

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



HOPPY HADEN
TERESA RODRIGUEZ

County Judge
County Clerk

B.J. WESTMORELAN
BARBARA SHELTON
ED THERIOT
JOE IVAN ROLAND

Commissioner Pct. 1
Commissioner Pct. 2
Commissioner Pct. 3
Commissioner Pct. 4

Call Meeting to Order

Judge Haden calls meeting to order at 9:00am. Commissioner Joe Roland is absent.

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).

Announcements. Items or comments from Court members or staff.

Commissioner Westmoreland mentioned that he and **Commissioner Theriot** met with the Campo 150 Organization Project.

Commissioner Shelton gave updates on several meetings, luncheons and dinners she attended. She also announced events scheduled for this month.

Judge Haden announced that he attended some of the same events as Commissioner Shelton, as well as meeting for grants that Dennis Engelke will discuss in more detail.

Dennis Engelke discussed different grant programs for the county. Attended meetings for this year's Census program. He announced that he was selected for several committees.

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).

No citizen comments.

COMMISSIONERS COURT MINUTES
Regular Meeting February 10, 2020 9:00 am

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

1. **Approve payment of County invoices and County Purchase Orders in the amount of \$564,978.53; Backup: 30**
2. **Ratify re-occurring County Payments**
 - A. **\$111,286.78 (DMV Remittance); Backup: 2**
 - B. **\$93,356.94 Payroll Tax (1/5/2020 – 1/18/2020) Backup: 2**
 - C. **\$309,580.79 Payroll (1/5/2020 – 1/18/2020); Backup: 21**
3. **To accept the quartile juror reimbursement payments; Backup: 7**
4. **To accept the January 2020 Environmental Investigator Report. Mike Bittner; Backup: 3**
5. **To accept the bond #64935119 for new Deputy District Clerk, Leslie Estrada; Backup: 2**
6. **To accept the January 2020 Indigent Burial Report; Backup: 3**

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

SPECIAL PRESENTATION

Regarding the Caldwell County tree project

Lee Rust and Anna Ybarra share a presentation regarding the Caldwell Co. Tree Project. Handout was given to Commissioner Court members; County Clerk did not receive handout.

AGENDA ACTION ITEMS

7. **Discussion/Action** regarding the burn ban. **Speaker: Judge Haden / Carine Chalfoun; Backup: None; Cost: None**

Carine Chalfoun recommends leaving burn ban off. Motion made by Commissioner Theriot, second by Commissioner Shelton. All present voting “Aye”.

8. **Discussion/Action** to approve the proclamation declaring February to be Dating Violence Awareness and Prevention Month for teens and young adults. **Speaker: Judge Haden; Backup: 2; Cost: None**

Judge Haden reads the proclamation and asks for a motion to accept. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All present voting “Aye”.

9. **Discussion/Action** to approve the Proclamation declaring February as “Fair Housing Month”. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke reads the proclamation and asks for approval. Motion made by Commissioner Shelton to approve proclamation, second by Commissioner Theriot. All present voting “Aye”

COMMISSIONERS COURT MINUTES
Regular Meeting February 10, 2020 9:00 am

10. **Discussion/Action** to approve Resolution 13-2020 authorizing signatories for the Texas General Land Office Buyout Grant 20-066-012-C094. **Speaker: Judge Haden/ Dennis Engelke; Backup: 2; Cost: None**

Dennis Engelke reads resolution and asked for approval. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All present voting "Aye".

11. **Discussion/Action** to approve Budget Amendment #14 to lower the salary of a position in which an experienced employee is leaving and increase the salary of two other county clerk employees. **Speaker: Judge Haden/ Teresa Rodriguez/ Barbara Gonzales; Backup: 9; Cost: None**

Judge Haden made Commissioners aware that this agenda item has an executive session. JJ Wells explained that employees were notified of this and in turn they requested to have agenda item discussed in open court. Judge Haden explains item #14 to Commissioners. Teresa Rodriguez, County Clerk explained job positions and reason for salary changes. Motion made by Commissioner Westmoreland to approve budget amendment #14, second by Commissioner Shelton. All present voting "Aye".

27. **EXECUTIVE SESSION** Pursuant to Section 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding employment and duties two employees of the County Clerk's office. Possible action may follow in open court. **Speaker: Judge Haden/ JJ Wells; Backup: 1; Cost: None**

Judge Haden asks for a motion to table line item 27. Motion made by Commissioner Westmoreland, second by Commissioner Shelton. All present voting "Aye".

12. **Discussion/Action** to approve Budget Amendment #15 to cover cost for Special Elections in May 2020. **Speaker: Judge Haden/ Pamela Ohlendorf; Backup: 2; Cost: None**

Judge asks if Pamela Ohlendorf is present, she is not. Judge Haden requests budget transfer amendment to be approved. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All present voting "Aye".

13. **Discussion/Action** to approve Budget Amendment #16 to receive United Way Census Grant and to allocate Feral Hog to matching funds – CHAMP Grant. **Speaker: Judge Haden/ Dennis Engelke/ Barbara Gonzales; Backup: 11; Cost: None**

Dennis Engelke request approval for budget amendment #16 which refers to the United Way and Feral Hog grant. Commissioner Theriot, Commissioner Westmoreland & Judge Haden discuss & ask questions, Dennis Engelke answers. So moved by Commissioner Theriot, second by Commissioner Shelton. All present voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting February 10, 2020 9:00 am

15. **Discussion/Action** to approve the selection committee list for evaluation for the RFP20CCP01P GLO-CDBG-MIT 2015, 2016, and Hurricane Harvey grant administrative services. **Speaker:** Judge Haden/ Danie Blake; **Backup:** 3; **Cost:** None

Danie Blake requested approval for selected committee members which include: Judge Haden, Commissioner Theriot, Dennis Engelke, Carol Caro, Kristanna Aranda and herself. So moved by Commissioner Theriot, second by Commissioner Shelton. All present voting "Aye".

14. **Discussion/Action** to approve RFP 20CCP01P for application development project management and grant administrative services for GLO-CDBG-MIT to include 2015, 2016, and Hurricane Harvey state mitigation competition grant programs. **Speaker: Judge Haden/Danie Blake; Backup:41; Cost: None**

Danie Blake request of approval for application. So Moved by Commissioner Westmoreland, second by Commissioner Shelton. All present voting "Aye".

16. **Discussion/Action** to approve procurement RFP 20CCP02P for Grant Administrative services for the TxDOT Transportation Infrastructure Fund Grant. **Speaker: Judge Haden/ Danie Blake; Backup: 19; Cost: None**

Danie Blake requested approval for TX Dot grant. Motion made by Commissioner Shelton, second by Commissioner Westmoreland. All present voting "Aye".

17. **Discussion/Action** to approve the selection committee list for evaluation of the TxDOT transportation infrastructure Fund Grant administrative services on RFP 20CCP02P. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: None**

Danie Blake requested approval for committee members which will consist of the following; Commissioner Shelton, Donald LeClerc, Bob Bush, Barbara Gonzales, Dennis Engelke and herself. So moved by Commissioner Westmoreland, second by Commissioner Theriot. All present voting "Aye".

18. **Discussion/Action** to approve the procurement on final draft RFP 20CCP03P for Texas Water Development Board Grant for consultant/management services. **Speaker: Judge Haden/ Danie Blake; Backup: 23; Cost: None**

Danie Blake requests funds to update county flood plain maps. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All voting, "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting February 10, 2020 9:00 am

- 19. Discussion/Action** to approve of the selection committee list for evaluation of the RFP 20CCP03P Texas Water Development Board Grant for administrative services. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: None**

Danie Blake recommends the following members for the committee; Judge Haden, Commissioner Westmoreland, Myra Sanchez, Ezzy Chan, Dennis Engelke and herself. Motion made by Commissioner Theriot, second by Commissioner Shelton. All present voting, "Aye".

- 20. Discussion/Action** to approve a donation to the Luling Lions Club from rental of Flags. **Speaker Judge Haden; Backup: 3; Cost: \$50.00**

Judge Haden requested to continue the \$50.00 donation. Motion made by Commissioner Shelton, second by Commissioner Theriot. All present voting, "Aye".

- 21. Discussion/Action** to approve the revised contract between the Texas Department of Public Safety and Caldwell County to accommodate Chapter 706 of the Texas Transportation Code. **Speaker: Judge Haden/Barbara Gonzales; Backup: None; Cost: None**

Judge Haden request to approve the revised contract between Texas Department of Public Safety and Caldwell County. So moved by Commissioner Westmoreland, second by Commissioner Shelton. All present voting "Aye".

- 22. Discussion/Action** to discuss adopting an order permitting the sale of fireworks during the Texas Independence Day period. **Speaker: Judge Haden/ Carine Chalfoun; Backup: 3; Cost: None**

Judge Haden explained that approval needed by the February 14th. Carine Chalfoun voiced her opinion to be aware of weather conditions before any decisions made. Commissioner Westmoreland motioned to not approve the order, second by Commissioner Theriot. All present voting, "Aye".

- 23. Discussion/Action** to discuss the Old Settler's Music Festival mass gathering permit proceedings. **Speaker: Judge Haden; Backup: 16; Cost: None**

Judge Haden requested for approval of permit. Motion made by Commissioner Shelton, second by Commissioner Theriot. All present voting, "Aye".

- 24. Discussion/Action** to approve the reappointments for two Commissioners for Emergency Services District (ESD) #2. **Speaker; Judge Haden/ Commissioner Theriot; Backup: 2; Cost: None**

Commissioner Theriot requests the approval for reappointments of Tony Collins and Roy Pfefferkorn for Caldwell County Emergency Services Dist. #2. Motion made by Commissioner Theriot, second by Commissioner Shelton. All voting, "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting February 10, 2020 9:00 am

- 25. Discussion/Action** to approve the Final Plat for Churchill Ranches Subdivision to include 20 lots on approximately 61.64 acres located on FM 20 and Seals Creek Road (CR 245). **Speaker: Commissioner Theriot/ Kasi Miles; Backup: 27; Cost: None**

Judge Haden asks if Kasi Miles is present, Commissioner Theriot says Kasi is not. Commissioner Theriot says we have a recommendation for approval and meets requirements. Commissioner Theriot recommends approval with modifications. Motion made by Commissioner Theriot, second by Commissioner Westmoreland. All present voting, "Aye".

- 26. EXECUTIVE SESSION** Pursuant to section 551.087 of the Texas Government Code; consultation with counsel and deliberation regarding economic development negotiations associated with Project Cali. Possible action may follow in open court. **Speaker: Judge Haden/JJ Wells, Christian Duran; Backup: to be distributed; Cost: None**

The Executive Session begins at 9:53 a.m.

Judge Haden, Commissioner Westmoreland, Commissioner Shelton, Commissioner Theriot, J.J. Wells and Christian Duran with Greater San Marcos Partnership are all present.


The Executive Session ends at 10:30 a.m. J.J. Wells is instructed to draft a proposal for 381 Agreement.

28. Adjournment.

Motion made by Commissioner Shelton, second by Commissioner Westmoreland that we adjourn. All present voting "Aye". Court adjourns at 10:33 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 February 10, 2020.




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