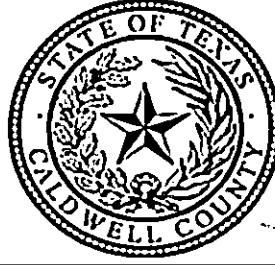


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court December 14, 2021 9:00 a.m.



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 Westmoreland, Commissioner Shelton and Judge Haden wish everyone a Merry Christmas and Happy Holiday season.

Commissioner Westmoreland asks that everyone keep in thought and prayer all of the citizens affected by the tornado disaster.

Commissioner Shelton also attended Candle Light Visual for Jason Landry.

Dennis Engelke reports work has begun on the final Hurricane Harvey Project and provides Grant updates.

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>

Chuck Yunkun Lockhart resident opposes subdivisions due to lack of development issues.

Pat Daniel, Alfredo Munoz, and Linda Hinkle support redistricting plan.

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

1. **Approve payment of County invoices and County Purchase Orders: \$647,867.79**
2. **Ratify re-occurring County Payments:**
 - A. **\$361,679.58 Payroll (11/07/2021 – 11/20/2021)**
 - B. **\$106,703.96 Payroll Tax (11/07/2021 – 11/20/2021)**
 - C. **\$430,706.92 DMV Comptroller**
 - D. **\$157,937.72 DMV Remittance**
 - E. **\$44.54 Boat Comptroller**
3. **To accept the November 2021 Tax Collection Report from Caldwell County Appraisal District.**
4. **To approve Bond renewal #155530860 for Jennifer Watts JP. 3 Clerk**

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

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

Judge Haden opens Executive Session at 9:14 a.m. and close at 10:43 a.m. Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland and Chase Goetz.

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

No action taken.

25. **Discussion/Action** to consider a discussion for Clear Fork Ranch proposed subdivision and development agreement located on SH-142. **Speaker: Commissioner Westmoreland/ Kasi Miles/ Tracy Bratton/ Nick McIntyre; Backup: 2; Cost: None**

Nick McIntyre provides slideshow with information on development project.

26. **Discussion/Action** to consider a discussion for Sunset Oaks (Phase VI) proposed subdivision and development agreement located on FM 1966. **Speaker: Commissioner Theriot / Kasi Miles/ Tracy Bratton/ Taylor Hughes; Backup: 2; Cost: None**

Taylor Hughes provides slideshow on proposed subdivision and development agreement.

- 27. Discussion/Action** to consider a variance request 4690 N. US HWY 183, Property ID: 16526 to allow a commercial structure to be placed on a 0.219-acre tract of land. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 4; Cost: None**

Motion made by Commissioner Roland Motion dies to lack of second.

Motion made by Commissioner Roland, seconded by Commissioner Shelton to table Item 27. All voting "Aye".

MOTION APPROVED.

- 28. Discussion/Action** to consider a variance request for a Family Land Grant located at 124 Ranch View Road, Property ID: 12250. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 12; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve variance request for a Family Land Grant located at 124 Ranch View Road with corrected property ID 43952. All voting "Aye".

MOTION APPROVED.

SPECIAL PRESENTATION

- **Johnson Control**

Jennifer Lancaster Senior Account Executive with Johnson Controls provides slideshow of completion of Facility Infrastructure Project.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC, wishes everyone a Merry Christmas and Happy New Year and asks to keep tornado victims in prayer. Recommends to keep the Burn Ban off.

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

MOTION APPROVED.

- 6. Discussion/Action** to consider adoption of order prohibiting or restricting the sale of certain fireworks in unincorporated areas of Caldwell County, Texas. **Speaker: Judge Haden/ Hector Rangel; Backup: 3; Cost: None.**

Order is read. Hector Rangel, Chief EMC, recommends the restriction of sticks and fins fireworks.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve order prohibiting or restricting the sale of certain fireworks in unincorporated area of Caldwell County, Texas.

All voting "Aye".

MOTION APPROVED.

- 7. Discussion/ Action** to consider receiving reports and recommendation from the Election Precinct Advisory Committee regarding the redistricting of Caldwell County election precinct boundaries. **Speaker: Judge Haden/ Kimber Daniel; Backup: 1; Cost: None**

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Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve reports and recommendation from the Election Precinct Advisory Committee regarding the redistricting of Caldwell County election precinct boundaries. All voting "Aye".

MOTION APPROVED.

- 8. Discussion/Action** to approve Caldwell County Supplemental and Final Redistricting Order, revising local elections precincts. **Speaker: Judge Haden/ Kimber Daniel; Backup: 8; Cost: None**

Kimber Daniel Elections Administrator reads Order.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Caldwell County Supplemental and Final Redistricting Order, revising local election precincts. All voting "Aye".

MOTION APPROVED.

- 9. Discussion/Action** to consider the approval of Budget Amendment #19 for elections budgetary needs for prior and future elections. **Speaker: Judge Haden/ Barbara Gonzales/ Kimber Daniel; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 19 for elections budgetary needs for prior and future elections. All voting "Aye".

MOTION APPROVED.

- 10. Discussion/Action** to consider Resolution 18-2022, approving Amendment #1 to the Interlocal Cooperation Agreement for 9-1-1 Geographic Information System Database Management, for the correction of clerical errors and the updating of the CAPCOG project representative. **Speaker: Judge Haden/ Dennis Engelke/ Chase Goetz; Backup: 29; Cost: None**

Resolution 18-2022 is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Resolution 18-2022, approving Amendment 1 to the Interlocal Cooperation Agreement for 9-1-1 Geographic Information System Database Management, for the correction of clerical errors and the updating of the CAPCOG project representative. All voting "Aye".

MOTION APPROVED.

- 11. Discussion/Action** to consider the approval of Budget Amendment #18 to transfer money from (001-6510-4860) Contingency to (001-9000-4980) 9-1-1 and from (011-7000-1000) Grant Fund to (001-3000-0300) CAPCO Grant for the amended 9-1-1-/ GIS Contract. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 29; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Budget Amendment 18 to transfer money from (001-6510-4860) Contingency to (001-9000-4980) 9-1-1 and from (011-7000-1000) Grant Fund to (001-3000-0300) CAPCO Grant for the amended 9-1-1-/ GIS Contract. All voting "Aye".

MOTION APPROVED.

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- 12. Discussion/Action** to consider Resolution 19-2022, adopting, approving, and accepting the Janssen Texas State-Wide Opioid Settlement Agreement; authorizing the County Judge and Special Counsel to execute the Release of the Janssen Settlement; authorizing Special Counsel to execute and deliver same settlement agreement, and to approve such terms and provisions for the full and final settlement agreement. **Speaker: Judge Haden/ Gabe Ortiz/ Chase Goetz; Backup: 5; Cost: None**

Resolution 19-2022 is read.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Resolution 19-2022, adopting, approving, and accepting the Janssen Texas State-Wide Opioid Settlement Agreement; authorizing the County Judge and Special Counsel to execute the Release of the Janssen Settlement; authorizing Special Counsel to execute and deliver same settlement agreement, and to approve such terms and provisions for the full and final settlement agreement. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to consider Budget Amendment #15 to transfer money from (001-6000-0950) Insurance Proceeds to (001-4321-4510) Repairs and Maintenance Constable Pct. 1 for a claim due to a collision with a deer. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 15 to transfer money from (001-6000-0950) Insurance Proceeds to (001-4321-4510) Repairs and Maintenance Constable Pct. 1 for a claim due to a collision with a deer. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider accepting donation of \$2,000 from A Night in Old Luling to the Constable Precinct 2 office for the purchase of tactical body armor. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve accepting donation of \$2,000 from A Night in Old Luling to the Constable Precinct 2 office for the purchase of tactical body armor. All voting "Aye".

MOTION APPROVED.

- 15. Discussion/Action** to consider Budget Amendment #16 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-4322-5310) Machinery and Equipment from a Donation to Pct. 2 to purchase body armor vest. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Budget Amendment 16 to transfer money from (001-6000-0990) Miscellaneous Revenue to (001-4322-5310) Machinery and Equipment from a Donation to Pct. 2 to purchase body armor vest. All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** to consider the approval of Budget Amendment #17 to transfer money from (001-00-0990) Miscellaneous Revenue to (001-6560-30560) Dues and Subscription for the refund from TJA dues for County Judge Haden. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

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Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Budget Amendment 17 to transfer money from (001-00-0990) Miscellaneous Revenue to (001-6560-30560) Dues and Subscription for the refund from TJA dues for County Judge Haden. All voting "Aye".
MOTION APPROVED.

17. Discussion/Action to consider approval of Budget Amendment #20 to transfer money from revenue line item (010-3000-0636) to expense line item (010-4310-4011) for Co-Morbidity Initiative Phase 4.
Speaker: Judge Haden/ Dennis Engelke; Backup: TBD; Cost: Net Zero

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 20 to transfer money from revenue line item (010-3000-0636) to expense line item (010-4310-4011) for Co-Morbidity Initiative Phase 4. All voting "Aye".
MOTION APPROVED.

18. Discussion/Action to consider the approval to ratify payment to Langford Community Management Services made on 11/29/2021 with immediate check request memo. **Speaker: Judge Haden/ Dennis Engelke; Backup: 6; Cost: \$427,121.56**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve ratifying payment to Langford Community Management Services made on 11/29/2021 with immediate check request memo. All voting "Aye".
MOTION APPROVED.

19. Discussion/Action to consider approval of the Meadows Center for Water and the Environment Professional Services Agreement (Texas State University) pertaining to the execution of the FY 2021-22 Feral Hog Abatement Grant. **Speaker: Judge Haden/ Dennis Engelke; Backup: 8; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Meadows Center for Water and the Environment Professional Services Agreement (Texas State University) pertaining to the execution of the FY 2021-22 Feral Hog Abatement Grant. All voting "Aye".
MOTION APPROVED.

20. Discussion/Action to consider approval REQ01403 to pay FY 2022 donation request to Caldwell-Travis Soil and Water Conservation District #304 as approved in Commissioners Court on May 25, 2021.
Speaker: Judge Haden; Backup: 4; Cost: \$900.00

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve REQ01403 to pay FY 2022 donation request to Caldwell-Travis Soil and Water Conservation District #304 as approved in Commissioners Court on May 25, 2021. All voting "Aye".
MOTION APPROVED.

21. Discussion/Action to consider approval to REQ01404 to be generated into a blanket P.O. for the Tax Office Quarterly Payments to the C.C.A.D. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: \$621,462.83**

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Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve REQ01404 to be generated into a blanket P.O. for the Tax Office Quarterly Payments to the C.C.A.D. All voting "Aye".
MOTION APPROVED.

22. Discussion/Action to consider the approval to pay C.C.A.D for the 1st Quarterly Property Tax invoice in the amount of \$119,996.22 for 2022 QTR-1 and \$32,526.25 for 2022 COLL QTR-1. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: \$152,522.47**

Motion made by Commissioner Westmoreland, seconded Commissioner Shelton to approve to pay C.C.A.D for the 1st Quarterly Property Tax invoice in the amount of \$119,996.22 for 2022 QTR-1 and \$32,526.25 for 2022 COLL QTR-1. All voting "Aye".
MOTION APPROVED.

23. Discussion/Action to consider approval to generate REQ01401 into a Purchase Order in the amount of \$250,000.00 for Caldwell County Community Service Foundation. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$ 250,000.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve to generate REQ01401 into a Purchase Order in the amount of \$250,000.00 for Caldwell County Community Service Foundation. All voting "Aye".
MOTION APPROVED.

24. Discussion/Action to consider rescheduling the December 28, 2021 Commissioners Court meeting. **Speaker: Commissioner Shelton; Backup: 1; Cost: None**

No action taken.

29. Discussion/Action to consider approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Paulo Silva Subdivision located on HWY 142. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 10; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Paulo Silva Subdivision located on HWY 142. All voting "Aye".
MOTION APPROVED.

30. Discussion/Action to consider the approval of the Final Plat for Kat Martinez Subdivision, Phase 1 a 5-acre lot out of approximately 74.835 acres fronting on Tomahawk trail. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 11; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Final Plat, with corrections for Kat Martinez Subdivision, Phase 1 a 5-acre lot out of approximately 74.835 acres fronting on Tomahawk trail. All voting "Aye".
MOTION APPROVED.

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- 31. Discussion/Action** to consider approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Creekside Acres located on FM 1185 & Dry Creek Rd. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 17; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Creekside Acres located on FM 1185 & Dry Creek Rd. All voting "Aye".

MOTION APPROVED.

- 32. Discussion/Action** to consider the approval of an Order authorizing the filing a Final Plat (Short Form Procedure) for Cypress Point located on HWY 80 & FM 20. **Speaker: Commissioner Theriot/ Kasi Miles/ Tracy Bratton; Backup: 14; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Order authorizing the filing a Final Plat (Short Form Procedure) for Cypress Point located on HWY 80 & FM 20. All voting "Aye".

MOTION APPROVED.

- 33. Discussion/Action** to consider the approval of the Final Plat for Tumbleweed Estates consisting of 51 lots on approximately 80.06 acres fronting on Tumbleweed Trail. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 25; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Final Plat for Tumbleweed Estates consisting of 51 lots on approximately 80.06 acres fronting on Tumbleweed Trail. All voting "Aye".

MOTION APPROVED.

- 34. Discussion/Action** to consider the approval of an Order authorizing the filing of a Final Plat (Short Form Procedure) for Miracle Acres located on Taylorsville Road. **Speaker: Commissioner Shelton/ Kasi Miles/ Tracy Bratton; Backup: 17; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Order authorizing the filing of a Final Plat (Short Form Procedure) for Miracle Acres located on Taylorsville Road. All voting "Aye".

MOTION APPROVED.

- 35. Discussion/Action** to consider the approval of the Preliminary Plat for Cool Water Acres consisting of 124 lots on approximately 155.951 acres on FM 86. **Speaker: Commissioner Shelton/ Kasi Miles/ Tracy Bratton; Backup: 32; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Preliminary Plat for Cool Water Acres consisting of 124 lots on approximately 155.951 acres on FM 86. All voting "Aye".

MOTION APPROVED.

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36. Discussion/Action to consider the approval of the Final Plat for Meridian Estates consisting of 20 lots on approximately 42.8 acres fronting on Plant Road and Meridian Lane. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton; Backup: 18; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Final Plat for Meridian Estates consisting of 20 lots on approximately 42.8 acres fronting on Plant Road and Meridian Lane. All voting "Aye".
MOTION APPROVED.

39. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland that we adjourn. All voting "Aye". Court adjourns at 12:15 p.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 14, 2021.


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

