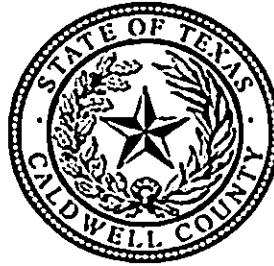


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court November 8, 2021 9:00 a.m.



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 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 received a call from the McMahan voting location on the wonderful setup by the Election department. The McMahan VFD will be having a Fundraiser Saturday, November 13th at the 5-R Restaurant. November 20th the 36th Annual Arts & Craft show will be in Luling at the Thump Pavilion from 9:00 a.m. to 4:00 p.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 by using the form found at: <http://www.co.caldwell.tx.us/page/caldwell.CommissionersCourtForm>

Sarah Chen not present.

Barry Hogan, Lockhart resident, opposes a subdivision being placed within K and L Ranch without roads meeting construction maintenance standards as outlined in Caldwell County planning ordinance.

Edward Moses, Luling resident, would like Luling to be considered the site for the Evacuation Center.

Thomas R. Knight a Harwood resident, oppose the issue of development on private road.

Raymond De Leon, JP Pct.4 opposes redistricting.

Alfredo Munoz, a Lockhart resident asks for transparency and time for the community to give their input on redistricting.

Sarah Chen, Attorney for Texas Civil Rights Project opposes redistricting proposal.

Phillip Ruiz, David Gratz, John Castillo, Sarah Chen and Andrea Gifford will speak during Public Hearing.

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

1. **Approve payment of County invoices and County Purchase Orders: \$627,165.26**
2. **Ratify re-occurring County Payments:**
 - A. **\$339,610.76 Payroll (10/10/2021 – 10/23/2021)**
 - B. **\$101,865.16 Payroll Tax (10/10/2021 – 10/23/2021)**
 - C. **\$217,274.07 (DMV Remittance)**
 - D. **\$1,029.25 (TPWD Comptroller)**
 - E. **\$471.398.15 (DMV Comptroller)**
3. **To approve bond #CBB2116051 for the Tax Assessors Office**
4. **To approve the October 2021 Indigent Burial Report**
5. **To approve Blanket Purchase Order for Enterprise FY 21-22 in the amount of \$778,772.00**
6. **To approve to pay Enterprise invoice 2684 in the amount of \$41,596.35**
7. **To approve the Fees and Fines, annual reporting to the state for Child Safety Seat and Seat Belt Violation Fines for FY 2021**
8. **To approve the Quarterly reports**
 - **County Criminal Costs and Fees**
 - **Civil Fees**
 - **Specialty Court Program Account**
 - **Electronic Filing system Fund**
 - **Sexual Assault/ Substance Abuse Felony Programs**

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

SPECIAL PRESENTATION

Connected Nation

Charles Spawn, Engineer for Connected Nation, attends meeting telephonically and provides slideshow presentations. Discusses information found during a field study, shows action plan for broadband internet.

Western Caldwell County Transportation Study

PUBLIC HEARING @ 9:30

Judge Haden calls the Public Hearing to order at 9:31 a.m.

Pursuant to Chapter 552 of the Texas Government Code, the public is hereby given notice that the Commissioners Court of Caldwell County, Texas will convene in special session on the 8th day of November 2021, at 9:30 A.M. to receive public comment on redistricting of county election, justice of the peace and commissioners court precincts. After the public hearing, the Commissioners Court will take up for consideration and to take possible action regarding one or more alternative plans for the redistricting of County Commissioners Court precincts. The Court reserves the right to take any and all appropriate actions regarding the redistricting of Caldwell County political boundaries, including the acceptance of new boundaries for the Commissioners Court precincts, modification of any boundaries, and/or tabling the pending proposals for later consideration and/or action.

De conformidad con el Capítulo 552 del Código de Gobierno de Texas, por la presente se notifica al público que el Tribunal de Comisionados del condado de Caldwell del condado, Texas se reunirá en sesión especial el día 8th de noviembre 2021, a las 9:30 a.m. para recibir comentarios del público sobre la redistribución de distritos elecciones del condado, juez de paz y precintos de la corte de comisionados. Después de la audiencia pública, el Tribunal de Comisionados tomará en consideración y tomará una posible acción con respecto a uno o más planes alternativos para la redistribución de distritos de los precintos del Tribunal de Comisionados del Condado. El Tribunal se reserva el derecho de tomar todas y cada una de las acciones apropiadas con respecto a la redistribución de los límites políticos del Condado de Caldwell, incluida la aceptación de nuevos límites para los precintos del Tribunal de Comisionados, la modificación de cualquier límite y / o la presentación de las propuestas pendientes para más adelante. consideración y / o acción.

John Castillo, Philip Ruiz, David Gratz, Andrea Gifford, and Sarah Chen voice their opinion on the redistricting proposal. Public Hearing closes at 9:50 a.m.

DISCUSSION/ACTION ITEMS:

13. Discussion/Action to consider the Approval Order Adopting Redistricting Plan for Caldwell County Commissioners Court Precincts. **Speaker: Judge Haden/ Chase Goetz; Backup: 3; Cost: None**

Judge Haden disclosed that the redistricting workshop had been publicized, sent to both political parties and local newspapers. Commissioner Roland, Commissioner Theriot voiced their opinion on redistricting and would like to postpone action until Friday, November 12. Chase Goetz, Assistant Criminal-Civil District Attorney informs the court of the November 13, 2021 deadline.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to leave Item 13 open upon receiving word from Eric McGee, Attorney at Law for Allison, Bass & McGee LLP. All voting "Aye".
MOTION APPROVED

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

Hector Rangel, Chief EMC updates court on fire danger, recommends keeping Burn Ban off. Motion made by Commissioner Roland, seconded by Commissioner Theriot. All voting "Aye".
MOTION APPROVED.

10. Discussion/Action to consider Resolution 8-2022, adopting a policy of Administrative Leave related to COVID-19. **Speaker: Judge Haden; Backup: 3; Cost: None**

Resolution 8-2022 read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve adopting policy of Administrative Leave related to COVID-19. All voting "Aye".
MOTION APPROVED.

Commissioner Theriot addresses court that Special Presentation for Western Caldwell County Transpiration Study was overlooked.

16. Discussion/Action to consider the approval of the location for the Caldwell County Evacuation Center. **Speaker; Judge Haden; Backup: 1; Cost: None**

Judge Haden reviews proposals from the City of Luling and the City of Lockhart. Each Commissioner gave their opinion for location site.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve City of Luling for the Caldwell County Evacuation Center.

Commissioner Shelton "Aye", Commissioner Theriot "Aye", Commissioner Roland "Aye", Commissioner Westmoreland "Nay", Judge Haden "Aye".
MOTION PASSES.

SPECIAL PRESENTATION

Western Caldwell County Transportation Study

Wesley Jasek, Project Manager informs the court with updates on the project. Also present is Ryan Collins, Ashley Johnson and Eric Gonzales.

13. Discussion/Action to consider the Approval Order Adopting Redistricting Plan for Caldwell County Commissioners Court Precincts. **Speaker: Judge Haden/ Chase Goetz; Backup: 3; Cost: None**

Judge Haden informs the court that Eric McGee will be available Friday November 12.

Motion made by Commissioner Roland, seconded by Commissioner Shelton to table Item 13 pending posting of workshop and possible public hearing on Friday November 12th. All voting "Aye".

MOTION TO TABLE APPROVED.

11. Discussion/Action to consider Resolution 9-2022, authorizing the County Judge to execute the Interlocal Agreement for 9-1-1 Geographic Information System Database Management. **Speaker: Judge Haden; Backup: 27; Cost: None**

Resolution 9-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve authorizing the County Judge to execute the Interlocal Agreement for 9-1-1 Geographic Information System Database Management. All voting "Aye".

MOTION APPROVED.

12. Discussion/Action to consider Resolution 10-2022 regarding the voting ballot for candidates to the Caldwell County Appraisal District Board of Directors. **Speaker: Judge Haden; Backup: 3; Cost: None**

Resolution 10-2022 is read.

Commissioner Westmoreland cast vote for Sally Daniel, Commissioner Shelton cast vote for Linda Hinkle, Judge Haden cast vote for Kayline Cabe and Commissioner Roland cast vote for Alfredo Munoz.

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve candidates nominated by court. All voting "Aye".

MOTION APPROVED.

14. Discussion/Action to consider the proclamation declaring February as Caldwell County –Fair Housing Month. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Proclamation is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve proclamation declaring February as Caldwell County –Fair Housing Month. All voting “Aye”.

MOTION APPROVED.

- 15. Discussion/Action** to consider ratification of GLO CDBG-Mitigation Grant Contract of \$17,794,952 (Federal Share: \$17,618,764; Local Share: \$176,188) for the construction of a multi-purpose evacuation shelter facility in Caldwell County. **Speaker: Judge Haden/ Dennis Engelke; Backup: 66; Cost: \$176,188.00**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve ratification of GLO CDBG-Mitigation Grant Contract of \$17,794,952 (Federal Share: \$17,618,764; Local Share: \$176,188) for the construction of a multi-purpose evacuation shelter facility in Caldwell County. All voting “Aye”.

MOTION APPROVED.

- 17. Discussion/Action** to consider the Resolution 11-2022 to authorized Signatories for Contractual and Financial Documents pertaining to the GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 2-085-024-D265. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Resolution 11-2022 is read.

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Resolution 11-2022 to authorized Signatories for Contractual and Financial Documents pertaining to the GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 2-085-024-D265. All voting “Aye”.

MOTION APPROVED.

- 18. Discussion/Action** to consider the Resolution 12-2022 the Civil Rights Policies for the GLP Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. **Speaker: Judge Haden/ Dennis Engelke; Backup: 3; Cost: None**

Resolution 12-2022 is read.

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve Resolution 12-2022 the Civil Rights Policies for the GLP Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. All voting “Aye”.

MOTION APPROVED.

- 19. Discussion/Action** to consider the Amendment #1 “Caldwell County Grant Administrator & Environmental Services Contract” with Langford Community Management Services for GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: \$1,423,738.51**

COMMISSIONERS COURT MINUTES
Regular Meeting November 8, 2021 9:00 a.m

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Amendment 1 "Caldwell County Grant Administrator & Environmental Services Contract" with Langford Community Management Services for GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action to consider the Amendment #1 "Caldwell County Grant Engineering Services Contract" for GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. **Speaker: Judge Haden/ Dennis Engelke; Backup: 7; Cost: \$2,102,999.06**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Amendment 1 "Caldwell County Grant Engineering Services Contract" for GLO Community Development Block Grant-Mitigation (CDBG-MIT) Program, Infrastructure Contract Number 22-085-024-D265. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to consider the FY22 Feral Hog Abatement Grant Interlocal Agreement between Caldwell County and the Texas A&M Agrilife Extension Service; County paying 50% of estimated hog bounties. **Speaker: Judge Haden/ Dennis Engelke; Backup: 13; Cost: \$6,250.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve FY22 Feral Hog Abatement Grant Interlocal Agreement between Caldwell County and the Texas A&M Agrilife Extension Service; County paying 50% of estimated hog bounties. All voting "Aye".

MOTION APPROVED.

22. Discussion/Action to consider the County Judge for beginning negotiation between Atmos Energy Pipeline. **Speaker: Judge Haden; Backup: 1; Cost: None**

Commissioner Westmoreland recused himself from Agenda Item #22.

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve County Judge for beginning negotiation between Atmos Energy Pipeline. All voting "Aye".

MOTION APPROVED.

23. Discussion/Action to consider the proposed Caldwell County Road District Policy. **Speaker: Judge Haden/ Chase Goetz; Backup: 26; Cost: None**

Commissioner Westmoreland returns to court room.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve the proposed Caldwell County Road District Policy. All voting "Aye".

MOTION APPROVED.

24. Discussion/Action to consider Steve Lewis for the Caldwell County Municipality to the Texas Innovation Corridor Transportation Alliance. **Speaker: Judge Haden; Backup: 4; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Steve Lewis for the Caldwell County Municipality to the Texas Innovation Corridor Transportation Alliance. All voting "Aye".

MOTION APPROVED.

25. Discussion/Action to consider re-appointing Barbara Shelton to the CARTS Board of Directors for a two-year term beginning January 1, 2022. **Speaker: Judge Haden; Backup: 4; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve re-appointing Barbara Shelton to the CARTS Board of Directors for a two-year term beginning January 1, 2022. All voting "Aye".

MOTION APPROVED.

26. Discussion/Action to consider approval of Budget Amendment #9 to encumber funds from FY2021 Contingency line item (001-6510-4860) to Computer Support (001-6610-4185) to pay for 300 licenses of Microsoft Office 365. **Speaker: Judge Haden/Barbara Gonzales; Backup: 2; Cost: \$65,154.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 9 to encumber funds from FY2021 Contingency line item (001-6510-4860) to Computer Support (001-6610-4185) to pay for 300 licenses of Microsoft Office 365. All voting "Aye".

MOTION APPROVED.

27. Discussion/Action to approve Purchase Order **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$65,154.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Purchase Order 01336 of \$65,154.00 for payment of Microsoft Office 365 licenses. All voting "Aye".

MOTION APPROVED.

Re-open Item 10

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to amend Resolution 8-2022 with end date of 3-31-2022. All voting "Aye".

MOTION APPROVED.

28. EXECUTIVE SESSION

Judge Haden opens Item 28 Executive Session at 11:24 a.m. and close at 11:49 a.m. Item 28 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, Chase Goetz, Gabriel Ortiz.

- **EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.071(1): Consultation with counsel regarding pending or contemplated litigation or settlement offers. **Speaker: Judge Haden/Gabe Ortiz; Backup: 1; Cost: None**

COMMISSIONERS COURT MINUTES
Regular Meeting November 8, 2021 9:00 a.m

No action to follow.

- **EXECUTIVE SESSION** Pursuant to Texas Government Code Section 551.074, deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee. Possible action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Patricia Ehrlich re-assignment to Senior Tech with salary of \$55,000.00. All voting "Aye".

MOTION APPROVED.

29. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 11:50 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 November 8, 2021

Teresa Rodriguez

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

