

COMMISSIONS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court July 14, 2020 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.

**SPECIAL PRESENTATION**

Stuart Tillman, Founder/CEO of CIVICTEC to present cvcCLEAR Diversion Program - PowerPoint Presentation

Stuart Tillman explained the cvcCLEAR Diversion Program and the project in detail along with a slideshow presentation. Handouts were provided, the program is designed to transform law enforcement protocols, assist with outstanding warrants, and accommodate payment arrangements and ability to consolidate databases.

23. **Discussion/Action** concerning approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Southern Comfort located FM 672. **Speaker: Commissioner Roland/ Kasi Miles; Cost: None; Backup: 19**

Kasi Miles request approval of Final Plat for Southern Comfort located on FM 672. Motion made by Commissioner Roland, second by Commissioner Shelton. All voting "Aye".

**Announcements.** Items or comments from Court members or staff.

Commissioner Westmoreland gave recognition to Mr. Chuck Forman, not only for military service but also for his non-profit organization to help locate missing persons.

**COMMISSIONERS COURT MINUTES**  
**Regular Meeting July 14, 2020 9:00 a.m.**

---

**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 at:

<http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtForm>

Pursuant to Executive Order GA-28 access to the 2<sup>nd</sup> Floor Courtroom will be limited to the County Judge, Commissioners, essential staff, and one (1) other person at a time. These measures are necessary to abide by the Governor's Executive Order and are intended to facilitate communication between members of the public and public officials. Participants and speakers will be allowed to enter the courtroom when the Court takes up their respective item on the agenda. Face coverings are required when inside the building except as provided by Executive Order GA-29. The meeting will be broadcast over the internet and may be viewed at <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtLive-OnDemand>

5 Citizens of Caldwell County came forth to seek approval of moving Confederate Monument from Courthouse lawn.

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

1. **Approve payment of County invoices and County Purchase Orders in the amount of \$237,051.82; Backup: 21 : corrected amount was entered per Judge Haden.**
2. **Ratify re-occurring County Payments**
  - A. **\$237,051.82 (Payroll 06/07/2020 – 06/20/2020)**
  - B. **\$95,195.44 (Payroll 06/07/2020 – 06/20/2020)**
  - C. **\$138,271.47 DMV Remittance**
3. **Accept a Resolution proposing an amendment to 2019 and 2020 budgets from the Caldwell County Appraisal District.; Backup: 3**
4. **Accept the Texas Commission on Jail Standards report for Caldwell County; Backup: 4**
5. **Accept the June 2020 Indigent Burial Report; Backup: 4**
6. **Accept the June 2020 Code Investigator report from Mike Bittner; Backup: 7**
7. **Accept the June 2020 Tax Collection Report from the Caldwell County Appraisal District; Backup: 4**
8. **Approval of selection committee members to conduct evaluations of statement of qualifications submitted for RFQ 20CCP01Q GLO CDBG MIT engineer services.; Backup: 2**
9. **Approval of selection committee members to conduct evaluations of statement of qualifications submitted for RFQ 20CCP03Q TWDB Grant engineer services.; Backup: 2**

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

**AGENDA ACTION ITEMS**

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

Hector Rangel recommends burn ban on. Motion by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

11. **Discussion/Action** to announce and consider for approval nominations for the Citizens' Committee regarding the Caldwell County Courthouse Confederate monument. **Speaker: Judge Haden; Cost: None; Backup: None**

Judge Haden asks each Commissioner for their appointee for the Citizens' Committee regarding the Confederate monument. Commissioner Westmoreland nominated Doctor Jeff Utzinger, Commissioner Shelton nominated Lee Rust, Commissioner Theriot nominated Dennis Mc Cown, Commissioner Roland nominated Alexandra Carter and Judge Haden nominated Carl Ohlendorf. Representing the Historial Commission is Shirley Williams and Donnelly Rice, Commissioner Roland and Judge Haden representing the court. Judge Haden requests contact information for each nominee to schedule a meeting this Friday 7-17-20. Motion made by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye"

12. **Discussion/Action** to approve Resolution 26-2020 continuing and extending the State of Disaster within Caldwell County. **Speaker: Judge Haden; Cost: None; Backup: 3**

Judge Haden read Resolution 26-2020 extending and continuing the State of Disaster within Caldwell County to July 28, 2020 at 11:59 p.m. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

13. **Discussion/Action** to approve Resolution 27-2020 to authorize the County Judge to enter into a local transportation Advance Funding Agreement to provide for bridge replacement or rehabilitation off the state system for CR 205 bridge over Plum Creek Branch. **Speaker: Judge Haden; Backup: 2; Cost: \$3,438.00**

Judge Haden read Resolution 27-2020, for authorization of County Judge to enter the Advance Funding Agreement for bridge replacement or rehabilitation for CR 205 bridge over Plum Creek Branch. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

14. **Discussion/Action** to approve Resolution 28-2020 to authorize County Judge to enter into a local transportation Advance Funding Agreement to provide for bridge replacement or rehabilitation off the state system for the CR 224 over Elm Creek Branch. **Speaker: Judge Haden; Backup: 2; Cost: \$3,438.00**

Judge Haden asks for approval of Resolution 28-2020, for authorization of County Judge to enter the Advance Funding Agreement for bridge replacement or rehabilitation for CR 224 over Elm Creek Branch. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

15. **Discussion/Action** to approve Resolution 29-2020 for proposed amendments to the Caldwell County Procedures for Abatement of a Public Nuisance, originally adopted on February 12, 2018. **Speaker: Judge Haden/ JJ Wells; Backup: 14; Cost: None**

JJ Wells addresses procedures that need to be amended. Judge Haden read Resolution 29-2020 requesting approval of amendments to Caldwell County Procedures for Abatement of a Public Nuisance. So moved by Commissioner Roland, second by Commissioner Westmoreland . All voting "Aye".

16. **Discussion/Action** to consider approval of Resolution 30-2020 authorizing the execution of the grant agreement to accept the County Infrastructure Fund Grant from the Texas Department of Transportation of \$890,595 (with local match of \$98,955.04) for necessary road repairs resulting from increased oil and gas activity. **Speakers: Judge Haden/ Dennis Engelke; Cost: \$98,955.04; Backup: 6.**

Dennis Engelke read Resolution 30-2020 County Infrastructure Fund Grant requesting execution of the grant. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

17. **Discussion/Action** to approve Budget Amendment #49 to move money from Tax Abatement (001-6510-4865) to Radio System Maintenance (001-6510-4165) **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Judge Haden request approval of budget amendment #49 to move money to Radio System Maintenance. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

18. **Discussion/Action** to approve Budget Amendment #50 to move money from Maintenance Machinery & Equipment (001-6520-5310) to JP1/DRC Building (001-6520-3560) for floor repairs. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Judge Haden request approval of budget amendment #50 to move money for floor repairs. So moved by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

19. **Discussion/Action** to approve Budget Amendment #51 to ratify/procure Fujitsu Scanners for Justice of the Peace, Pct. 2. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Judge Haden request approval of budget amendment #51 to move money for Fujitsu Scanners. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

20. **Discussion/Action** to approve Budget Amendment #52 to move money from Jailers (001-4310-1052) to Overtime (001-4310-1150) **Speakers: Judge Haden/ Barbara Gonzales; Cost: Net Zero; Backup: 2**

Judge Haden request approval of budget amendment #52 to move money to Overtime. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

21. **Discussion/Action** to approve Budget Amendment #53 to receive money from the Corona Virus Relief Fund. **Speakers: Judge Haden/ Barbara Gonzales/ Danie Blake; Backup: 21**

Judge Haden request approval of budget amendment #53 to receive money from the Corona Virus Relief Fund. Barbara Gonzales stated fund updates will be ready at the next commissioner court meeting. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting, "Aye".

22. **Discussion/Action** to discuss a purchasing violation by the Jail Department. **Speakers: Judge Haden/ Barbara Gonzales/ Danie Blake; Cost: None; Backup: 4**

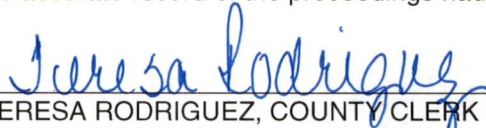
Danie Blake reads memo written for non -compliance by the Jail Department . Department was made aware of issue, no action taken. Judge Haden requests vote to authorize the signing of memo. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

24. **Adjournment.**

So moved by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10:32 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 July 14, 2020

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

