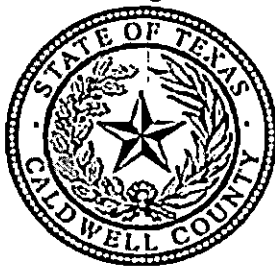


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court August 23, 2022, 9:00 a.m.



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 the meeting to order at 9:00 a.m. Commissioner Roland is absent.

Invocation.

Judge Haden 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 Shelton mentions that Delhi Volunteer Fire Department is having a fundraiser.

Commissioner Theriot attended the River Clean Up Event in Martindale.

Dennis Engelke Grants Administrator reported the Luling Clean-up Event was held. The next Clean-up Event will be on September 17th in Lockhart at the Unit Road Area and the last Clean-up Event will be on October 8th in Maxwell.

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 Citizens' Comments.

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

1. **Approve payment of County invoices and County Purchase Orders: \$835,651.50**
2. **Ratify re-occurring County Payments:**
 - A. **\$347,890.92 Payroll (7/31/2022 – 8/13/2022)**
 - B. **\$104,156.52 Payroll Tax (7/31/2022 – 8/13/2022)**
 - C. **\$508,694.98 (DMV Comptroller)**
 - D. **\$665.01 (TPWD Comptroller)**
 - E. **\$189,055.45 (DMV Remittance)**
3. **To approve Constable Pct. 1 July Monthly Report**
4. **To approve July 2022 Indigent Funeral Report**
5. **To approve Bond for Constable Pct. 4, Arthur Villarreal.**
6. **To approve July 2022 Tax Collection Report for the Caldwell County Appraisal District.**

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC reports fire updates and recommends Burn Ban be kept on. Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland. All voting "Aye".

MOTION APPROVED.

11. **Discussion/Action to consider the approval of Amended Proposed Budget for FY 2022-2023. Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Amended Proposed Budget for FY 2022-2023. All voting "Aye".

MOTION APPROVED.

12. **Discussion/Action to consider the approval of an Interlocal Cooperation Agreement between Caldwell County and Cities of Lockhart, Luling, and Martindale regarding the division of cost for PHI Air Ambulance Services. Speaker: Judge Haden; Backup: 1; Cost: TBD**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to table item 12. All voting "Aye".

MOTION TO TABLE APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting August 23, 2022, 9:00 a.m.

- 13. Discussion/Action** to consider the approval of Resolution 39-2022, approving a Joint Election Agreement for November 8, 2022, between Caldwell County and other entities holding concurrent elections. **Speaker: Judge Haden/ Kimber Daniel; Backup: 10; Cost: None**

Resolution 39-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Resolution 39-2022, approving a Joint Election Agreement for November 8, 2022, between Caldwell County and other entities holding concurrent elections. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider the approval of 2023 Sheriff and Constable Service Fees. **Speaker: Judge Haden/ Mike Lane; Backup: 3; Cost: None**

Corporal Clemente Verastequi - Civil Division presented the Sheriff and Constables Service Fees for approval. Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve 2023 Sheriff and Constable Service Fees. All voting "Aye".

MOTION APPROVED.

- 15. Discussion/Action** to consider the approval of Change Order to Blanket PO #01281 for Ergon Asphalt and Emulsions, Inc. in the amount of \$130,000.00 for 002-1101-3106 Paving to cover current and future invoices for the remainder of FY 21-22. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: \$130,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Change Order to Blanket PO #01281 for Ergon Asphalt and Emulsions, Inc. in the amount of \$130,000.00 for 002-1101-3106 Paving to cover current and future invoices for the remainder of FY 21-22. All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** to consider the approval of Change Order to Blanket PO #01282 for Brauntex Materials, Inc. in the amount of \$96,406.58 for 002-1101-3143 Flex Base to cover current and future invoices for the remainder of FY 21-22. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: \$96,406.58**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Change Order to Blanket PO #01282 for Brauntex Materials, Inc. in the amount of \$96,406.58 for 002-1101-3143 Flex Base to cover current and future invoices for the remainder of FY 21-22. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider the approval of REQ01847 in the amount of \$160,373.85 Langford Community Management Services for Invoice #4783 GO-MIT contract services. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: \$160,373.85**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve REQ01847 in the amount of \$160,373.85 Langford Community Management Services for Invoice #4783 GO-MIT contract services. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting August 23, 2022, 9:00 a.m.

- 18. Discussion/Action** to consider the approval of Budget Amendment #90 to transfer money from Feral Hog Grant (010-1000-4850) Miscellaneous to (010-1000-5113) Contractual – Feral Hog to finish the contract with Meadows Center. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: \$1,500**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve Budget Amendment 90 to transfer money from Feral Hog Grant (010-1000-4850) Miscellaneous to (010-1000-5113) Contractual – Feral Hog to finish the contract with Meadows Center. All voting “Aye”.

MOTION APPROVED.

- 19. Discussion/Action** to consider the approval of Budget Amendment #91 to transfer money from Constable Pct. 3 (001-4323-4970) River Patrol Equipment to (001-4323-4260) Transportation for the increase of fuel prices. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$6,000**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 91 to transfer money from Constable Pct. 3 (001-4323-4970) River Patrol Equipment to (001-4323-4260) Transportation for the increase of fuel prices. All voting “Aye”.

MOTION APPROVED.

- 20. Discussion/Action** to consider the approval of Budget Amendment #92 to transfer money from ER Management/ Homeland Security (001-6650-4820) CERT and (001-6650-4510) Repairs and Maintenance to (001-6650-4260) Transportation for the increase of fuel prices. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$1,800**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 92 to transfer money from ER Management/ Homeland Security (001-6650-4820) CERT and (001-6650-4510) Repairs and Maintenance to (001-6650-4260) Transportation for the increase of fuel prices. All voting “Aye”.

MOTION APPROVED.

- 21. Discussion/Action** to consider the approval of Budget Amendment #93 to transfer money from District Attorney (001-3200-4260) Office Supplies to (001-3200-4260) Transportation for the increase of fuel prices. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$500**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 93 to transfer money from District Attorney (001-3200-4260) Office Supplies to (001-3200-4260) Transportation for the increase of fuel prices. All voting “Aye”.

MOTION APPROVED.

- 22. Discussion/Action** to consider the approval of Budget Amendment #94 to transfer money from IT Department to multiple budget line items for Blue Layer Services to the end of the year. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$46,839.63**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Budget Amendment 94 to transfer money from the IT Department to multiple budget line items for Blue Layer Services to the end of the year. All voting “Aye”.

MOTION APPROVED.

23. Discussion/Action to consider the approval of Budget Amendment #95 to transfer money from Caldwell County Jail (001-4310-1052) Jailers to (001-4310-4110) Professional Services, and from (001-4310-1053) Kitchen to (001-4310-1057) Jail Corporal and (001-4310-1150) Jail Overtime to adjust Jail line items.
Speaker: Judge Haden/ Danie Teltow; Backup:4; Cost: \$69,000.00

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 95 to transfer money from Caldwell County Jail (001-4310-1052) Jailers to (001-4310-4110) Professional Services, and from (001-4310-1053) Kitchen to (001-4310-1057) Jail Corporal and (001-4310-1150) Jail Overtime to adjust Jail line items. All voting "Aye".

MOTION APPROVED.

24. Discussion/Action to consider the approval of Budget Amendment #96 to transfer money from Building Maintenance (001-6520-4410) Utilities to 001-6520-44260 Transportation for the additional cost of fuel.
Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$5,000

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 96 to transfer money from Building Maintenance (001-6520-4410) Utilities to 001-6520-44260 Transportation for the additional cost of fuel. All voting "Aye".

MOTION APPROVED.

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

David Clark Project Manager with Doucett reports Black Ankle, Witter, and Political Road are open to the public and provides updates on the Briggs Road project.

Recess till 9:30 a.m.

PUBLIC HEARING @ 9:30

- **Tax Rate**

The Public Hearing opens at 9:33 a.m. Danie Teltow County Auditor reads the Tax Rate. The public Hearing closes at 9:35 a.m.

- **Elected Official Salaries**

The Public Hearing opens at 9:35 a.m. No Comments. The public Hearing closes at 9:37 a.m.

- **Fresh Water District Supply**

The Public Hearing opens at 9:37 a.m. Andy Barnett with Open R Ranch is present. The public Hearing closes at 9:38 a.m.

COMMISSIONERS COURT MINUTES
Regular Meeting August 23, 2022, 9:00 a.m.

- 7. Discussion/Action** to consider the approval of FY 2022 – 2023 Tax Rate by Roll Call. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to table Item 7. All voting “Aye”.

MOTION TO TABLE APPROVED.

- 8. Discussion/Action** to consider the approval of FY 2022 – 2023 Elected Official Salaries. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve FY 2022 – 2023 Elected Official Salaries. All voting “Aye”.

MOTION APPROVED.

- 9. Discussion/Action** to consider the approval of an Order Granting Petition for Creation of Open R Fresh Water Supply District. **Speaker: Judge Haden/Andy Barrett; Backup: 29; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Order Granting Petition for Creation of Open R Fresh Water Supply District. All voting “Aye”.

MOTION APPROVED.

- 26. EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.087, the discussion or deliberation regarding economic development negotiations associated with Project Evergreen. Possible Action may follow in open court. **Speaker: Judge Haden/ Chase Goetz; Backup: 1; Cost: None**

Item 26 Executive Session opens at 9:41 a.m. and closes at 10:37 a.m. attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, and Chase Goetz Assistant Criminal District Attorney-Civil.

No Action was Taken.

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

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to table Item 27. All voting “Aye”.

MOTION TO TABLE APPROVED.

- 28. Adjournment.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting “Aye”. The court adjourns at 10:38 a.m.

COMMISSIONERS COURT MINUTES
Regular Meeting August 23, 2022, 9:00 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 August 23, 2022.

Teresa Rodriguez

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

