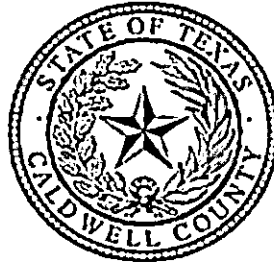


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court July 12, 2022, 9:00 a.m.



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 the flags.

Announcements. Items or comments from Court members or staff.

Announcement made for everyone to be safe due to extreme weather.

Commissioners and Judge attended the Martindale Parade.

Dennis Engelke Grants Administrator reports the official count is 2,680 tires from Tire only event, a General Debris cleanup will be July 16th in Dale, August 20th in Luling, September 17th in Lockhart and October 8th in Maxwell, the Caldwell County Grant Writing Workshop has openings for July 19th and 20th in Lockhart and August 10th and 11th in Luling.

Bob Bush HR Coordinator reminds everyone that open enrollment will be July 25th through 28th.

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>

No Citizens' Comments.

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

1. **Approve payment of County invoices and County Purchase Orders: \$254,531.39**
2. **Ratify re-occurring County Payments:**
 - A. **\$351,846.92 Payroll (6/19/2022 – 7/02/2022)**
 - B. **\$105,772.57 Payroll Tax (6/19/2022 – 7/02/2022)**
3. **To approve Caldwell County Appraisal Districts' Adopted 2023 Appraisal District Budget.**
4. **To approve the Burial Indigent Report for June 2022.**

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS:

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

Hector Rangel Chief EMC and Hank Alex Assistant Chief EMC recommend Burn Ban stay on.

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

MOTION APPROVED.

6. **Discussion/Action** to authorize the County Judge to negotiate final terms of a contract with PHI Health, LLC for air ambulance services. **Speaker: Judge Haden; Backup: 9; Cost: TBD**

Kennie Kerr with PHI and James Green Air Medical Base Supervisor for Cedar Creek Base provide a presentation.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to negotiate final terms of a contract with PHI Health LLC for air ambulance services. All voting "Aye".

MOTION APPROVED.

7. **Discussion/Action** to consider Budget Amendment #75 to transfer money from Building Maintenance 001-6520-3130 (Operating Supplies) to 001-6550-3550 (Judicial Center-Lockhart) for gas heater installation at Motorpool. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$1,042.96**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Budget Amendment 75 to transfer money from Building Maintenance 001-6520-3130 (Operating Supplies) to 001-6550-3550 (Judicial Center-Lockhart) for gas heater installation at Motorpool. All voting "Aye"

MOTION APPROVED.

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- 8. Discussion/Action** to consider the approval to pay Invoice #05.18.2022 in the amount of \$3,470.00 for Braune Air Conditioning for the installation of Hanging Gas Heater. **Speaker: Judge Haden/ Carolyn Caro; Backup: 2; Cost: \$3,470.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve to pay Invoice #05.18.2022 in the amount of \$3,470.00 for Braune Air Conditioning for the installation of Hanging Gas Heater. All voting "Aye".

MOTION APPROVED.

- 9. Discussion/Action** to consider Budget Amendment #76 to transfer money from Building Maintenance 001-6520-4410 (Utilities) to 001-6520-5310 (Machinery & Equipment) for AC Units in Caldwell County Court House. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$13,836.00**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 76 to transfer money from Building Maintenance 001-6520-4410 (Utilities) to 001-6520-5310 (Machinery & Equipment) for AC Units in Caldwell County Court House. All voting "Aye".

MOTION APPROVED.

- 10. Discussion/Action** to consider Budget Amendment #77 to transfer money from Pct. Constable 4 001-4324-5310 (Machinery & Equipment) to 001-4323-4260 (Transportation) for additional fuel expenses. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: \$2,000.00**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 77 to transfer money from Pct. Constable 4 001-4324-5310 (Machinery & Equipment) to 001-4323-4260 (Transportation) for additional fuel expenses. All voting "Aye".

MOTION APPROVED.

- 11. Discussion/Action** to consider Budget Amendment #78 to transfer money from Pct. Constable 1 001-4321-2020 (Group Medical) to 001-4321-4260 (Transportation) and 001-4321-5310 (Machinery & Equipment) for additional funding for fuel and law enforcement equipment. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$6,875.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve the fuel transfer at this time and to consider the purchase of any equipment for the Constable office during the Budget process. All voting "Aye".

MOTION APPROVED.

- 12. Discussion/Action** to consider Budget Amendment #79 to transfer money from Jail 001-4310-1052 (Jailers) to 001-4310-1150 (Overtime) for additional funding of overtime. **Speaker: Judge Haden/ Danie Teltow; Backup: 5; Cost: \$20,000.00**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Budget Amendment 79 to transfer money from jail 001-4310-1052 (Jailers) to 001-4310-1150 (Overtime) for additional funding of overtime. All voting "Aye".

MOTION APPROVED.

- 13. Discussion/Action** to consider Budget Amendment #80 to transfer money from G.I.S 011-3000-4110 (Professional Services) to 011-3000-5310 (Machinery & Equipment) for a new plotter. **Speaker: Judge Haden/ Danie Teltow; Backup: 3; Cost: \$12,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Budget Amendment 80 to transfer money from G.I.S 011-3000-4110 (Professional Services) to 011-3000-5310 (Machinery & Equipment) for a new plotter. All voting "Aye".

MOTION APPROVED.

- 14. Discussion/Action** to consider Budget Amendment #81 to transfer money from Environmental Task Force 001-3201-4825 (Abatement) to 001-3201-4260 (Transportation) for additional funding due to the increase of fuel prices. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$3,000.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 81 to transfer money from Environmental Task Force 001-3201-4825 (Abatement) to 001-3201-4260 (Transportation) for additional funding due to the increase of fuel prices. All voting "Aye".

MOTION APPROVED.

- 15. Discussion/Action** to consider Budget Amendment #82 to transfer money from District Attorney's Office 001-3200-4130 (Trial Expenses) to 001-3200-3050 (Dues & Subscriptions) and 001-3200-4510 (Repairs & Maintenance) to 001-3200-4315 (Publications) for increase services paid for out of these line items. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$1,250.00**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 82 to transfer money from District Attorney's Office 001-3200-4130 (Trial Expenses) to 001-3200-3050 (Dues & Subscriptions) and 001-3200-4510 (Repairs & Maintenance) to 001-3200-4315 (Publications) for increase services paid for out of these line items. All voting "Aye".

MOTION APPROVED.

- 16. Discussion/Action** to consider approval of payment for Invoice #130-127296 in the amount of \$130,914.00 for Tyler Technology Odyssey. **Speaker: Judge Haden; Carolyn Caro; Backup: 3; Cost: \$130,914.00**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve payment for Invoice #130-127296 in the amount of \$130,914.00 for Tyler Technology Odyssey. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider ratification of a services agreement between Liquid Networkx and Caldwell County for IT Services. **Speaker: Judge Haden/ Scotty Cannon; Backup: 1; Cost: \$8,197.84**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve ratification of a services agreement between Liquid Networkx and Caldwell County for IT Services. All voting "Aye".

MOTION APPROVED.

- 18. Discussion/Action** to consider the ratification of a reimbursement agreement between Caldwell County and Union Pacific Railroad for the improvement of CR 238. **Speaker: Judge Haden; Backup: 6; Cost: \$25,000.00**

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Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve ratification of a reimbursement agreement between Caldwell County and Union Pacific Railroad for the improvement of CR 238. All voting "Aye".

MOTION APPROVED.

19. Discussion/Action to consider the approval of a development agreement between PHAU- Lockhart 450, LLC and Caldwell County for the Clear Fork Ranch Subdivision located at TX-142 and Borchert Loop. **Speaker: Commissioner Westmoreland/ Nick McIntyre; Backup: 12; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to table Item 19. All voting "Aye".

MOTION TO TABLE APPROVED.

20. Discussion/Action to approve an advance funding agreement between Centex Monte Sagrado, LP, and Caldwell County, for a \$100,000.00 contribution for improvements to Rocky Road near SH-21, and authorize the County Judge to execute the same. **Speaker: Commissioner Theriot; Backup: 1; Cost: TBD**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve an advance funding agreement between Centex Monte Sagrado, LP, and Caldwell County, for a \$100,000.00 contribution for improvements to Rocky Road near SH-21, and authorize the County Judge to execute the same. All voting "Aye".

MOTION APPROVED.

21. Discussion/Action to consider public Streets and Drainage in Monte Sagrado Subdivision as complete and ready to begin the two-year performance period of said improvements as evidenced by a maintenance bond in the amount of \$179,900.00 for maintenance security. **Speaker: Judge Haden/ Donald LeClerc/ Chase Goetz; Backup: 1; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to acknowledge preapproval contingent upon funding agreement. All voting "Aye".

MOTION APPROVED.

22. Discussion/Action to approve Resolution 38-2022, authorizing the County Judge to negotiate and execute conveyance of a 10-foot-wide easement to Access Health Urgent Care in Lockhart. **Speaker: Judge Haden; Backup: 3; Cost: TBD**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to table Item 22. All voting "Aye".

MOTION TO TABLE APPROVED.

23. Discussion/Action to consider the approval of the Preliminary Plat for Carril Brumoso consisting of 102 residential lots on approximately 252 acres located on Old Misty Lane. **Speaker: Commissioner Theriot/ Kasi Miles; Backup: 20; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve the Preliminary Plat for Carril Brumoso consisting of 102 residential lots on approximately 252 acres located on Old Misty Lane. All voting "Aye".

MOTION APPROVED.

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24. Discussion/Action to consider the approval of an order authorizing the filing of a Final Plat (Short Form Procedure) for Earl Estates East located on Tumbleweed Trail (CR 164). **Speaker: Commissioner Roland/ Kasi Miles; Backup: 36; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve an order authorizing the filing of a Final Plat (Short Form Procedure) for Earl Estates East located on Tumbleweed Trail (CR 164), on contingent to ad jointer to plat. All voting "Aye".

MOTION APPROVED.

25. Discussion/Action to consider the approval of an order authorizing the filing of a Final Plat (Short Form Procedure) for Earl Estates West located on Tumbleweed Trail (CR 164). **Speaker: Commissioner Roland/ Kasi Miles; Backup: 36; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve an order authorizing the filing of a Final Plat (Short Form Procedure) for Earl Estates West located on Tumbleweed Trail (CR 164), contingent to ad jointer to plat. All voting "Aye"

MOTION APPROVED.

26. Discussion/Action to consider the approval of the Preliminary Plat of Lockhart Acres consisting of 16 residential lots on approximately 87.9 acres located on Old McMahan Road. **Speaker: Commissioner Westmoreland/ Kasi Miles. Backup: 31; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve the Preliminary Plat of Lockhart Acres consisting of 16 residential lots on approximately 87.9 acres located on Old McMahan Road, contingent to ad jointer across the road and removal of signature block for County Clerk. All voting "Aye".

MOTION APPROVED.

27. Discussion of the update of Black Ankle Rd. in the CDBG-DR Program Infrastructure Projects. **Speaker: Commissioner Westmoreland/ Dennis Engelke/ David Clark/ David Jenkins**

Dennis Engelke Grants Administrator reports supply chain issues and 2nd occurrence at Black Ankle Road of someone dismantling barricades.

David Clark Doucett Engineer discusses issues and the possibility of setting cameras to monitor damages and provides updates on Witter Road, Black Ankle, and Political Road with no definite date of the competition.

28. EXECUTIVE SESSION – Pursuant to Texas Government Code Section 551.089(1): security assessments or deployments relating to information resources technology. Possible Action may follow in open Court. **Speaker: Judge Haden / Chase Goetz; Backup: 1; Cost: None.**

Judge Haden opens Item 28 Executive Session at 10:01 a.m. and closes at 10:17 a.m. Item 28 Executive Session attended by Commissioner Westmoreland, Commissioner Shelton, Judge Haden, Commissioner Theriot, and Chase Goetz.

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

No action was taken.

30. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland that we adjourn. All voting "Aye".
The court adjourns at 10:18 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 July 12, 2022.

Teresa Rodriguez

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

7.

