

COMMISSIONS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court December 29 , 2020 9:00 am



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

County Judge Pro-Tem B.J. Westmoreland calls meeting to order at 9:00 a.m. Judge Haden and Commissioner Roland are not present.

Invocation.

Bob Bush 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).

County Judge Pro-Tem B.J. Westmoreland leads all present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

No announcements from the court.

Staff announcements: Hector Rangel reported updates on COVID-19 test sites in County along with dates and times.

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:

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>

Sarah Heard, owner of Commerce Café in Lockhart. Speaks on behalf of keeping the Farmers Market on the Town Square.

Gregory Mata, citizen of Lockhart, also spoke on behalf of the Farmers Market being moved from Square.

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 \$495,434.77; Backup: 39**
2. **Ratify re-occurring County Payments**
 - A. **\$386,522.65 (Payroll 11/22/2020 – 12/05/2020)**
 - B. **\$120,433.48 (Payroll Tax 11/22/2020 – 12/05/2020)**
 - C. **\$3,437.83 Boat Comptroller**
 - D. **\$147,545.75 DMV Remittance**
 - E. **\$371,086.15 DMV Comptroller**
3. **Approve Darla Law/ Tax Assessor-Collector Continuing Education Transcript for the year 2020**
4. **Approve the November 2020 Tax Collection Report from the Caldwell County Appraisal District**
5. **Approve the November 2020 Environmental Code Enforcer report from Mike Bittner**
6. **Approve the Renewal Bond policy #64467357 for Debra Flores/ County Clerk**
7. **Approve the Renewal Bond policy #64935119 for Leslie Estrada/ District Clerk**
8. **Approve the Renewal Bond policy #62986620 for Edward Theriot/ County Commissioner Pct. 3**
9. **Approve the Renewal Bond policy # 15528920 for Victor Terrell/ Constable Pct. 1**
10. **Approve the Renewal Bond policy # 62997812 for Thomas Will/ Constable Pct. 2**
11. **Approve the Renewal Bond policy #71738268 for Michael Bell/ Constable Pct. 3**
12. **Approve the Renewal Bond policy #64919196 for Juanita Allen/ District Clerk**
13. **Approve the Renewal County Bond policy #62983458 for Darla Law/ Tax Assessor-Collector**
14. **Approve the Renewal State of Texas Bond policy #62983406 for Darla Law/ Tax Assessor-Collector**

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

SPECIAL PRESENTATION

- To present a Certificate for Luling ISD Student of the year.

County Judge Pro-Tem B.J Westmoreland announced that the presentation will be rescheduled for January.

- Caldwell County Extension Agents annual Report. (Wayne Morse, Aaron McCoy, Elsie M. Lacy)

Wayne Morse and Elsie M. Lacy provided updates on Agriculture projects within the county.

Discussion/Action Items:

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

Hector Rangel reports that fireworks with fins and sticks are still restricted. Recommends to keep the Burn Ban On. Motion made by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

33. **Discussion/Action** to approve the submission of an application for the FY 2021 State Homeland Security Program Grant for bioterrorism chemical detection and mitigation equipment. (Grant Amount TBD) **Speakers: Judge Haden/ Hector Rangel/ Reagan McLearen; Backup: 15; Cost: TBD**

Hector Rangel and Reagan McLearen requests to approve the submission of FY 2021 State Homeland Security Program Grant. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

32. **Discussion/Action** to approve the submission of an application to the Office of the Governor, Criminal Justice Division, for a FY2022 Residential Substance Abuse Treatment Grant to provide MHMR services for incarcerated personnel. (Grant amount TBD) **Speaker: Judge Haden/ Reagan McLearen; Backup: 6; Cost: TBD**

Reagan McLearen requests to approve the submission of application for FY 2022 Residential Substance Abuse Treatment Grant. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

16. **Discussion/Action** to approve Resolution 07-2021, amending the Caldwell County Flood Damage Prevention Ordinance. **Speaker: Judge Haden/ JJ Wells; Backup: 2; Cost: None**

J.J. Wells requests to approve amended Resolution 07-2021, County Judge Pro-Tem B.J. Westmoreland reads Resolution 07-2021. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

17. **Discussion/ Action** to approve Budget Amendment #19 to move \$6,000 from Medical Contingency (001-6510-4864) to Donation (001-6510-3200). **Speaker: Judge Haden/ Barbara Gonzales; Backup: 3; Cost: Net Zero**

Barbara Gonzales requests to approve Budget Amendment 19. Motion made by Commissioner Shelton with corrections, second by Commissioner Theriot. All voting "Aye".

18. **Discussion/Action** to approve Budget Amendment #20 correcting the Johnson Control invoice from the prior year. **Speaker; Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Barbara Gonzales requests to approve Budget Amendment 20. So moved by Commissioner Theriot, second by Commissioner Shelton. all voting "Aye".

19. **Discussion/Action** to approve Budget Amendment #21 to proceed with FY 20-21 payment to Johnson Controls. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 4; Cost: Net Zero**

Barbara Gonzales requests to approve Budget Amendment 21. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

20. **Discussion/Action** to approve requisition REQ00673 for Caldwell County Johnson Controls FY 20-21 project to be generated into a blanket purchase Order in the amount of \$1,638,859.00. **Speaker: Judge Haden/ Danie Blake; Backup: 5; Cost: \$1,638,859.00**

Danie Blake requests to approve requisition REQ00673 into a blanket purchase order for Caldwell County Johnson Controls FY 20-21 project. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

21. **Discussion/Action** to approve invoice number 43954599 for payment in the amount of \$418,268.00. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$418,268.00**

Danie Blake requests to approve invoice number 43954599. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

22. **Discussion/Action** to approve Budget Amendment #22 to move money from Tyler Tech training (001-2130-4815) to office supplies (001-2130-3110) to pay for W-2 forms. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 6; Cost: Net Zero**

Barbara Gonzales requests to approve Budget Amendment 22. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

23. **Discussion/Action** to approve Budget Amendment #23 for FY 2020-2021 HAVA Cares Act needed to record the appropriation. **Speaker: Judge Haden/ Barbara Gonzales; Backup:16; Cost: None**

Barbara Gonzales requests to approve Budget Amendment 23. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

24. **Discussion/Action** to approve Budget Amendment #24 to receive Bluebonnet Electric Cooperative contribution to support the Caldwell County Community Event Project. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 9; Cost: None**

Barbara Gonzales requests to approve Budget Amendment 24. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

25. **Discussion/Action** to approve REQ00684 for road materials provided by Colorado Materials for CTIF Grant. **Speaker: Judge Haden/ Danie Blake; Backup: 5; Cost: \$529,421.01**

Danie Blake requests to approve REQ00684 blanket purchase order. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

26. **Discussion/Action** to approve payment for Colorado Materials, LTD invoices for the CTIF grant in the total amount combined \$252,600.67. **Speaker: Judge Haden/ Danie Blake; Backup: 23; Cost: \$252,600.67**

Danie Blake requests to approve invoice for Colorado Materials. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

27. **Discussion/Action** to approve ESS Sales Order Agreement Buy Board Contract 542-17. **Speaker: Judge Haden; Backup: 16; Cost: \$117,225.00**

County Judge Pro-Tem B.J. Westmoreland requests approval of ESS Sales Order Agreement Buy Board Contract 542-17. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

28. **Discussion/Action** to approve REQ000698 to be generated into a purchase order in the amount of \$117,225.00 for the ES&S Sales Order Agreement for election equipment. Buy Board Contract # 542-17 to approve REQ00698 for payment to ESS in the amount of \$117,225.00 **Speakers: Judge Haden/ Danie Blake; Backup: 4; Cost: \$117,225.00**

Danie Blake requests a purchase order to be generated from REQ00698 for ES &S Sales Order Agreement. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

29. **Discussion/Action** to consider Davis Kaufman, PLLC's proposal to represent Caldwell County on matters relating to monitoring legislative and regulatory activities during the 87th session of the Texas Legislature. **Speaker: Judge Haden; Backup: 4; Cost: \$36,000.00**

County Judge Pro –Tem B.J. Westmoreland asks to table item 29. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

30. **Discussion/Action** to approve payment for non-compliant Office Depot invoice made by Caldwell County Sheriff's office. **Speaker: Judge Haden/ Danie Blake; Backup: 5; Cost: \$516.95**

Danie Blake requests to approve payment of non-compliant invoice. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

31. **Discussion/Action** to consider a 30-day extension or discuss recommendation to award HCS Inc. General Contractor for the Removal, Relocation, and Re-Stabilization of Caldwell County Confederate Monument project. **Speaker: Judge Haden/ Danie Blake; Backup: 58; Cost: \$29,600.00**

Danie Blake requests to table item 31. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

34. **Discussion/Action** to approve REQ00695 to be generated into a blanket purchase order for Brauntex Materials, for RFB 20CCP05B road materials award. **Speakers: Judge Haden/ Danie Blake; Backup: 5; Cost: \$750,000.00**

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Danie Blake requests to approve blanket purchase order REQ00695 for Brauntex Materials. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

35. **Discussion/Action** to approve invoice # 116233 in the amount of \$35,473.20, invoice # 116460 in the amount of \$8,300.40 and invoice # 116682 in the amount of \$17,158.80 for payment.
Speakers: Judge Haden/ Danie Blake; Backup: 6; Cost: \$60,935.40

Danie Blake requests to approve three invoices for payment. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

36. **Discussion/Action** to approve REQ00696 to be generated into a blanket purchase order for Eragon Asphalt, for RFB 20CCP06B road materials award. **Speakers: Judge Haden/ Danie Blake; Backup: 4; Cost: \$160,000.00**

Danie Blake requests to approve blanket purchase order REQ00696 for Eragon Asphalt. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

37. **Discussion/Action** to approve for payment invoice # 9402389451 in the amount of \$3,385.41 to Ergon Asphalt. **Speakers: Judge Haden/ Danie Blake; Backup: 2; Cost: \$3,385.41.**

Danie Blake requests approval of payment for invoice #9402389451 to Ergon Asphalt. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

38. **Discussion/Action** to approve REQ00697 to be generated into a blanket purchase order for Petroleum Traders Corporation, for RFB 20CCP05B fuel bid award. **Speakers: Judge Haden/ Danie Blake; Backup: 7; Cost \$155174.19**

Danie Blake requests approval of blanket purchase order REQ00697 for Petroleum Traders Corporation. So moved by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

39. **Discussion/Action** to approve for payment invoice # 1608628 in the amount of \$7,423.10 to Petroleum Traders Corporation. **Speakers: Judge Haden/ Danie Blake; Backup: 4; Cost; \$7423.10**

Danie Blake requests to approve invoice #1608628 to Petroleum Traders Corporation. So moved by Commissioner Theriot, second by Commissioner Shelton. All voting "Aye".

40. **Discussion/Action** regarding the Farmers Market. **Speaker: Judge Haden; Backup: 2; Cost: None**

County Judge Pro-Tem B.J. Westmoreland requests to table item 40. Motion made by Commissioner Shelton, second by Commissioner Theriot. All voting "Aye".

41. **Adjournment.**

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Motion made by Commissioner Shelton, second by Commissioner Theriot that we adjourn. All voting "Aye". Court adjourns at 10:04 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 29, 2020

Teresa Rodriguez

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



