

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
Commissioners Court November 10, 2020 9:00 a.m.



AMENDED 11.05.2020

HOPPY HADEN	County Judge	B.J. WESTMORELAND	Commissioner Pct. 1
TERESA RODRIGUEZ	County Clerk	BARBARA SHELTON	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order

Judge Haden called meeting to order at 9:00 a.m.

Invocation.

Kenneth Sneed opens the meeting with 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 Westmoreland acknowledges Veterans day tomorrow and offers thanks for all who serve.

Commissioner Shelton expresses appreciation and prayers to all Veterans overseas and thanks Unit Road for repairs done the last two weeks.

Commissioner Theriot and Commissioner Roland expressed appreciation to Veterans as well.

Judge Haden thanks all Veterans and reports that Benny Boyd will be hosting a fundraiser for a training facility for all Volunteer Fire Departments.

Pamela Ohlendorf announces her resignation as Election Administrator, November 13, 2020 will be her last day.

Danie Blake introduces her Purchasing Assistant, Shenale Gerrity.

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>

Pursuant to Executive Order GA-32 access to the 2nd 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>

Luz Riley, Dale resident, spoke on behalf of Elections Administrator resignation.

Mary Gonzales and David Gratz, Lockhart residents, spoke on behalf of Elections Administrator resignation.

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

1. **Approve payment of County invoices and County Purchase Orders for in the amount of \$395,678.86; Backup: 24**
2. **Ratify re-occurring County Payments**
 - A. **\$335,543.09 (Payroll 10/11/20 – 10/24/20)**
 - B. **\$99,573.64 (Payroll Tax 10/11/20 – 10/24/20)**
 - C. **\$168,632.15 (DMV Remittance)**
3. **To approve paying the following bonds:**
 - A. **Policy #CBB2116051- Tax Assessor/Collector - \$244.00**
 - B. **Policy #70351699 – increase deputy constables - \$76.01**
 - C. **Policy #14771315- M. Bowden - \$50.00**
4. **To accept the cost allocation for 2021 Appraisal District and Collection Budgets from the Caldwell County Appraisal District.; Backup: 6**
5. **To accept the FY 2020 Audit of Chapter 59 Asset Forfeiture Report by Law Enforcement Agency; Backup: 15**
6. **To accept the October 2020 Indigent Burial Report; Backup: 2**
7. **To accept the October 2020 Environmental Code Investigator's Report; Backup: 3**
8. **To accept Certificate of Completion for Commissioner Shelton from V.G. Young Institute of County Government. Backup: 2**
9. **To accept Certificate of Completion for County Judge, Hoppy Haden from V.G. Young Institute of County Government. Backup: 2**
10. **To approve Budget Amendment #2 to allocate marriage ceremony donation to miscellaneous revenue line item. Backup: 6**

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

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

Hector Rangel requests the burn ban stay on. Motion made by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

- 12. Discussion/Action** to approve the Resolution 02-2021 extending and continuing the Local State of Disaster within Caldwell County. **Speaker: Judge Haden; Backup: 3; Cost: None**

Judge Haden reads Resolution 02-2021 extending and continuing the Local State of Disaster within Caldwell County. Motion made by Commissioner Theriot, second by Commissioner Westmoreland. All voting "Aye".

Recess at 9:24 a.m.

Court in Session at 9:29 a.m.

SPECIAL PRESENTATION

Lance Gonzales with Data Preservation Solutions to make presentation for County Clerk.

Lance Gonzales talks about the Data Preservation Solution software and provides slideshow on Property Fraud Alert. Members of the Court had questions about software and will consider for the new budget cycle.

Discussion/Action Items:

- 13. Discussion/Action** to proclaim November 2020 as National Family Caregivers Month. **Speaker: Commissioner Shelton; Backup: 2; Cost: None**

Commissioner Shelton reads proclamation. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

- 14. Discussion/Action** to approve Budget Amendment #6 to amend Justice Court Technology fund due to annual maintenance fee increase. **Speakers: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: \$8,000**

Barbara Gonzales requests approval of Budget Amendment # 6 due to annual maintenance fee increase. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

- 15. Discussion/Action** to approve Budget Amendment #7 to move 2018 CO Bond series money into line item 013-6650-5310 Machinery and Equipment 2018 Radio Tower, to pay for the Motorola radio tower project. **Speakers: Judge Haden/ Barbara Gonzales; Backup: 17; Cost: \$36,814**

Judge Haden requests approval of Budget Amendment #7 to pay the Motorola radio tower project. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

- 16. Discussion/Action** to review and approve an Interlocal Agreement between Caldwell County and the Texas A&M AgriLife Extension Service for a Feral Hog Abatement Grant of up to \$20,000 effective October 1, 2020-August 31, 2021; including a \$5,000 County match for bounty fees; **Speakers: Judge Haden/ Dennis Engelke; Backup: 56; Cost: \$5,000**

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Dennis Engelke requests the approval of Interlocal Agreement for Feral Hog Abatement Grant. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

17. **Discussion/Action** to approve Budget Amendment #8 to award the Interlocal Agreement Feral Hog Grant. **Speakers: Judge Haden/Barbara Gonzales; Backup: 57; Cost: Net Zero**

Judge Haden requests the approval of Budget Amendment #8 for Feral Hog Grant. So moved by Commissioner Roland, second by Commissioner Theriot. All voting "Aye".

18. **Discussion/Action** to approve Budget Amendment #9 needed to reconcile the FY Budget 2020-2021 013-4300-5245 Front Office Upgrades to reflect Budget Remaining for the Project. **Speakers: Judge Haden/Barbara Gonzales; Backup: 3; Cost: None**

Judge Haden requests approval for Budget Amendment #9 to upgrade Sheriffs front office. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

19. **Discussion/Action** to approve Budget Amendment #10 to pay for polling location COVID-19 cleaning. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 32; Cost: \$19,434.**

Judge Haden requests approval for Budget Amendment #10 for polling location cleaning. So moved by Commissioner Shelton, second by Commissioner Roland. All voting "Aye".

20. **Discussion/Action** to approve to pay REQ00600 for polling location cleaning. **Speaker: Judge Haden/Danie Blake; Backup: 8; Cost: \$19,434**

Judge Haden requests to approve to pay REQ00600 for polling location cleaning. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

21. **Discussion/Action** to canvass the November 3, 2020 General Election ballots. **Speaker: Judge Haden/ Pamela Ohlendorf; Backup: To Be Distributed; Cost: None**

Judge Haden reads the summary results of the General Election. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

22. **Discussion/Action** to renew Consultant Services Agreement with Will Conley, EWEAC, effective January 1, 2021. **Speakers: Judge Haden/JJ Wells; Backup: 7; Cost: Not to exceed \$60,000/yr.**

Judge Haden requests to renew Consultant Service Agreement with Will Conley. So moved by Commissioner Theriot with correction, second by Commissioner Westmoreland. All voting "Aye".

23. **Discussion/Action** to approve REQ00582 to generate Purchase order, in the amount of \$60,000, for EWEAC payments. **Speakers: Judge Haden/Danie Blake; Backup:8**

Judge Haden requests to approve REG00582 for EWEAC payments with correction. So moved by Commissioner Roland, second by Commissioner Westmoreland. All voting "Aye".

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24. **Discussion/Action** to approve final draft of RFB20CCP07B bid for removal of Confederate Monument. **Speakers: Judge Haden/ Danie Blake; Backup: 43; Cost: None**

Danie Blake requests to approve final draft of RFB20CCP07B for removal of Confederate Monument and provided handouts.

So moved by Commissioner Westmoreland, second by Commissioner Theriot. All voting "Aye".

25. **Discussion/Action** to consider revised Interlocal Agreement between Caldwell County and the City of Uhland for subdivision regulation within the Extraterritorial Jurisdiction of the City of Uhland. **Speakers: Judge Haden/JJ Wells; Backup: 8; Cost: None.**

JJ Wells recommends approval of Interlocal Agreement with the City of Uhland. So moved by Commissioner Theriot, second by Commissioner Roland. All voting "Aye".

26. **Discussion/Action** to approve ratification of \$599 SAM Account registration fee for the Caldwell County Community Services Foundation. **Speakers: Judge Haden/Dennis Engelke; Backup: 3; Cost: \$599.00**

Dennis Engelke requests the approval of ratification for the Caldwell County Community Service Foundation. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

27. **Discussion/Action** to ratify donation of \$599 to Caldwell County Community Services Foundation. **Speakers: Judge Haden/Barbara Gonzales/Dennis Engelke; Backup: 3; Cost: \$599**

Dennis Engelke requests to ratify the donation of \$599 to Caldwell Community Services Foundation. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

28. **Discussion/Action** to approve REQ00584 in the amount of \$317,000 to create blanket purchase order to pay City of Luling – EMS Service quarterly invoices. **Speakers: Judge Haden/ Danie Blake/ Barbara Gonzales; Backup: 7; Cost: \$317,000.00**

Judge Haden requests approval to pay City of Luling for EMS quarterly service invoices. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

29. **Discussion/Action** to approve REQ00585 in the amount of \$111,677.00 to create blanket Purchase order to pay Charter Communication invoices.; **Speakers: Judge Haden/Danie Blake; Backup: 5; Cost: \$111,677.00**

Judge Haden requests a blanket Purchase order to pay Charter Communication invoices. So moved by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

30. **Discussion/Action** to approve REQ00590 in the amount of \$169,970.00 to generate a blanket purchase order to pay for FY 2021 Worker's Compensation annual contribution to TAC. **Speakers: Judge Haden/Danie Blake; Backup:4; Cost: \$169,970.00**

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Judge Haden requests the approval of a blanket purchase order to pay FY 2021 Worker's Compensation annual contribution to TAC. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting "Aye".

31. **Discussion/Action** to authorize the Caldwell County District Attorney's Office to negotiate and execute Release Agreements and Waivers related to expunctions under Texas Code of Criminal Procedure Article 55.01(d), up to \$5,000.00. **Speakers: JJ Wells; Backup: None; Cost: no more than \$5,000.00**

JJ Wells requests Caldwell County DA's office to negotiate and execute Release Agreements and Waviers related to expunctions.. So moved by Commissioner Westmoreland, second by Commissioner Roland. All voting "Aye".

32. **Discussion/Action** to discuss updating the Caldwell County Indigent Burial Policy. **Speaker: Commissioner Shelton/ Judge Haden; Backup: 15; Cost: TBD**

Judge Haden requests approval of update for Caldwell County Indigent Burial Policy. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All voting "Aye".

Judge Haden opens item #33 Executive Session at 10:30 a.m. and closed at 10:58 a.m.

33. **EXECUTIVE SESSION:** pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Future. Possible action may follow in open court. **Speakers: Judge Haden/ JJ Wells; Backup: None; Cost: TBD**


Item 33 Executive Session is attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland and JJ Wells. No action taken.

34. Adjournment.

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 10: 58 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 10, 2020




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