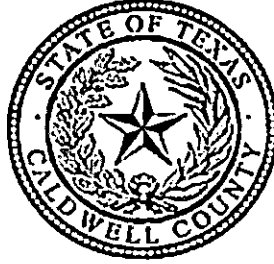


COMMISSIONERS COURT MINUTES
110 S Main St. 2nd Floor, Lockhart, Texas
Commissioners Court September 13, 2022, 9:00 a.m.



Amended 9.09.2022

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 both flags.

Announcements. Items or comments from Court members or staff.

Dennis Engelke Grants Administrator announced Lockhart will have a Clean Up event at the Unit Road facility on September 17th from 8:00 a.m. to 12:00 p.m. Grants for the Convention Center project have been approved.

Dale VFD Fundraiser will be on September 17th.

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>

Lockhart residents Byron Friedrich, Patton King, and Susan Lane oppose extended hours of operations at the SH 130 Environmental Park landfill.
David Green President of Green Group Holdings addresses comments on 130 Environmental Park.

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

1. **Approve payment of County invoices and County Purchase Orders: \$1,082,794.39**
2. **Ratify re-occurring County Payments:**
 - A. **\$341,440.15 Payroll (8/14/2022 – 8/27/2022)**
 - B. **\$101,582.70 Payroll Tax (8/14/2022 – 8/27/2022)**
3. **To approve Bond for Grants Administrator, Dennis Engelke.**
4. **To approve Bond for JP. 1 Clerk, Melanie Ruiz.**
5. **To approve Bond for Unit Road, Donald LeClerc.**
6. **To approve review and acknowledge findings in the audit performed on Election’s Administrative Bank Account.**
7. **To approve the August 2022 Indigent Burial Report.**
8. **To approve the 2022 River Operation Yearly Report from Constable Pct. 3.**
9. **To ratify the closeout letter for GLO buyout grant contract.**

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

MOTION APPROVED.

DISCUSSION/ACTION ITEMS

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

Hector Rangel Chief EMC reports updates and recommends keeping the Burn Ban off.

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

MOTION APPROVED.

12. **Discussion/Action** to consider the approval of Proclamation authorizing recognition of September as CAPCOG Preparedness month. **Speaker: Judge Haden; Backup: 2; Cost: None**

Proclamation is read.

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Proclamation authorizing recognition of September as CAPCOG Preparedness month. All voting “Aye”.

MOTION APPROVED.

13. **Discussion/Action** to consider the approval and appoint representatives to the Capital Area Council of Governments (CAPCOG) General Assembly. **Speaker: Judge Haden; Backup: 3; Cost: None**

Motion made by Commissioner Shelton, seconded by Commissioner Theriot to nominate, and approve Commissioner Westmoreland and Judge Haden as representatives to the Capital Area Council of Governments (CAPCOG) General Assembly. All voting “Aye”.

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 13, 2022, 9:30 a.m.

14. Discussion/Action to consider the approval of Central County Staff/Signature Verification Committee and Early Voting Ballot Board. **Speaker: Judge Haden/ Kimber Daniel; Backup: 2; Cost: None**

Sarah Fullilove provides the list of names for the Central County Staff/Signature Verification Committee.

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve Central County Staff/Signature Verification Committee and Early Voting Ballot Board. All voting "Aye".

MOTION APPROVED.

15. Discussion/Action to consider the approval of the Early Voting Presiding Judge and Alternate Judge. **Speaker: Judge Haden/ Kimber Daniel; Backup: 2; Cost: None**

Sarah Fullilove provides the list of names for early voting Presiding/Alternate judges 2022-2023.

Motion made by Commissioner Westmoreland, seconded by Commissioner Roland to approve the Early Voting Presiding Judge and Alternate Judge. All voting "Aye".

MOTION APPROVED.

PUBLIC HEARING @ 9:30

- Tax Rate

The public Hearing opens at 9:30 a.m. No comments. The public Hearing closes at 9:33 a.m.

10. Discussion/Action to adopt FY 2022 – 2023 Tax Rate by Roll Call. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: None**

Roll Call is taken. Commissioner Westmoreland "Aye", Commissioner Shelton "Aye", Judge Haden "Aye", Commissioner Theriot "Aye", and Commissioner Roland "Aye".

PRESENTATION

Bond/VATRE by Mark Estrada, LISD Superintendent.

Mark Estrada LISD Superintendent provides a slide show for the proposed bond.

Dr. Barbara Sanchez spoke on the growth of the community and its impact on students and teachers.

29. Discussion/Action to consider approval of an agreement between Caldwell County and 130 Environmental Park, LLC, for waste disposal services and community development. **Speaker: Commissioner Theriot; Backup: 3; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to table Item 29. All voting "Aye".

MOTION TO TABLE APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 13, 2022, 9:30 a.m.

- 30. Discussion/Action** to consider adopting Resolution 41-2022, supporting an amended permit application to the Texas Commission on Environmental Quality by 130 Environmental Park, LLC, which no longer seeks 24/7 operation.
Speaker: Commissioner Theriot; Backup: 9; Cost: None

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to table Item 30. All voting "Aye".

MOTION TO TABLE APPROVED.

- 16. Discussion/Action** to consider accepting a \$100,000.00 advance funding deposit for the improvement of Rocky Road.
Speaker: Commissioner Theriot/Garrett Forthuber; Backup: 6; Cost: None

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve a \$100,000.00 advance funding deposit for the improvement of Rocky Road. All voting "Aye".

MOTION APPROVED.

- 17. Discussion/Action** to consider the approval of opening a non-interest bearing escrow account for the Rocky Road \$100,000.00 donation project. **Speaker: Judge Haden/ Danie Teltow; Backup: 1; Cost: \$100,000.00**

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve opening a non-interest-bearing escrow account for the Rocky Road \$100,000.00 donation project. All voting "Aye".

MOTION APPROVED.

- 18. Discussion/Action** to consider the approval of Budget Amendment #97 to transfer money from Unit Road 002-1103-3135 Operating Supplies to 002-1103-3190 Tires for the additional increase of tire expenses. **Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$2,000**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Budget Amendment 97 to transfer money from Unit Road 002-1103-3135 Operating Supplies to 002-1103-3190 Tires for the additional increase of tire expenses. All voting "Aye".

MOTION APPROVED.

- 19. Discussion/Action** to consider the approval of Budget Amendment #98 to transfer money from Non-Departmental 001-6510-4860 Contingency to 001-6510-4110 Professional Services to increase Doucet Engineering Expenses.
Speaker: Judge Haden/ Danie Teltow; Backup: 2; Cost: \$5,000

Commissioner Theriot recused himself.

Motion made by Commissioner Roland, seconded by Commissioner Westmoreland to approve Budget Amendment 98 to transfer money from non-Departmental 001-6510-4860 Contingency to 001-6510-4110 Professional Services to increase Doucet Engineering Expenses. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 13,2022 9:30 a.m.

- 20. Discussion/Action** to consider the approval of REQ01857 in the amount of \$320,000.00 for Ascension Seton FY 2022 ASEBD Indigent Care. **Speaker: Judge Haden/ Carolyn Caro; Backup: 2; Cost: \$320,000.00**

Commissioner Theriot returns.

Motion made by Commissioner Theriot, seconded by Commissioner Shelton to approve REQ01857 in the amount of \$320,000.00 for Ascension Seton FY 2022 ASEBD Indigent Car. All voting "Aye".

MOTION APPROVED.

- 21. Discussion/Action** to consider the approval on an Interlocal Cooperation Agreement between the County and Texas State University for the enforcement of age-related offenses involving cigarettes, e-cigarettes, and tobacco products. **Speaker: Judge Haden/ Constable Bell; Backup: 9; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve the Interlocal Cooperation Agreement between the County and Texas State University for the enforcement of age-related offenses involving cigarettes, e-cigarettes, and tobacco products. All voting "Aye".

MOTION APPROVED.

- 22. Discussion/Action** to consider the renewal of a contract between the County and Connected Nation for county broadband support. **Speaker: Judge Haden; Backup: 4; Cost: \$49,500.00**

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

MOTION TO TABLE APPROVED.

- 23. Discussion/Action** to consider the approval of the Statewide Automated Victim Notification Service (SAVNS) Grant from the Office of the Attorney General. **Speaker: Judge Haden/ Dennis Engelke; Backup: 16; Cost: None**

Motion made by Commissioner Westmoreland, seconded by Commissioner Shelton to approve Statewide Automated Victim Notification Service (SAVNS) Grant from the Office of the Attorney General. All voting "Aye".

MOTION APPROVED.

- 24. Discussion/Action** to consider a variance request on behalf of Maxwell SUD, Canyon Regional Water Authority, Countyline SUD, and Martindale WSC to waive all or part of any fees associated with the Hays/Caldwell WTP Expansion Project. **Speaker: Commissioner Theriot/ Tracy Bratton; Backup:2; Cost: None**

Motion made by Commissioner Theriot, seconded by Commissioner Roland to approve variance request on behalf of Maxwell SUD, Canyon Regional Water Authority, Countyline SUD, and Martindale WSC to waive all or part of any fees associated with the Hays/Caldwell WTP Expansion Project.

Amended Motion by Commissioner Theriot, seconded by Commissioner Roland for the incurred cost of \$50,000.00. All voting "Aye".

MOTION APPROVED.

COMMISSIONERS COURT MINUTES
Regular Meeting September 13, 2022, 9:30 a.m.

- 25. Discussion/Action** to discuss providing direction regarding a citizen's request that the County abandon a portion of Packard Dr. and Front Street (an unopened road) in Dale. **Speaker: Commissioner Roland/ Joe Caldera; Backup: 2; Cost: TBD**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to allow Chase Goetz to pursue the license agreement and designate Commissioner Shelton as the point of contact. All voting "Aye".

MOTION APPROVED.

- 26. Discussion** of GLO infrastructure grant roads. **Speaker: Commissioner Westmoreland/ Dennis Engelke/ David Clark/ David Jenkins; Backup: 1; Cost: None**

Dennis Engelke Grants Administrator reports County Environmental reviews.

David Clark with Doucett reports that WJC has completed road projects for Witter, Black Ankle, and Political Road.

- 27. Discussion/Action** to consider the approval of the Final Plat for Los Suenos Subdivision consisting of 11 residential lots on approximately 16 acres located on County Line Road. **Speaker: Commissioner Roland/ Kasi Miles; Backup: 34; Cost: None**

Motion made by Commissioner Roland, seconded by Commissioner Theriot to approve Final Plat for Los Suenos Subdivision consisting of 11 residential lots on approximately 16 acres located on County Line Road.

All voting "Aye".

MOTION APPROVED.

- 28. Discussion/Action** to consider the approval of a Chapter 381 Economic Development Program Agreement between the Caldwell County and Ziegenfelder Company. **Speaker: Judge Haden/ Mike Kamerlander; Backup: 10; Cost: None**

Mark Kamerlander discusses Ziegenfelder Company will be the 4th manufacturing plant and will be located at Industrial Parkway 3 SH.130.

Motion made by Commissioner Theriot, seconded by Commissioner Westmoreland to approve Chapter 381 Economic Development Program Agreement between the Caldwell County and Ziegenfelder Company. All voting "Aye".

MOTION APPROVED.

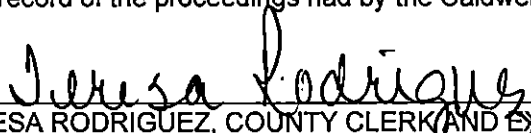
Judge Haden announces that Mike Kamerlander will be obtaining new employment.

COMMISSIONERS COURT MINUTES
Regular Meeting September 13, 2022, 9:30 a.m.

31. Adjournment.

Motion made by Commissioner Shelton, seconded by Commissioner Westmoreland to adjourn. All voting "Aye". The court adjourns at 10:37 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 September 13, 2022.


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

