to Johnson Controls in the amount of \$57,773.00. **Speaker: Judge Haden/ Danie Blake; Backup: 6; Cost: \$57,773.00**

Judge Haden request to consider the invoice #44275624 for payment to Johnson Controls. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

- 17. Discussion/Action** to consider Budget Amendment #48 to move money from Contingency (001-6510-4860) to Emergency Managements Dues and Subscriptions (001-6650-3050) to pay AT&T hotspots. **Speaks: Judge Haden/ Barbara Gonzales; Backup: 66; Cost: Net Zero**

Judge Haden requests to consider Budget Amendment 48, to move money to pay AT &T hotspots. So moved by Commisioner Roland, second by Commissioner Westmoreland. All voting "Aye".

- 18. Discussion/Action** to consider the blanket P.O. REQ00918 made to FirstNet (AT&T) for Emergency Management hotspot expenses. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: \$1,710.00**

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting April 27, 2021 9:00 a.m.**

---

Judge Haden request to consider the blanket PO REQ00918 for Management hotspot expenses. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

**19. Discussion/Action** to consider payment be made to FirstNet (AT&T) for January, February, March and April 2021 invoices in the total amount of \$1,763.04. **Speaker: Judge Haden/ Danie Blake; Backup: 65; Cost: \$1,763.04**

Judge Haden requests to consider payment be made to FirstNet (AT&T) for the amount of \$1,763.04. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

**20. Discussion/Action** to consider the Non-Compliance first quarterly investment report (October 1, 2020 through December 31, 2020). **Speaker: Judge Haden/ Barbara Gonzales/ Angela Rawlinson; Backup: 17; Cost: None**

Barbara Gonzales requests to approve the Non-Compliance first quarterly investment report. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

**21. Discussion/Action** to consider the emergency purchase and to make payment to Cothron's Safe & Lock in the amount of \$709.25. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$709.25**

Judge Haden requests to consider the emergency purchase and payment to Cothron's Safe & Lock. Motion made by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

**22. Discussion/Action** to consider the payment on invoice #1250119 for Cothron's Safe & Lock. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: \$709.25**

Judge Haden requests to consider payment to Cothron's Safe & Lock. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

**23. Discussion/Action** to discuss Caldwell County Vehicle auction summary. **Speaker: Judge Haden/ Shenale Gerrity; Backup: 10; Cost: None**

Shenale Gerrity provides update to court on first Vehicle auction.

**24. Discussion/Action** to consider the submission of a grant through the Travis County Sheriff's Office to seek funding to support the creation of a Task Force Agent position in the Caldwell County Sheriff's Office in the FY 21-22 Budget. **Speaker: Judge Haden/ Mike Lane/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke requests to ratify the submission of a grant to support Task Force Agent position in Caldwell County Sheriff's Office in FY 21-22. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting April 27, 2021 9:00 a.m.**

---

- 25. Discussion/Action** to consider the Capital Area Council of Governments Clean Air Coalition PM 2.5 Emission Reduction Measure Commitments. **Speaker: Commissioner Westmoreland; Backup:11; Cost: None**

Commissioner Westmoreland requests to consider Capital Area Council of Governments Clean Air Coalition PM 2.5 Emission Reduction Measure Commitments. Motion to table Item 25 by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

Recess at 11:20 a.m.

Court in session at 11:28 a.m.

- 26. Discussion/Action** to consider the application for Exemption Letter for subdivision located on Grapevine Trail under section 3.3.1(b) for the Caldwell County Development Ordinance. **Speaker: Judge Haden/ Commissioner Westmoreland/Tracy Bratton/ JJ Wells; Backup: 9. Cost: None**

Tracy Bratton requests to consider the application for Exemption Letter for subdivision located on Grapevine Trail for Caldwell County Development Ordinance. Motion to Deny made by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye"

- 27. Discussion/Action** to consider public streets and drainage in Las Estancias II as compete and ready to begin the two-year performance period. **Speaker: Judge Haden/ Donald LeClerc; Backup: 8; Cost: None**

Kasi Miles requests to consider public streets and drainage in Las Estancias II as compete and ready for two -year performance period. Motion made by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

- 28. Discussion/Action** to consider the construction bond for Bluffview Estates in the amount of \$444,522.76. **Speaker: Judge Haden/ Donald LeClerc; Backup: 3; Cost: None**

Kasi Miles requests the construction bond for Bluffview Estates. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

- 29. Discussion/Action** to consider FY 2022 Caldwell County Budget Calendar. **Speaker: Judge Haden/ Ezzy Chan/ Barbara Gonzales; Backup: 4; Cost: None**

Ezzy Chan requests to consider FY 2022 Caldwell County Budget Calendar. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

COMMISSIONERS COURT MINUTES  
Regular Meeting April 27, 2021 9:00 a.m.

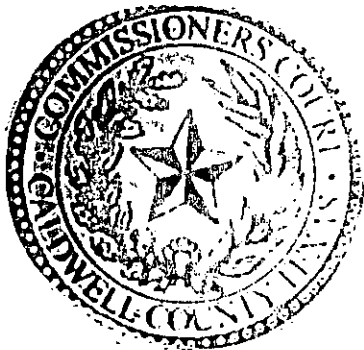
---

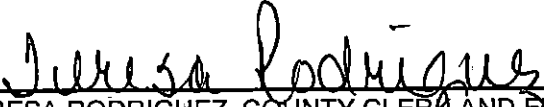
**30. Adjournment.**

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 12:13 p.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 27, 2021.



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