

COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court December 13, 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.

All Commissioners wish everyone a safe Holiday season and Merry Christmas.

Staff Announcements:

Dennis Engelke Grants Administrator and David Clark provide infrastructure updates on Briggs Road, stating that weather has caused delays, but still confirm completion after the holidays.

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>

Jon Craigmile and Juan Villarreal address the aspect of a Radio Communication System needing to be reliable.

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

1. Approve payment of County invoices and County Purchase Orders: \$648,491.82
2. Ratify re-occurring County Payments:
 - A. \$391,172.06 Payroll (11/06/2022 – 11/19/2022)
 - B. \$118,594.52 Payroll Tax (11/06/2022 – 11/19/2022)
 - C. \$436,513.36 Payroll (11/20/2022 – 12/03/2022)
 - D. \$139,756.28 Payroll Tax (11/20/2022 – 12/03/2022)
3. To approve District Clerk, Juanita Allen 2022 Continuing Education Hours Certificate.
4. To approve County Clerk, Teresa Rodriguez 2022 Continuing Education Hours.
5. To approve the Bond for Sarah Fullilove, Elections Assistant.
6. To approve the Bond for Mayra Ortiz Calderon, Election Assistant.
7. To approve the Bond for Devante Coe, Election Administrator.
8. To approve the Bond for Carolyn Caro, Purchasing Agent.
9. To approve the Bond for Gabi Balboa, Purchasing Assistant.
10. To approve the Bond for Jessica Alonzo, JP 1 Clerk.
11. To approve the Bond for Danie Teltow, Caldwell County Auditor.
12. To approve the Bond for Clemente Verastegui, Constable Pt. 1
13. To approve the Bonds for all 8 clerks in the Caldwell County Clerk's Office.
14. To approve the November 2022 Indigent Burial Report.
15. To approve Commissioner Westmoreland Advanced Curriculum Certificate.
16. To approve Constable Pct. 1 Report for November.

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

MOTION APPROVED.

SPECIAL PRESENTATION

Dave Marsh from CARTS

Dave Marsh and Dayna Platt present a plaque to Barbara Shelton who is retiring after 4 years of service on CARTS Board, and welcome Mr. Horne who will be appointed.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC provides fire updates and recommends to keep Burn Ban Off.

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

MOTION APPROVED.

18. Discussion/Action to consider the approval of December Firework Order for the year 2022. **Speaker: Judge Haden/ Backup: 3; Cost: None**

Hector Rangel Chief EMC recommends restricting fireworks with sticks and fins.

The order is read.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to consider the approval of the December Firework Order for the year 2022. All voting "Aye".

MOTION APPROVED.

19. Discussion/Action to consider the approval of Resolution 03-2023 Declaring Local State of Disaster. **Speaker: Judge Haden; Backup: 5; Cost: None**

The resolution is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Resolution 03-2023 Declaring Local State of Disaster. All voting "Aye".

MOTION APPROVED.

20. Discussion/Action to consider the approval of the enrollment in Texas Association of Counties' Cybersecurity Course for year 2023. **Speaker: Judge Haden; Backup: 4; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve of the enrollment in Texas Association of Counties' Cybersecurity Course for the year 2023. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to consider taking action on appointment of a Caldwell County Animal Control Advisory Committee. **Speaker: Commissioner Theriot; Backup: 7; Cost: None**

Commissioner Theriot addresses the increase and issues with stray animals, requesting an advisory committee be formed suggesting Carol Jones, Jan Brown, and Alisha Thornton as members.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to table Item 21 until December 27th Commissioners Court. All voting "Aye".

MOTION TO TABLE APPROVED.

22. Discussion/Action to consider the approval of the Caldwell County Historical Commission Member Nominees for Calendar Year 2023-2024. **Speaker: Judge Haden; Backup: 3; Cost: None**

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Judge Haden reads a list of Caldwell County Historical Commission Member Nominees for 2023-2024.

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Caldwell County Historical Commission Member Nominees for Calendar Year 2023-2024. All voting "Aye".

MOTION APPROVED.

23. Discussion/Action to consider the approval to appoint Rusty Horne to CARTS Board of Directors. **Speaker: Judge Haden; Backup: 2; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve, and appoint Rusty Horne to CARTS Board of Directors effective January 1st, 2023. All voting "Aye".

MOTION APPROVED.

24. Discussion/Action to consider the approval of a donation request to Keep Lockhart Beautiful. **Speaker: Judge Haden; Backup: 1; Cost: \$3,000.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to deny donation, and encourage them to apply with Caldwell County Community Services Foundation. All voting "Aye".

MOTION APPROVED.

25. Discussion/Action to consider the approval of Budget Amendment #3 to transfer money from (001-3201-1040) Clerical and Assistants to (001-3201-1090) Office and Labor to pay salary wages. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: \$31,224.93**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 3 to transfer money from (001-3201-1040) Clerical and Assistants to (001-3201-1090) Office and Labor to pay salary wages. All voting "Aye".

MOTION APPROVED.

26. Discussion/ Action to consider the approval of Budget Amendment #4 for the HAVA Grant final expenses. **Speaker: Judge Haden/ Danie Teltow; Backup: 16; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 4 for the HAVA Grant final expenses. All voting "Aye".

MOTION APPROVED.

27. Discussion/Action to consider the approval of an award for RFP 22CCP01P IT Managed Services Provider. **Speaker: Judge Haden/ Carolyn Caro; Backup: 10; Cost: None**

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Carolyn Caro Purchasing Agent announces Blue Layer as IT Managed Services Provider.

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve award for REP 22CCP01P IT Managed Services Provider. All voting "Aye".

MOTION APPROVED.

28. Discussion/Action to consider the approval of REQ02108 in the amount of \$241,370.00 for Blue Layer Blanket PO FY 22-23. **Speaker: Judge Haden/ Carolyn Caro; Backup: 2; Cost: \$241,370.00**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve REQ02108 in the amount of \$241,370.00 for Blue Layer Blanket PO FY 22-23. All voting "Aye".

MOTION APPROVED.

29. Discussion/Action to consider hiring Davis Kauffman, PLLC for bill monitoring that will affect Caldwell County during the next Texas Senate session. **Speaker: Judge Haden/ Denise Davis; Backup: 4; Cost: TBD**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve hiring Davis Kauffman, PLLC for bill monitoring that will affect Caldwell County during the next Texas Senate session. All voting "Aye".

MOTION APPROVED.

30. Discussion/Action to consider the approval of a lease agreement with Aqua Water Supply Company for the housing of County Offices within Precinct 4. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve the lease agreement with Aqua Water Supply Company for the housing of County Offices within Precinct 4. All voting "Aye".

MOTION APPROVED.

31. Discussion/Action to consider the approval of the Preliminary Plat for Chamberlin Ranch consisting of 9 residential lots on approximately 15.26 acres located on Chamberlin Road. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 21; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Preliminary Plat for Chamberlin Ranch consisting of 9 residential lots on approximately 15.26 acres located on Chamberlin Road with corrections. All voting "Aye".

MOTION APPROVED.

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32. Discussion/Action to consider the approval of the Preliminary Plat for Lake Longhorn ranch consisting of 163 residential lots on approximately 340.44 acres located on Martindale Lake Rd. (CR 109B). **Speaker: Commissioner Westmoreland/ Commissioner Theriot/ Kasi Miles/ Tracy Bratton; Backup: 19; Cost: None**

Tracy Bratton County Consulting Engineer and Rusty Simmons Representative for Longhorn Ranch provide details for the project.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to deny the approval of Preliminary Plat for Lake Longhorn Ranch based on 3.9 Ordinance. All voting "Aye".

MOTION APPROVED.

33. Discussion/Action to consider the approval of the Preliminary Plat for Lively Stone Addition consisting of 171 residential lots on approximately 259.98 acres located on Barth Road (CR 179) and Lively Stone Road (CR 181). **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 24; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to table Item 33. All voting "Aye".

MOTION TO TABLE APPROVED.

34. Discussion/Action to consider a variance request to roadway construction standard for Property ID: 15038, Sagada Dos Subdivision located on Homannville Trail. **Speaker: Commissioner Theriot/ Kasi Miles/ Tracy Bratton; Backup: 2; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to deny a variance request to roadway construction standard for Property ID: 15038, Sagada Dos Subdivision located on Homannville Trail. All voting "Aye".

MOTION APPROVED.

35. Discussion/Action to consider a variance request from Caldwell County Development Ordinance, Section 3.3.1 to allow a Family Land Grant with only 50' of road frontage for Mr. Felipe Saucedo, Property ID; 113830 located off of Seminole Trail. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 12; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve variance request from Caldwell County Development Ordinance, Section 3.3.1 to allow a Family Land Grant with only 50' of road frontage for Mr. Felipe Saucedo, Property ID; 113830 located off of Seminole Trail. All voting "Aye".

MOTION APPROVED.

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Judge Haden opens Item 36 and Item 37 Execution Session at 10:39 a.m. attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, and Chase Goetz Assistant Criminal District Attorney -Civil.

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

NO ACTION TO FOLLOW.

37. EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.089, deliberation regarding the deployment, or specific occasions for implementation, of critical infrastructure or security devices. Possible action may follow in open court. **Speaker: Judge Haden; Backup: 1; Cost: None**

ACTION TAKEN ON ITEM 38.

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

Motion made by Commissioner Theriot, second by Commissioner Westmoreland to approve deliberation regarding the deployment, or specific occasions for implementation, of critical infrastructure or security devices. All voting "Aye".

Judge Haden closes Executive Session Items 36 and 37 at 11:19 a.m.

39. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". The court adjourns at 11:22 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 December 13, 2022.



Teresa Rodriguez

*By Dolores Garcia
Deputy*

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