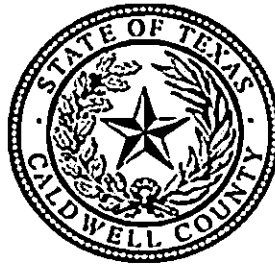


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court October 11, 2021 9:00 a.m.



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.

Commissioner Shelton and Judge Haden attended Night in Old Luling and National Night Out events.
Judge Haden thanks Ezzy Chan on helping with Bingo and Dennis Engelke for working on event.

Barbara Gonzales, County Auditor reminds everyone to validate pay increases this pay period.

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>

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Sonya Villalobos, Lockhart resident expressed gratitude to the 280 donors for the check going toward the relocating of the Confederate Monument on the Court house lawn.

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

1. **Approve payment of County invoices and County Purchase Orders: \$773,697.78**
2. **Ratify re-occurring County Payments:**
 - A. **\$317,582.36 Payroll (9/12/2021 – 9/25/2021)**
 - B. **\$95,049.08 Payroll Tax (9/12/2021 – 9/25/2021)**
 - C. **\$72,166.21 (DMV Remittance)**
3. **To accept the September 2021 Indigent Burial Report**
4. **To ratify the service agreement with Southern Healthcare Partners**
5. **To approve Amended Resolution for Texans Feeding Texans Meals on Wheels**

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel, Chief EMC recommends to keep the Burn Ban on.

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

MOTION APPROVED.

Judge Haden announces National Guard in Luling reports 0 positive COVID-19 results in Caldwell County.

7. **Discussion/Action** to consider Resolution 1-2022, pertaining to the submission of a FY22 Formula Grant Application to the Texas Indigent Defense Commission. **Speaker: Judge Haden/ Dennis Engelke; Backup: 7; Cost: None**

Resolution 1-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Resolution 1-2022, pertaining to the submission of a FY22 Formula Grant Application to the Texas Indigent Defense Commission. All voting "Aye".

MOTION APPROVED.

8. **Discussion/Action** to consider Resolution 2-2022, Commissioners Court nominations of the new term candidates to the Caldwell County Appraisal District Boards of Directors for the year 2022-2023. **Speaker: Judge Haden; Backup: 7; Cost: None**

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Resolution 2-2022 is read.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Kayline Cabe, Kathy Haigler and Linda Hinkle the Commissioners Court nominees of the new term candidates to the Caldwell County Appraisal District Boards of Directors for the year 2022-2023. All voting "Aye".
MOTION APPROVED.

- 9. Discussion/Action** to consider Resolution 3-2022, authorizing the County Judge to execute a Development Agreement between Caldwell County and Ranch Road Hartland, LLC. **Speaker: Commissioner Westmorland; Backup: 17; Cost: None**

Resolution 3-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve authorizing the County Judge to execute a Development Agreement between Caldwell County and Ranch Road Hartland, LLC. All voting "Aye".
MOTION APPROVED.

- 10. Discussion/Action** to consider the approval of Proclamation for October as National Domestic Violence Awareness Month. **Speaker: Judge Haden/ Ashley Rios/ Yvette Mireles; Backup: 2; Cost: None**

Proclamation is read and handouts are distributed to court.

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Proclamation for October as National Domestic Violence Awareness Month. All voting "Aye".
MOTION APPROVED.

- 11. Discussion/Action** to consider Budget Amendment #1 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-6510-3200) Donations in reference to contributing funds (donation) in reference to the confederate monument. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 1 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-6510-3200) Donations in reference to contributing funds (donation) in reference to the confederate monument. All voting "Aye".
MOTION APPROVED.

- 12. Discussion/Action** to consider Budget Amendment #2 to transfer money from (001-4300-1035) Patrol Deputies and (001-4300-2020) Group medical to (001-4300-1034) Detectives, to add detective position to Sheriff Department. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 2 to transfer money from (001-4300-1035) Patrol Deputies and (001-4300-2020) Group medical to (001-4300-1034) Detectives, to add detective position to Sheriff Department. All voting "Aye".
MOTION APPROVED.

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- 13. Discussion/Action** to consider Budget Amendment #3 to transfer money from (001-4324-1037) Deputy Constable to (001-4324-2020) Group Medical, (001-4324-4260) Transportation, and (001-4324-5310) Machinery and Equipment for Constable Precinct 4 to cover over budgeted items for the end of FY 2021 due to escalated cost in fuel. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 3 to transfer money from (001-4324-1037) Deputy Constable to (001-4324-2020) Group Medical, (001-4324-4260) Transportation, and (001-4324-5310) Machinery and Equipment for Constable Precinct 4 to cover over budgeted items for the end of FY 2021 due to escalated cost in fuel. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider Budget Amendment # 4 to transfer money from (001-2121-1040) Deputy Clerk to (001-2120-1040) Chief Deputy and (001-2120-1150) Overtime for Treasure's Office to compensate for additional duties and supervisory/ training responsibilities. **Speaker: Judge Haden/ Barbara Gonzales/ Angela Rawlinson; Backup: 6; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 4 to transfer money from (001-2121-1040) Deputy Clerk to (001-2120-1040) Chief Deputy and (001-2120-1150) Overtime for Treasure's Office to compensate for additional duties and supervisory/ training responsibilities. All voting "Aye".

MOTION APPROVED.

- 15. Discussion/Action** Requesting approval to award the Road Materials RFB. **Speaker: Judge Haden/ Danie Blake; Backup: 59; Cost: See Bid Tab**

Motion made by Commissioner Theriot, second by Commissioner Westmoreland to approve the award to Ergon Asphalt & Emulsion, Inc. and Schmidt & Sons, Inc. for the Road Materials RFB. All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** regarding the appointments of one member of the Caldwell County Commissioners Court and one representative from a Caldwell County municipality to the Texas Innovation Corridor Transportation Alliance. **Speaker: Commissioner Theriot; Backup: 4; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Commissioner Theriot as Caldwell County Commissioners Court representative to the Texas Innovation Corridor Transportation Alliance, and Table appointing a representative from a Caldwell County municipality.

All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider the amendments to the Caldwell County Grants Department Policies and Guidelines. **Speaker: Judge Haden/ Dennis Engelke; Backup: 11; Cost: None**

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Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve the amendments to the Caldwell County Grants Department Policies and Guildelines. All voting "Aye".
MOTION APPROVED.

18. Discussion/Action to consider the approval of the Software as a Service/License and Service agreement between Tyler Technologies, Inc. and Caldwell County. **Speaker: Judge Haden; Backup: 97; Cost: \$1,175,599.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve the Software as a Service/License and Service agreement between Tyler Technologies, Inc. and Caldwell County. All voting "Aye".
MOTION APPROVED.

19. Discussion/Action to consider REQ01216 encumbering for \$1,319,740 for Tyler Technologies' implementation of Odyssey software. **Speaker: Judge Haden/ Barbara Gonzales/ Dennis Engelke; Backup: 3; Cost: \$1,319,740.00**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve REQ01216 encumbering for \$1,319,740 for Tyler Technologies' implementation of Odyssey software. All voting "Aye".
MOTION APPROVED.

20. Discussion/Action to consider the variance request to subdivide 9.740 acres in 2 tracts located on Spotted Horse Trail. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 10; Cost: None**

Kyle R Vanderhoof and Timothy J Harper Jr. landowners on Spotted Horse Trail and Tracy Bratton, County Consulting Engineer discusses the request for a variance.

Motion made by Commissioner Roland, seconded by Commissioner Theriot to Table Item 20. All voting "Aye".
MOTION APPROVED.

21. Discussion/Action to consider a variance request to allow a second flag tract in a proposed 23.95-acre subdivision. **Speaker: Judge Haden/ Kasi Miles; Backup: 4; Cost: None**

Tracy Bratton, County Consulting Engineer explains flag tract process.

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve a variance to allow a second flag tract in a proposed 23.95-acre subdivision. All voting "Aye".
MOTION APPROVED.

22. Discussion/Action consider the approval of an Order authorizing the filing of a Final Plat (Fort Form Procedure) for Dollhouse Ranch located on Black Ankle Road. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 16; Cost: None**

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Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve an Order authorizing the filing of a Final Plat (Fort Form Procedure) for Dollhouse Ranch located on Black Ankle Road. All voting "Aye".
MOTION APPROVED.

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

Judge Haden opens item 23 Executive Session at 9:54 a.m. and close at 10:12 a.m. Item 23 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Roland and J.J. Wells. No action taken.

Commissioner Theriot recuse himself.

SPECIAL PRESENTATION

- Connection Nation
- Information about the Endeavors Program

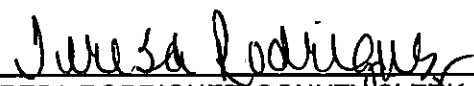
Pamela Waggoner representative for Connection Nation explains internet highspeed broadband program and provides handouts to the court. No action taken. A presentation will be rescheduled.

24. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Roland that we adjourn. All voting "Aye". Court adjourns at 10:55 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 October 11, 2021




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