

COMMISSIONS COURT MINUTES  
110 S Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Commissioners Court July 13, 2021 9:00 a.m.



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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 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 recognizes the success of the Watermelon Thump, also attended a Commissioners and Judges Conference in South Padre Island. Reports calls received concerning the roads and grass.

Commissioner Roland thanks Caldwell County for sponsorship on a Grant. Meeting at St. Johns Colony went well, thanked Dennis Engleke for attending.

Dennis Engelke, Grants Administrator presents updates on Grants, Community events and road projects.

**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: \$354,199.52
2. Ratify re-occurring County Payments:
  - A. \$327,376.17 (Payroll 6/06/2021 – 6/19/2021)
  - B. \$96,773.41 (Payroll Tax 6/06/2021 – 6/19/2021)
  - C. \$1,491.14 TPWD Comptroller
  - D. \$468,978.99 DMV Comptroller
  - E. \$190,564.40 DMV Remittance
3. To approve June 2021 Code Enforcement Report
4. To approve June 2021 Indigent Burial Report
5. Approve April 2021 Tax Collection Report from the Caldwell County Appraisal District.
6. To approve the renewal bond #65163455 for Al Dos Santos, VSO
7. To add \$75,000.00 to blanket Purchase Order REQ00958 for Brauntex Materials, Inc. on behalf of Unit Road
8. To approve payment invoice No. 647853-0 to Dewitt Poth & Son in the amount of \$9,810.00
9. To approve the Information Technology Professional Service Agreement between Caldwell County and Dewitt Poth & Son
10. To approve termination of the professional services agreement between Devante Coe and Caldwell County.

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

MOTION APPROVED.

14. **Discussion/Action** to consider Resolution 33-2021, authorizing the County Judge to execute a development agreement with Road Runner Ranch Partnership, LLC. **Speaker: Commissioner Shelton/ JJ Wells; Backup: 19; Cost: None**

J.J Wells, Assistant Criminal District Attorney Civil, reports changes needed within the development agreement.

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to table item 14. All voting "Aye".

MOTION TO TABLE APPROVED.

34. **Discussion/Action** to consider a variance request for hardship concerning a Family Land Grant/ Subdivision from an easement. **Speaker: Commissioner Shelton/ Kasi Miles/ Tracy Bratton; Backup: 7; Cost: None**

Commissioner Shelton and Linda Hinkle provide background information on property and the family. Erica Labermeyer speaks on behalf of her property.

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve variance request for hardship concerning a Family Land Grant/Subdivision from an easement with a road maintenance agreement, no commercial businesses and no subdivisions. All voting "Aye".

MOTION APPROVED.

**35. Discussion/Action** to consider a variance request for Jack Pine Road. **Speaker: Commissioner Roland/ Kasi Miles/ Tracy Bratton/ Linda Hinkle; Backup: 9; Cost: None**

Linda Hinkle speaks on behalf of the family to consider a variance for Jack Pine Road. Tracy Bratton talks about issues that need to be considered.

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve a variance request for Jack Pine Road. All voting "Aye".

MOTION APPROVED.

**36. Discussion/Action** to consider to approval of an open cut road crossing variances for Alliance Water Project (Segment B) to include: CR 173, CR 218, CR 238 (2 Crossings), and CR 241. **Speaker: Commissioner Westmoreland/ Kasi Miles/ Tracy Bratton/ Donald LeClerc; Backup: 6; Cost: None**

Tracy Bratton -Civil Engineer explains the Alliance Water Project.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve of an open cut road crossing variances for Alliance Water Project (Segment B) to include: CR 218, CR 238 ( 2 Crossings), and CR 241, with the exception of CR 173 and with conditions of two year maintenance bond and engineer aspects approved by county engineer. All voting "Aye".

MOTION APPROVED.

**37. Discussion** regarding a presentation on Hartland Ranch proposed subdivision and development agreement located on Borchert Loop (CR 108). **Speaker: Commissioner Westmoreland/ Kasi Miles/ Tracy Bratton/ Scott Miller; Backup: 2; Cost: None**

Tracy Bratton- Civil Engineer provides background on Hartland Ranch Subdivision project.

Scott Miller and Pete Pedico Ranch Road Developer Representatives provide slideshow on Hartland Ranch Subdivision.

**SPECIAL PRESENTATIONS**

- 4-H Elsie Lacy

Elsie Lacy thanks the court and Commissioners for all the support with their programs and 4-H. Seth Rimley, Antonia Martinez and Erin McCoy introduce themselves and talk about their accomplishments.

- Caldwell County Specific Incentive Discussion (CSI) – Ashley Cureton

Ashley Cureton M.Ed, CHES provides handouts and presents a slideshow to the court and talks about the incentives the program has to offer.

Bob Bush reminds everyone that Kristianna Aranda is the Coordinator for Caldwell County Wellness Program. A committee will form with a member of each County department.

Recess till 10:36 a.m.

**DISCUSSION/ACTION ITEMS:**

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

Hector Rangel -Chief EMC recommends to leave Burn Ban off.

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

- 12. Discussion/Action** to consider Proclamation recognizing the 25<sup>th</sup> anniversary of the Edwards Aquifer Authority. **Speaker: Judge Haden/ Sarah Valdez/ April Myers; Backup: 2; Cost: None**

April Myers- Department Intern for Communications Development Department at the Edwards Aquifer Authority requests a Proclamation in recognition of 25<sup>th</sup> anniversary. Judge Haden reads Proclamation. Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Proclamation recognizing the 25<sup>th</sup> Anniversary of the Edwards Aquifer Authority. All voting “Aye”.  
MOTION APPROVED.

- 13. Discussion/Action** to consider Proclamation designating July 30<sup>th</sup> as National Hot Air Balloon Memorial Day. **Speaker: Judge Haden/ Mike Lane; Backup: 2; Cost: None**

Sheriff Mike Lane reads the Proclamation. Attending is Licia Edwards-Victim Advocate Sheriff’s office, Kurt Kuykendall, James Short, Jon Craigmile with the Sheriff’s Department and Cindy Gonzales-Victim Assistant Coordinator.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Proclamation designating July 30<sup>th</sup> as National Hot Air Balloon Memorial Day. All voting “Aye”.  
MOTION APPROVED.

- 15. Discussion/Action** to consider Resolution 34-2021, adopting a Cash Handling Policy for Caldwell County. **Speaker: Judge Haden/ Barbara ; Backup: 8; Cost: None**

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JJ. Wells-Assistant Criminal District Attorney-Civil, reports policy has been reviewed with Department Heads and Elected Officials. Teresa Rodriguez -County Clerk and Juanita Allen -District Clerk discuss the extension to policy for deposits to Treasures office. J.J Wells requests a possible revision to the policy. Motion to table item 15 by Commissioner Theriot, seconded by Commissioner Roland. All voting "Aye".  
MOTION TO TABLE APPROVED.

**16. Discussion/Action** to consider Resolution 35-2021, authorizing the Elections Administrator to execute Elections Services Contract with the City of Mustang Ridge, TX. **Speaker: Judge Haden/ Kimber Daniel; Backup: 6; Cost: \$550.00**

Judge Haden reads Resolution 35-2021.

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve Resolution 35-2021 authorizing the Elections Administrator to execute Elections Services Contract with the City of Mustang Ridge, TX. All voting "Aye".  
MOTION APPROVED.

**17. Discussion/Action** to consider a funding request on behalf of Meals on Wheels Rural Capital Area and Combined Community Action for FY 2021-2022 Budget. **Speaker: Judge Haden; Backup: 2; Cost: TBD**

Karen Walpole thanks the court for continued support to Meals on Wheels and Community Action. Motion made by Commissioner Shelton, seconded by Commissioner Roland to approve \$8,000 to Meals on Wheels Rural Capital Area and Combined Community Action for FY 2021-2022 Budget. All voting "Aye".  
MOTION APPROVED.

**18. Discussion/Action** to consider donation request in the amount of \$3,000 from Capital Area Rural Transportation System (CARTS) for Fiscal Year 2022. **Speaker: Judge Haden: Backup: 2; Cost: Not to exceed \$3,000**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve donation in the amount of \$3,000 from Capital Area Rural Transportation System (CARTS) for Fiscal Year 2022. All voting "Aye".  
MOTION APPROVED.

**19. Discussion/Action** to consider approval of Budget Amendment #68 needed to compensate Deputy Constable(s)' Precinct 2 due to exceeding their budget. **Speaker: Judge Haden/ Barbara Gonzales/ Tom Will; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 68 needed to compensate Deputy Constable (s) Precinct 2 due to exceeding their budget. All voting "Aye".  
MOTIO APPROVED.

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- 20. Discussion/Action** to consider approval of Budget Amendment #69 request by Constable Precinct 1 needed for conducting operations due to the increase in fuel. **Speaker: Judge Haden/ Barbara Gonzales/ Smitty Terrell; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 69 request by Constable Precinct 1 needed for conducting operations due to the increase in fuel. All voting "Aye".

MOTION APPROVED.

- 21. Discussion/Action** to consider approval of Budget Amendment #70 for Building Maintenance needed to insure sufficient funds are available for ongoing projects and/or repairs in the various areas. **Speaker: Judge Haden/ Barbara Gonzales/ Curtis Weber; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve Budget Amendment 70 for Building Maintenance needed to insure sufficient funds are available for ongoing projects and or repairs in the various areas. All voting "Aye".

MOTION APPROVED.

- 22. Discussion/Action** consider approval of for REQ01046 to be generated into a Purchase Order after Budget Amendment No. 70 Approval. **Speaker: Judge Haden/ Danie Blake; Backup: 6; Cost: \$17,502.22**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve REQ0106 to be generated into a Purchase Order after Budget Amendment No. 70 Approval. All voting "Aye".

MOTION APPROVED.

- 23. Discussion/Action** to consider approval to pay invoice No. 349 to John Paul Silva in the amount of \$17,502.22 for a Non-Compliant purchase made by Building Maintenance. **Speaker: Judge Haden/ Danie Blake; Backup: 2; Cost: \$17,502.22**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve to pay invoice No. 349 to John Paul Silva in the amount of \$17,502.22 for a Non-Compliant purchase made by Building Maintenance. All voting "Aye".

MOTION APPROVED.

- 24. Discussion/Action** to consider approval of Budget Amendment #71 for 4310 County Jail referencing PO REQ00701 Southern Health Partners, Inc. projecting costs through the end of FY 2021. **Discussion/Action Speaker: Judge Haden/ Barbara Gonzales/ James Short; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 71 for 4310 County Jail referencing PO REQ00701 Southern Health Partners, Inc. projecting costs through the end of FY 2021. All voting "Aye".

MOTION APPROVED.

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- 25. Discussion/Action** to consider approval of change order POPKT03563 for blanket PO #00701 to Southern Health Partners for an additional \$55,926.05. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$55,926.05**

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve of the change order POPKT0563 for blanket PO#00701 to Southern Health Partners for an additional \$55,926.05. All voting "Aye".  
MOTION APPROVED.'

- 26. Discussion/Action** to consider approval of change order POPKT03565 for blanket PO #00530 to Southern Health Partners for an additional \$94,073.95. **Speaker: Judge Haden/ Danie Blake; Backup: 3; Cost: \$94,073.95**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve change order POPKT03565 for blanket PO#00530 to Southern Health Partners for an additional \$94,073.95. All voting "Aye".  
MOTION APPROVED.

- 27. Discussion/Action** to consider approval to pay Southern Health Partners on the following overage invoices: 41609, 41364, 18559, 7600, and 7553 in the total amount of \$134,434.40. **Speaker: Judge Haden/ Danie Blake; Backup: 31; Cost:\$134,434.40**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve to pay Southern Health Partners on the following overage invoices: 41609, 41364, 18559, 7600 and 7553 in the total amount of \$134,434.40. All voting "Aye".  
MOTION APPROVED.

- 28. Discussion/Action** to consider approval of Budget Amendment #72 for training needed for County Commissioners and County Judge. **Speaker: Judge Haden/ Barbara Gonzales; Backup:3; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to approve Budget Amendment 72 for training needed for County Commissioners and County Judge. All voting "Aye".  
MOTION APPROVED.

- 29. Discussion/Action** to consider approval of Budget Amendment #73 for Non-Departmental Professional Services on Dewitt Poth & Son Invoice 647853-0 on Contracted IT Services. **Speaker: Judge Haden/ Barbara Gonzales; Backup: 22; Cost: Net Zero**

Motion made by Commissioner Westmoreland, seconded by Commissioner Theriot to approve Budget Amendment 73 for Non-Departmental Professional Services on Dewitt Poth & Son Invoice 647853-0 on Contracted IT Services. All voting "Aye".  
MOTION APPROVED.

**30. Discussion/Action** to consider approval of moving Elections Part Time Clerk Position to Full Time position. **Speaker: Judge Haden/ Kimber Daniel; Backup: 2; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Shelton to approve moving Elections Part Time Clerk Position to Full Time position. All voting "Aye".  
MOTION APPROVED.

**31. Discussion/Action** to consider approval of Budget Amendment #74 to consist of moving Part-Time Position to a Full-Time Position, FirstNet Hotspots, and other Budget line items. **Speaker: Judge Haden/ Barbara Gonzales/ Kimber Daniel; Backup: 8; Cost: Net Zero**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve Budget Amendment 74 to consist of moving Part-Time Position to a Full-Time Position. FirstNet, Hotspots, and other Budget line items. All voting "Aye".  
MOTION APPROVED.

**32. Discussion/Action** to consider approval of Budget Amendment #75 for Constable Precinct 3 for needed funding to meet River Patrol MOU. **Speaker: Judge Haden/ Barbara Gonzales/ Michael Bell; Backup: 2; Cost: Net Zero**

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve Budget Amendment 75 for Constable Precinct 3 for needed funding to meet River Patrol MOU. All voting "Aye".  
MOTION APPROVED.

**33. Discussion/Action** to ratify emergency manual check request for \$19,624.20 (split 4 ways evenly between 010-2000-4071, 010-2000-4072, 010-2000-4073, 010-2000-4074) to be paid to Langford Community Management for administrative services on the GLO infrastructure grant. **Speaker: Judge Haden/ Dennis Engelke/ Reagan McLearen; Backup: 4; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to approve to ratify emergency manual check request for \$19,624.20 (split 4 ways evenly between 010-2000-4071, 010-2000-4072, 010-2000-4073, 010-2000-4074) to be paid to Langford Community Management for administrative services on the GLO infrastructure grant. All voting "Aye".  
MOTION APPROVED.

**38. Adjournment.**

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". Court adjourns at 11:27 a.m.



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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 13, 2021.



*Teresa Rodriguez*

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