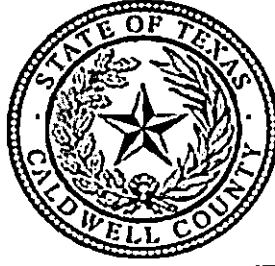


COMMISSIONERS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court September 27, 2022, 9:00 a.m.



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.

**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.

Commissioner Shelton - McMahan VFD Annual Fundraiser is October 1<sup>st</sup>.

Commissioner Roland and Judge Haden attended the Diez y Seis Celebration.

Ezzy Chan Executive Assistant informs the court that the approved budget has been filed.

Dennis Engelke Grants Administrator - The last Community Cleanup will be in Maxwell on October 8<sup>th</sup> from 8:00 a.m. to 12:00 p.m. The Caldwell County Community Service Foundation Board awarded grants to Kingdom Rescue in Luling, Caldwell Christian Community Ministry Pantry, Martindale Community Library, and Lockhart 1<sup>st</sup> Union Methodist Church.

**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>

Lockhart residents Byron Friedrich and Susan Lane Lockhart residents speak against landfill and hours of operation.

Lockhart residents Samuel Maldonado and Linda Hinkle are in favor of 130 Environment Park.

Clay Cassard with Motorola speaks on behalf of the county radio communication system.

Marisa Perales of Austin with EPICC, against 130 Environmental Park.

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

1. **Approve payment of County invoices and County Purchase Orders: \$752,704.08**
2. **Ratify re-occurring County Payments:**
  - A. **\$347,537.90 Payroll (8/28/2022 – 9/10/2022)**
  - B. **\$104,143.01 Payroll Tax (8/28/2022 – 9/10/2022)**
  - C. **\$2,972.25 TPWD Comptroller**
  - D. **\$545,192.16 DMV Comptroller**
  - E. **\$189,055.45 DMV Remittance**
3. **To approve Bond for Laura Murray, JP 2 Clerk.**
4. **To approve Bond for Jennifer Watts, JP 3 Clerk.**
5. **To approve August Monthly Report, Constable Pct. 1.**
6. **To approve the August 2022 Tax Collection Report from Caldwell County Appraisal District.**

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

**MOTION APPROVED.**

**PRESENTATION**

**Caldwell County FY 20-21 Financial audit report**

Debbie Frazier with Armstrong Bond Associates presents FY 20-21 Financial audit report.

**DISCUSSION/ACTION ITEMS:**

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

Hector Rangel Chief EMC reports fire updates and recommends keeping the Burn Ban On.

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

**MOTION APPROVED.**

8. **Discussion/Action to consider the approval of Caldwell County 4-H Proclamation. Speaker: Judge Haden/ Elsie Lacy/ Andrew Miller/ Wayne Morse; Backup: 2; Cost: None**

Toni Martinez County Council President reads 4-H Proclamation. Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton. All voting "Aye".

**MOTION APPROVED.**

9. **Discussion/Action** to consider the approval of Texas Extension Education Association (TEEA) Proclamation. **Speaker: Judge Haden/ Elsie Lacy/ Andrew Miller/ Wayne Morse; Backup: 3; Cost: None.**

Ester Barney member of the TEEA Club updates the court on time and money volunteered to families and the community.

Elise Lacy reads Texas Extension Education Association Proclamation.

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

**MOTION APPROVED.**

10. **Discussion/Action** to consider the approval of Resolution 42-2022 authorizing Caldwell County Grant Program for Community Action-Meals on Wheels Rural Capital Area. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: \$8,000.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Resolution 42-2022 authorizing Caldwell County Grant Program for Community Action-Meals on Wheels Rural Capital Area. All voting "Aye".

**MOTION APPROVED.**

11. **Discussion/Action** to consider the approval of Resolution 43-2022, temporarily suspending the position of Caldwell County Elections Administrator, and temporarily transferring the duties of the Elections Administrator to the County Clerk. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 2; Cost: None.**

Resolution 43-2022 is read.

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Resolution 43-2022, suspending the position of Caldwell County Elections Administrator, and temporarily transferring the duties of the Elections Administrator to the County Clerk. All voting "Aye".

**MOTION APPROVED.**

12. **Discussion/Action** to consider the approval of Resolution 44-2022, establishing temporary branch polling places for the 2022 November General Election. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 2; Cost: None.**

Sarah Fullilove Senior Deputy Election Administrator reads Resolution 44-2022.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Resolution 44-2022, establishing temporary branch polling places for the 2022 November General Election. All voting "Aye".

**MOTION APPROVED.**

- 13. Discussion/Action** to consider the approval of adopting Resolution 45-2022, fixing the compensation for election workers for the 2022 November General Election. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 2; Cost: None.**

Sarah Fullilove Senior Deputy Elections Administrator reads Resolution 45-2022.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot approves Resolution 45-2022, fixing the compensation for election workers for the 2022 November General Election. All voting "Aye".

**MOTION APPROVED.**

- 14. Discussion/Action** to consider amending Resolution 39-2022, to include Prairie Lea ISD as a participating entity in the joint election. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 2; Cost: None.**

Resolution 39-2022 is read.

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Resolution 39-2022, to include Prairie Lea ISD as a participating entity in the joint election. All voting "Aye".

**MOTION APPROVED.**

- 15. Discussion/Action** to consider approval of a central counting station manager, assistant manager, tabulation supervisor, and assistant tabulation supervisor. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 1; Cost: None.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Teresa Rodriguez as central counting station manager, Sarah Fullilove as assistant manager, Mayra Calderon as tabulation supervisor, and Devante Coe as assistant tabulation supervisor. All voting "Aye".

**MOTION APPROVED.**

- 16. Discussion/Action** to consider appointing precinct Election Judges for the 2022 November General Election. **Speaker: Judge Haden/ Teresa Rodriguez/ Sarah Fullilove; Backup: 3; Cost: None.**

Sara Fullilove reads the list of presiding and alternate precinct judges.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve appointing precinct Election Judges for the 2022 November General Election. All voting "Aye".

**MOTION APPROVED.**

- 17. Discussion/Action** to consider the approval of Judge Haden's reappointment to CAPCOG Executive Committee. **Speaker: Judge Haden; Backup: 9; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Judge Haden's reappointment to CAPCOG Executive Committee. 1-abstain, 4-Aye.

**MOTION APPROVED.**

- 18. Discussion/Action** to consider the approval of a renewal contract between Caldwell County and Ben Courtney for the maintenance of the Seth Thomas Clock Tower. **Speaker: Judge Haden Ben Courtney; Backup: 5; Cost: \$2,600.00.**

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

**MOTION TO TABLE APPROVED.**

- 19. Discussion/Action** to consider the approval of Budget Amendment #99 to transfer money from Caldwell County Jail 001-4310-1053 Kitchen to 001-4310-4260 Transportation and from 001-4310-1052 Jailer to 001-3251-3110 Food Supplies for the increase of fuel and food supplies. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$28,300.00.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 99 to transfer money from Caldwell County Jail 001-4310-1053 Kitchen to 001-4310-4260 Transportation and from 001-4310-1052 Jailer to 001-3251-3110 Food Supplies for the increase of fuel and food supplies. All voting "Aye".

**MOTION APPROVED.**

- 20. Discussion/Action** to consider the approval of Budget Amendment #100 for Unit Road to adjust GL Codes for Social Security, Group Medical and Retirement & Adjust for Overtime. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$8,126.34.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 100 for Unit Road to adjust GL Codes for Social Security, Group Medical, and Retirement & Adjust for Overtime. All voting "Aye".

**MOTION APPROVED.**

- 21. Discussion/Action** to consider the approval of budget amendment #101 to take \$50,000 from 019-1000-5168 Maxwell SUD into 019-1000-5167 Unit Road Equipment for final piece of equipment. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$50,000.00.**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve budget amendment 101 to take \$50,000 from 019-1000-5168 Maxwell SUD into 019-1000-5167 Unit Road Equipment for the final piece of equipment. All voting "Aye".

**MOTION APPROVED.**

- 22. Discussion/Action** Request to approve payment in the amount of \$202,070.85 to Doggett Freightliner of South Austin Texas, LLC for Invoice #VM105000296. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: 202,070.85.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve payment in the amount of \$202,070.85 to Doggett Freightliner of South Austin Texas, LLC for Invoice #VM105000296. All voting "Aye".

**MOTION APPROVED.**

- 23. Discussion/Action** to consider the approval of Budget Amendment #102 to transfer money from Non-Departmental 001-6510-4110 Professional Services to 001-6510-4123 Autopsy for increase in autopsy expenses. **Speaker: Judge Haden/ Danie Teltow; Backup: 8; Cost: \$20,000.00.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 102 to transfer money from non-Departmental 001-6510-4110 Professional Services to 001-6510-4123 Autopsy for an increase in autopsy expenses. All voting "Aye".

**MOTION APPROVED.**

- 24. Discussion/Action** to consider the approval of Budget Amendment #103 to transfer funds around in Non-Departmental to increase Fax & Internet line due to final invoice for AT&T. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$25,630.54.**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 103 to transfer funds around in non-Departmental to increase Fax & Internet line due to final invoice for AT&T. All voting "Aye".

**MOTION APPROVED.**

- 25. Discussion/Action** to consider the approval of payment for REQ01246 for AT&T invoice. **Speaker: Judge Haden/ Carolyn Caro; Backup: 6; Cost: \$48,277.20.**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve payment for REQ01246 for AT&T invoice. All voting "Aye".

**MOTION APPROVED.**

- 26. Discussion/Action** to consider the approval of Budget Amendment #104 to transfer money from District Judge 001-3230-4150 Adult Expert Witness/Indigent into 001-3230-4011 Administrative Expenses and 001-3230-4820 Juror Expense to adjust line items for administrative and juror expenses. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: \$15,000.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 104 to transfer money from District Judge 001-3230-4150 Adult Expert Witness/Indigent into 001-3230-4011 Administrative Expenses and 001-3230-4820 Juror Expense to adjust line items for administrative and juror expenses. All voting "Aye".

**MOTION APPROVED.**

Commissioner Theriot recused himself from the courtroom.

- 27. Discussion/ Action** to consider the approval of REQ01855 in the amount of \$116,060.00 for Doucet & Associates for Project R1611-003 Professional Services through June 26, 2022. **Speaker: Judge Haden/ Carolyn Caro/ Reagan McLearn; Backup: 2; Cost: \$116,060.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve REQ01855 in the amount of \$116,060.00 for Doucet & Associates for Project R1911-003 (correction) Professional Services through June 26, 2022. 4 "Aye" 1-abstain.

**MOTION APPROVED.**

**28. Discussion/ Action** to consider the approval of REQ01855 in the amount of \$116,060.00 for Doucet & Associates for Project R1611-003 Professional Services through June 26, 2022. **Speaker: Judge Haden/ Carolyn Caro/ Reagan McLearen; Backup: 2; Cost: \$116,060.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve REQ01855 in the amount of \$116,060.00 for Doucet & Associates for Project R1911-003 (correction) Professional Services through June 26, 2022. 4 "Aye" 1-abstain

**MOTION APPROVED.**

**29. Discussion/Action** to consider the approval of REQ01883 in the amount of \$223,000.00 for Doucet & Associates for Project R1911-003 professional Services through September 7, 2022. **Speaker: Judge Haden/ Carolyn Caro/ Reagan McLearen; Backup: 3; Cost: \$223,000.00.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve REQ01883 in the amount of \$223,000.00 for Doucet & Associates for Project R1911-003 professional Services through September 7, 2022. 4 "Aye" 1-abstain

**MOTION APPROVED.**

**30. Discussion/Action** to consider the approval of payment in the amount of \$223,000.00 to Doucet & Associates for Invoice #2208054 Project R1911-003 Professional Services through September 7, 2022. **Speaker: Judge Haden/ Carolyn Caro; Backup: 3; Cost: \$223,000.00.**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve payment in the amount of \$223,000.00 to Doucet & Associates for Invoice #2208054 Project R1911-003 Professional Services through September 7, 2022. All voting "Aye". 1- abstain

Commissioner Theriot returns to the courtroom.

**MOTION APPROVED.**

**31. Discussion/Action** to consider the approval of award for RFB 22CCP01B Road Materials, Flex Base, Fuel & Oil/Lube for FY 22-23. **Speaker: Judge Haden/ Carolyn Caro/ Donald LeClerc; Backup: 3; Cost: None.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve award for RFB 22CCP01B Road Materials, Flex Base, Fuel & Oil/Lube for FY 22-23. All voting "Aye".

**MOTION APPROVED.**

**32. Discussion/Action** to consider the approval of the day of week on which Commissioner Court shall convene for the 2023 Fiscal Year. **Speaker: Judge Haden; Backup: 1; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve 2nd and 4th Tuesday of the month on which Commissioners Court shall convene for the 2023 Fiscal Year. All voting "Aye".

**MOTION APPROVED.**

- 33. Discussion/Action** to consider the approval of an Interlocal Cooperation Agreement between the County and LCRA, for radio services. **Speaker: Judge Haden; Backup: 23; Cost: \$3,570,000.00.**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to table Item 33 till next Commissioner's court. 4 "Ayes" 1-Nay.

**MOTION TO TABLE APPROVED.**

- 35. Discussion** of GLO infrastructure grant roads. **Speaker: Commissioner Westmoreland/ Dennis Engelke/ David Clark/ David Jenkins; Backup: 1; Cost: None.**

Dennis Engelke Grants Administrator reports Political, Witter and Black Ankle roads are open to traffic. Briggs road will begin on October 17<sup>th</sup> and is scheduled to be completed on December 14<sup>th</sup>.

- 38. Discussion/Action** to consider the approval of the revised Preliminary Plat for Meadow View Estates Consisting of 45 residential lots on approximately 56.09 acres located on Bugtussle Lane & Mineral Springs Rd. **Speaker: Commissioner Shelton/ Kasi Miles; Backup: 20; Cost: None.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve revised Preliminary Plat for Meadow View Estates Consisting of 45 residential lots on approximately 56.09 acres located on Bugtussle Lane & Mineral Springs Rd. All voting "Aye".

**MOTION APPROVED.**

- 39. Discussion/Action** to consider the approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Ridge View Estates located on Brite Rd. **Speaker: Judge Haden/ Kasie Miles; Backup: 20; Cost: None.**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Ridge View Estates located on Brite Rd. All voting "Aye".

**MOTION APPROVED.**

- 36. Discussion/Action** to consider approval of an agreement between Caldwell County and 130 Environmental Park, LLC, for waste disposal services and community development. **Speaker: Commissioner Theriot; Backup: 27; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve an agreement between Caldwell County and 130 Environmental Park, LLC, for waste disposal services and community development. 4 "Aye" 1-Nay.

**MOTION APPROVED.**

- 37. Discussion/Action** to consider adopting Resolution 41-2022, supporting an amended permit application to the Texas Commission on Environmental Quality by 130 Environmental Park, LLC, which no longer seeks 24/7 operation. **Speaker: Commissioner Theriot; Backup: 3; Cost: None.**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve Resolution 41-2022, supporting an amended permit application to the Texas Commission on Environmental Quality by 130 Environmental Park, LLC, which no longer seeks 24/7 operation. 4 "Aye" 1- Nay.

**MOTION APPROVED.**



COMMISSIONERS COURT MINUTES  
Regular Meeting September 27, 2022, 9:00 a.m.

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**34. Discussion** to consider amending the Caldwell County siting ordinance. **Speaker: Judge Haden; Backup: 7; Cost: None.**

There is discussion on the ordinance.

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

Executive Session opens at 12:07 p.m. and closes at 12:40 p.m. attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, and Chase Goetz Assistant Criminal District Attorney-Civil.

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

**No Action was Taken.**


**42. Adjournment.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". The court adjourns at 12:44 p.m.

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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 September 27, 2022.



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