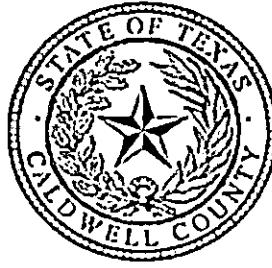


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court April 12, 2022 9:00 a.m.



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 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.

Commissioner Shelton attended the 1st Bingo hosted by the American Legion that will be held every Monday.

Chase Goetz, Assistant Criminal District Attorney-Civil reminds everyone that depositions are scheduled for April 29th.

Dennis Engelke, Grants Administrator attended a CAPCOG meeting and provided information for solid waste program grants, clean up events will be scheduled throughout the county.

Kimber Daniel, Elections Administrator introduces a new employee Devante Coe.

Ezzy Chan, Executive Assistant reminds everyone about the Cyber Security training and that budget time is coming around.

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>

Susan Lane is not present.

Cody Clement, a Lockhart resident opposes the 130 Environmental Park.

Frank L. Sughrue, a Lockhart resident opposes the 24-7 land field.

Byron Friedrich, a Lockhart resident opposes extending dump hours.

Matt Kutac with the Law Office of Matthew R Kutac, PLLC will speak on Item 7.

Neto Madrigal, a Lockhart resident opposes the salvage yard.

SPECIAL PRESENTATION

Paige Johnson to update Commissioners Court on Children's Care-a-van, ask support for this year

Paige Johnson is not available; the presentation will be rescheduled.

PUBLIC HEARING @ 9:15

Application to operate a proposed auto recycle and salvage yard located near SH 183, and potential operating conditions.

The public Hearing opens at 9:22 a.m. Residents of Lockhart speak against the salvage yard. The public Hearing closes at 9:37 a.m.

PUBLIC HEARING @ 9:25

Petition for the creation of a fresh water supply district.

The public Hearing opens at 9:37 a.m.

There are no speakers, the Public Hearing closes at 9:40 a.m.

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

- 1. Approve payment of County invoices and County Purchase Orders: \$528,997.85**
- 2. Ratify re-occurring County Payments:**

- A. \$346,962.89 Payroll (2/27/2022 – 3/12/2022)
 - B. \$104,936.80 Payroll Tax (2/27/2022 – 3/12/2022)
 - C. \$336,957.84 Payroll (3/13/2022 – 3/26/2022)
 - D. \$100,256.81 Payroll Tax (3/13/2022 – 3/26/2022)
 - E. \$418,441.05 DMV Remittance
 - F. \$237,743.18 DMV Comptroller
 - G. \$26,230.96 DMV Out of County Comptroller
 - H. \$1,199.18 TPWD Comptroller
- 3. To approve March 2022 Indigent Burial Report.
 - 4. To approve the Certificate of Completion for Judge Haden for the V.G. Young Institute of County Government
 - 5. To approve the annual Caldwell County Bond Supervision Report

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

DISCUSSION/ACTION ITEMS:

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

Hector Rangel, Chief EMC provides updates for the county and recommends keeping the Burn Ban on for 2 weeks.

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

9. Discussion/Action to consider approval of order authorizing fireworks sales for San Jacinto Day. **Speaker: Judge Haden/ Backup: 2; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to table Item 9. All voting "Aye".
MOTION TO TABLE APPROVED.

6. Discussion of an application to operate a proposed auto recycle and salvage yard located near SH-183, and potential operating condition. **Speaker: Judge Haden/ Tracy Bratton/ Monica Bradshaw; Backup: 55; Cost: None**

Gary Johnson the owner of UPI Auto Parts gives a presentation of the facility and provides information on the recycling process.
NO ACTION WAS TAKEN.

7. Discussion/Action to consider the approval of the Order Granting Petition for Creation of Caldwell County Fresh Water Supply District No. 1. **Speaker: Judge Haden/ Mike Schroeder; Backup: 22; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve the Order Granting Petition for Creation of Caldwell County Fresh Water Supply District No. 1. All voting "Aye".
MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting April 12, 2022, 9:00 a.m.

10. Discussion/Action to consider the Proclamation for Sexual Assault Awareness and Prevention Month for 2022. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read. Members of Hays-Caldwell Women's Center are present.
Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve the Proclamation for Sexual Assault Awareness and Prevention Month for 2022. All voting "Aye".
MOTION APPROVED.

11. Discussion/Action to consider to Proclamation for Child Abuse Prevention and Awareness Month for 2022. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read. Members of Caldwell County Child Welfare Board and CASA are present.
Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Proclamation for Child Abuse Prevention and Awareness Month for 2022. All voting "Aye".
MOTION APPROVED.

12. Discussion/Action to consider the Proclamation for Caldwell-Travis Soil & Water Conservation District (SWCD) Stewardship Week. **Speaker: Judge Haden/ Marla Heger/Donnie Graham; Backup: 2; Cost: None**

Proclamation is read.
Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve Proclamation for Caldwell-Travis Soil & Water Conservation District (SWCD) Stewardship Week. All voting "Aye".
MOTION APPROVED.

13. Discussion/Action to consider the approval of Resolution 31-2022, opposing Section 216 of President Biden's Executive Order 14008- including its goal of converting private land ownership to federal ownership. **Speaker: Judge Haden; Backup: 3; Cost: None**

Resolution is read.
Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Resolution 31-2022, opposing Section 216 of President Biden's Executive Order 14008- including its goal of converting private land ownership to federal ownership. All voting "Aye".
MOTION APPROVED.

14. Discussion/Action to consider approval of a special constitutional amendment election in Caldwell County occurring on May 7, 2022, pursuant to Texas Election Code Section 3.004 and Governor's Order. **Speaker: Judge Haden/ Kimber Daniel; Backup: 3; Cost: TBD**

A special constitutional amendment election is read.
Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve a special constitutional amendment election in Caldwell County occurring on May 7, 2022, pursuant to Texas Election Code Section 3.004 and Governor's Order with dates and times for all precincts. All voting "Aye".
MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting April 12, 2022, 9:00 a.m.

- 15. Discussion/Action** to consider the approval that the 1st Assistant Auditor Mayra Castillo remains with full access to bank accounts & online banking for backup purposes for Auditors Office. **Speaker: Judge Haden/ Danie Teltow; Backup: 1; Cost: None**

Danie Teltow, County Auditor announces Mayra Castillo has resigned but will help during the transition. Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve the position of 1st Assistant Auditor to remain with full access to bank accounts & online banking for backup purposes for Auditors Office.

MOTION APPROVED.

- 16. Discussion/Action** to consider approval of an amendment to an employment contract between Caldwell County and Miles Smith. **Speaker: Judge Haden; Backup: 2; Cost: TBD**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve an amendment employment contract between Caldwell County and Miles Smith. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider the creation of Public Information Officer employee code, position in Incode. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$35,638.00**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to consider the creation of Public Information Officer employee code, position in Incode. All voting "Aye".

MOTION APPROVED.

- 18. Discussion/Action** to consider the approval of Budget Amendment #42 to fund the position of Public Information Officer. **Judge Haden/ Danie Teltow; Backup: 3; Cost: \$35,638.00**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Budget Amendment #42 to fund the position of Public Information Officer. All voting "Aye".

MOTION APPROVED.

- 19. Discussion/Action** to consider the approval of Budget Amendment #43 to transfer money from (001-6510-4860) Contingency to (001-6600-4110) Professional Services for American Structure point Services. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment #43 to transfer money from (001-6510-4860) Contingency to (001-6600-4110) Professional Services for American Structure point Services. All voting "Aye".

MOTION APPROVED.

- 20. Discussion/Action** to consider the approval for requisition REQ01594 for American Structure point SH 142 project for FY 21-22 expenses in the amount of \$108,000.00. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: \$180,000.00**

COMMISSIONERS COURT MINUTES
Regular Meeting April 12, 2022, 9:00 a.m.

Motion made by Commissioner Theriot as amended, seconded by Commissioner Westmoreland to approve requisition REQ01594 for American Structure point SH 142 project for FY 21-22 expenses for \$108,000.00. All voting "Aye".
MOTION APPROVED.

21. Discussion/Action to consider the approval to pay American Structure point invoice #148522 for \$17,642.00 and invoice #147870 for \$13,128.75. **Speaker: Judge Haden/ Danie Teltow; Backup: 4; Cost: \$30,770.75**

Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve to pay American Structure point invoice #148522 for \$17,642.00 and invoice #147870 for \$13,128.75. All voting "Aye".
MOTION APPROVED.

22. Discussion/Action to ratify a release agreement between Caldwell County and Melvin Gurley. **Speaker: Judge Haden/ Chase Goetz; Backup: 1; Cost: \$640.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve ratification of release agreement between Caldwell County and Melvin Gurley. All voting "Aye".
MOTION APPROVED.

23. Discussion/Action to consider approval of payment to Mr. Melvin Gurley in the amount of \$640.00. **Speaker: Judge Haden/ Chase Goetz; Backup: 1; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve payment to Mr. Melvin Gurley for \$640.00. All voting "Aye".
MOTION APPROVED.

24. Discussion/Action to consider approval of the FY 2023 Caldwell County Budget Calendar. **Speaker: Judge Haden/ Ezzy Chan; Backup: 2; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve FY 2023 Caldwell County Budget Calendar with modification of a budget workshop in May. All voting "Aye".
MOTION APPROVED.

25. Discussion/Action to consider the approval of the Final Plat for Lytton Hollow Subdivision consisting of 9 lots on approximately 18.5 acres on FM 1854. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 32; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Final Plat for Lytton Hollow Subdivision consisting of 9 lots on approximately 18.5 acres on FM 1854. All voting "Aye".
MOTION APPROVED.

26. Discussion/Action to consider the approval of the Final Plat for Oakmont Estates consisting of 12 lots on approximately 31.28 acres on FM 672. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 24; Cost: None**

COMMISSIONERS COURT MINUTES
Regular Meeting April 12, 2022, 9:00 a.m.

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Final Plat for Oakmont Estates consisting of 12 lots on approximately 31.28 acres on FM 672. All voting "Aye".
MOTION APPROVED.

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

Judge Haden opens Item 27 Executive Session at 11:03 a.m. and closes at 11:21 a.m. Item 27 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, Commissioner Roland, and Chase Goetz Assistant Criminal District Attorney-Civil.

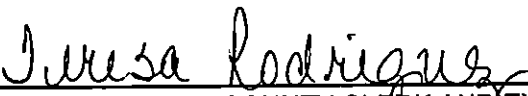
28. Discussion/Action to consider taking action on Executive Session. **Speaker: Judge Haden; Backup: 1; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to act on Executive Session. All voting "Aye".
MOTION APPROVED.

29. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Roland 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 April 12, 2022.


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

