



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 27<sup>TH</sup> DAY OF AUGUST A.D., 2019, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

**THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Commissioner Ingalsbe gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

### **PUBLIC COMMENTS**

Harvey Jenkins, Dan Lyon, Rodrigo Amaya, all Hays County residents, made public comments. Larry Calvert, commented on the voting workshop. Linda Calvert, President of the League of Women Voters of Hays County, commented on the census. Mike Lee spoke about the Hays County Criminal Justice system.

### **1 PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Kim Jeter presented the Hays County Service Awards. 5 Years of Service – Robert Fiore, Sheriff's Office, Natalie Ramirez, Sheriff's Office, Aaron East, Juvenile Probation, and Kayla Shaffer, Sheriff's Office. Celebrating 10 Years of Service, Eric Vangaasbeek, Development Services, Roxie McInnis, Auditors Office, and Troy Maynes, Sheriff's Office. Celebrating 15 Years of Service - Modesta Alcorn, Constable Pct. 4, and George Rosales, Sheriff's Office. Celebrating 20 Years of Service - Ernest Weiss, IT Department, and Marcus Gonzales, District Court. Celebrating 30 Years of Service - Paul Reyna, Transportation Department.

### **34213 SWEARING-IN AND CONFIRMATION OF VANESSA WESTBROOK TO THE HAYS COUNTY HISTORICAL COMMISSION**

Kate Johnson, Head of the Hays County Historical Commission, spoke about Vanessa Westbrook's contribution to the commission. The confirmation of all members for the current Hays County Historical Commission is required in odd-numbered years thus securing a two-year commitment from each member. Vanessa Westbrook spoke about her work with the Commission. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve confirmation of Vanessa Westbrook to the Hays County Historical Commission. All present voting "Aye". MOTION PASSED**

### **34214 ADOPT A PROCLAMATION DECLARING SEPTEMBER 2019 AS EMERGENCY PREPAREDNESS MONTH**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to adopt a proclamation declaring September 2019 as Emergency Preparedness Month. All present voting "Aye". **MOTION PASSED**

### **4 PRESENTATION BY RICHARD CASTANON, U.S. CENSUS BUREAU PARTNERSHIP SPECIALIST, REGARDING THE 2020 CENSUS**

Richard Castanon, Partnership Specialist of the U.S. Census Bureau, gave a presentation of new and upcoming programs for Hays County. Commissioner Ingalsbe, Commissioner Smith, and Judge Becerra spoke on this item.

### **34215 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve payments of county invoices. All present voting "Aye". **MOTION PASSED**

### **34216 APPROVE PAYMENTS OF JUROR CHECKS**



A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve payments of juror checks. All present voting "Aye". MOTION PASSED

**34217 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to approve the payment of united healthcare claims. All present voting "Aye". MOTION PASSED

**34218 APPROVE THE PAYMENT OF THE AUGUST 30, 2019 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,400,000.00 EFFECTIVE AUGUST 30, 2019 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the August end of month payroll disbursements not to exceed \$4,400,000.00. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the payment of the August 30, 2019 payroll disbursements in an amount not to exceed \$4,400,000.00 effective August 30, 2019 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**34219 AUTHORIZE THE HISTORICAL COMMISSION TO UTILIZE DONATED FUNDS TO PURCHASE OUTDOOR FURNITURE FOR THE KYLE DEPOT RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya, Hays County resident, spoke on this item. The Historical Commission Director would like to purchase outdoor furniture (e.g., benches, picnic table, trash bins, etc.) to be placed out on the grounds of the Kyle Depot. These items will be available for visitors to use while visiting the Depot. Budget Amendment: (\$2,780) - Decrease Contract Services 141-676-00.5448 \$2,780 - Increase Misc. Equipment Operating Expense 141-676-00.5719\_400. A motion was made by Commissioner Jones seconded by Commissioner Smith to authorize Historical Commission to utilize donated funds to purchase outdoor furniture for the Kyle Depot Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**34220 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE COMPUTER EQUIPMENT AND SUPPLIES FOR THE NEW WORLD EVIDENCE PACKAGE AND AMEND THE BUDGET ACCORDINGLY**

In FY18, Commissioner's Court accepted grant funding for a New World Evidence Module, and at this time, the S.O. is requesting to purchase label printers and barcode scanners. The printers and barcode scanners are recommended by the vendor and I.T. and will be used to barcode existing evidence for the integration to New World. No additional funds are needed; existing funds are identified in the Sheriff's Office Operating budget. Attachments: SHI Quote-17561630 Budget Amendment 001-618-00.5717\_400 Law Enforcement Equipment Capital (\$1,629) 001-618-00.5712\_400 Computer Equipment Operating \$1,629 001-618-00.5717\_400 Law Enforcement Equipment Capital (\$1,110) 001-618-00.5202 Data Processing Supplies \$1,110. A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the Sheriff's Office to purchase computer equipment and supplies for the New World Evidence package and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**34221 AUTHORIZE THE SHERIFF'S OFFICE TO ADD A CELL PHONE ALLOWANCE EFFECTIVE SEPTEMBER 1, 2019, TO A LAW ENFORCEMENT CORPORAL, SLOT NUMBER 0480-015**

The Sheriff's Office is requesting approval of a cell phone allowance for a Law Enforcement Corporal who will conduct official business while on duty. This position must utilize a cell phone to be available to staff and supervisors to remain productive and perform tasks effectively. A budget amendment is not needed; savings are available in 001-618-00.5194 Cell Phone Allowance. A motion was made by Commissioner Smith seconded by Commissioner Shell to authorize the Sheriff's Office to add a cell phone allowance effective September 1, 2019, to a Law Enforcement Corporal, slot number 0480-015. All present voting "Aye". MOTION PASSED

**34222 AUTHORIZE PAYMENT OF FOUR INVOICES FROM DB LIFE SAFETY SERVICES, INC. FOR BACKFLOW SERVICES TOTALING \$2,378.56**




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**WHERE NO PURCHASE ORDER WAS IN PLACE AS PER THE COUNTY POLICY AND AMEND THE BUDGET ACCORDINGLY**

At this time, the Jail's Maintenance Department is requesting approval of payment to DB Life Safety Services, Inc., totaling \$2,378.56 for inspection services. At the time of inspection, the back flow preventers did not pass, and repairs were necessary to enable these units to comply with mandatory city water codes. At the time of service, purchase orders were not requested due to service fees being less than \$500.00. When inspections did not pass, we were obligated to make the necessary repairs. Due to the time factor, no additional quotes were requested before the inspections or repairs. Attachments: DB Life Safety Services, Inc. Invoice #2470 DB Life Safety Services, Inc. Invoice #2471 DB Life Safety Services, Inc. Invoice #2475 DB Life Safety Services, Inc. Invoice #2476. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to authorize payment of four invoices from DB Life Safety Services, Inc. for backflow services totaling \$2,378.56 where no purchase order was in place as per the County Policy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34223 APPROVE UTILITY PERMITS**

Permit #1156, Permit #1157 and Permit 1158: Road Name: Mathias Lane, Windy Hill Road, Posey Road, Utility Company: Platinum Underground, LLC, Platinum Underground, LLC, Grande Communications. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to approve Utility Permits #1156 located on Mathias Lane issued to Platinum Underground LLC, Permit #1157 located on Windy Hill Road issued to Platinum Underground LLC and Permit #1158 located on Posey Road issued to Grande Communications as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED**

**34224 APPROVE RENEWAL OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR ONE ADDITIONAL YEAR**

The current contract for countywide dumpster service is scheduled to expire on September 30th. This renewal is for one additional year with no increases. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to approve renewal of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for one additional year. All present voting "Aye". MOTION PASSED**

**34225 APPROVE EXTENSION OF IFB 2015-B10 WITH ERGON ASPHALT & EMULSIONS, INC. FOR A PERIOD NOT TO EXCEED 60 DAYS**

The annual contract for Emulsion Oils is scheduled to expire on August 31st. The Transportation Department has requested that this contract be extended for a period not to exceed 60 days while a new contract is secured. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to approve extension of IFB 2015-B10 with Ergon Asphalt & Emulsions, Inc. for a period not to exceed 60 days. All present voting "Aye". MOTION PASSED**

**34226 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE MULTIRAE LITE GAS MONITORS FROM FARRWEST FOR THE HAZMAT TEAM AND AMEND THE BUDGET ACCORDINGLY**

The multi-gas monitors are needed for the Hays County regional support CBRN HazMat Truck in order to provide the capability of identifying the presence of hazardous gasses during HazMat operations. The HazMat Truck does not currently have this capability. Savings within the OES operating budget have been identified for this request. Budget Amendment: Increase Mis Equipment\_Ops .5719\_400 Decrease Contract Services .5448. **A motion was made by Commissioner Smith seconded by Commissioner Jones to authorize the Office of Emergency Services to purchase MultiRae Lite Gas monitors from FARRWEST for the HazMat Team and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34227 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 4 MOBILE HOMES LOCATED AT 671 COTTON GIN ROAD, KYLE, TEXAS 78640**

Baldemar Espinosa is proposing an On-Site Sewage Facility for 4 mobile homes located at 671 Cotton Gin Road in Kyle. This 10.01-acre property will be served by a public water supply. The system designer, Stan Burrier, P.E., has designed a standard treatment system. After treatment, the effluent will be disposed via low-pressure pipe for a maximum daily rate of 720 gallons. **A motion was made by Commissioner Jones**



seconded by Commissioner Shell to authorize On-Site Sewage Facility permit for 4 mobile homes located at 671 Cotton Gin Road, Kyle, Texas 78640. All present voting "Aye". MOTION PASSED

**34228 AMEND THE CJD VETERAN'S COURT GRANT BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO VETERANS TREATMENT COURT, NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS (NADCP) ALL RISE 19 CONFERENCE**

On May 7, 2019 Commissioner's Court approved travel for five members of the Hays County Veterans Court team to attend the National Association of Drug Court Professionals (NADCP) All Rise 19 Conference in National Harbor, MD July 14-17, 2019. Additional funding is needed to finalize all per diem reimbursements, rental car expense and parking charges. Office of the Governor grant funds will be utilized for all expenses, no county funds are required. Budget Amendment: Increase Continuing Education .5551-\$2,833 Decrease Insurance Benefits .5160\_400 - (\$2,833). A motion was made by Commissioner Jones seconded by Commissioner Shell to amend the CJD Veteran's Court grant budget for additional continuing education expenses related to Veterans Treatment Court, National Association of Drug Court Professionals (NADCP) All Rise 19 Conference. All present voting "Aye". MOTION PASSED

**34229 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR THE HAYS COUNTY CERT TRAILER AND AMEND THE BUDGET ACCORDINGLY**

The CERT Trailer has floor rot and needs to be replaced. The cabinets will need to be removed, the floor replaced and then the cabinets reinstalled. Monies need to be moved from CERT general supplies to equipment maintenance. Budget Amendment: Decrease 313.5201 General Supplies Increase 313.5411 Equipment Maintenance. A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize the Office of Emergency Services to repair the Hays County CERT trailer and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**34230 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND PAPE-DAWSON ENGINEERS, INC. REGARDING SCHEMATIC DESIGN, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR IMPROVEMENTS TO CENTERPOINT ROAD NEAR BEBACK INN ROAD**

This project will provide for additional roadway, drainage, and intersection design between Viewpoint and Beback Inn Road. A motion was made by Commissioner Ingalsbe seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement (PSA) between Hays County and Pape-Dawson Engineers, Inc. regarding schematic design, environmental documentation and Plans, Specifications & Estimates (PS&E) services for improvements to Centerpoint Road near Beback Inn Road. All present voting "Aye". MOTION PASSED

**34231 APPROVE A RESOLUTION OF SUPPORT FOR AN AGREEMENT BETWEEN HAYS COUNTY AND TXDOT REGARDING THE REPLACEMENT OF CULVERT CROSSING ON FM 2770 AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAID AGREEMENT. JONES/BORCHERDING**

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to approve a Resolution of Support for an Agreement between Hays County and TXDOT regarding the replacement of culvert crossing on FM 2770 and authorize the County Judge to execute said agreement. All present voting "Aye". MOTION PASSED

**34232 CALL FOR A PUBLIC HEARING ON SEPTEMBER 10, 2019 TO ESTABLISH A 30 MPH SPEED LIMIT ON RIVER MOUNTAIN ROAD FROM THE INTERSECTION WITH FM 3237 TO THE CATTLE GUARD AT THE ENTRANCE OF RIVER MOUNTAIN RANCH SUBDIVISION**

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to call for a public hearing on September 10, 2019 to establish a 30 mph speed limit on river mountain road from the intersection with FM 3237 to the cattle guard at the entrance of river mountain ranch subdivision. All present voting "Aye". MOTION PASSED



**34233 CALL FOR A PUBLIC HEARING ON SEPTEMBER 10, 2019 TO ESTABLISH A "NO PARKING" ZONE ON HAYS COUNTY PROPERTY IN THE NORTH ROW OF GOFORTH ROAD ON AN "S" CURVE ACROSS FROM LEHMAN HIGH SCHOOL**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to call for a public hearing on September 10, 2019 to establish a "no parking" zone on hays county property in the north row of Goforth road on an "s" curve across from Lehman high school. All present voting "Aye". MOTION PASSED

**34234 APPROVE THE FINAL PLAT FOR MONTGOMERY ACRES SUBDIVISION (1 LOT). SUB-1321**

Caitlyn Strickland, Development Services, gave full staff recommendation and no variances. A motion was made by Commissioner Shell seconded by Commissioner Smith to approve the final plat for Montgomery acres subdivision (1 lot). All present voting "Aye". MOTION PASSED

**34235 APPROVE FINAL PLAT FOR MALONEY ESTATES (1 LOT) SUB-1230**

Caitlyn Strickland, Development Services, gave full staff recommendation and no variances. A motion was made by Commissioner Shell seconded by Commissioner Smith approve final plat for Maloney estates (1 lot). SUB-1230. All present voting "Aye". MOTION PASSED

**34236 APPROVE PRELIMINARY PLAN FOR POLO BUSINESS PARK WEST (1 LOT). SUB-1213**

Caitlyn Strickland, Development Services, gave full staff recommendation and no variances. A motion was made by Commissioner Smith seconded by Commissioner Shell to approve preliminary plan for Polo Business Park West (1 Lot). SUB-1213. All present voting "Aye". MOTION PASSED

**27 DISCUSSION AND POSSIBLE ACTION TO CREATE AN ALL-INCLUSIVE COMMUNITY ELECTIONS COMMISSION TO ESTABLISH A DIVERSE COUNTY WIDE REPRESENTATION**

Rodrigo Amaya made public comment. Mary Mindy Webber made public comment. Susan Rayback made public comment. Will Webber made public comment. Linda Calvert, President of the League of Women Votes of Hays County, made public comment. Alex Villalobos, County Judge Chief of Staff, Commissioner Shell, Commissioner Jones, Commissioner Ingalsbe, and Judge Becerra made suggestions about creating an elections commission. No action taken.

**34237 APPROVE A RESOLUTION AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT FOR PROVISION OF EQUIPMENT AND CONSUMABLES BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF MOTOR VEHICLES (TXDMV)**

Ms. O'Kane spoke on this item. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve a resolution and authorize the County Judge to execute an interlocal agreement for provision of equipment and consumables between Hays County and the Texas Department of Motor Vehicles (TXDMV). All present voting "Aye". MOTION PASSED

**34238 AUTHORIZE THE SHERIFF'S OFFICE TO PROCURE A CREDIT CARD IN AN AMOUNT NOT TO EXCEED \$5,000 FROM THE COUNTY DEPOSITORY BANK**

Harvey Jenkins, Hays County resident, spoke on this item. Captain Villapando spoke about the use of the credit card. Commissioner Ingalsbe, and Judge Becerra spoke on this item. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Sheriff's Office to procure a credit card in an amount not to exceed \$5,000 from the County depository bank. Becerra/Cutler. All present voting "Aye". MOTION PASSED



**34239 EXECUTE A CONTRACT WITH THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) RELATED TO THE HAYS COUNTY PRETRIAL BOND PROGRAM**

Commissioner Ingalsbe about this new position. Chief Probation Officer Michael Hart of Caldwell and Comal Counties spoke of the need for a new position. **A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to execute a contract with the community supervision and corrections department (CSCD) related to the Hays County Pretrial bond program. All present voting "Aye". MOTION PASSED**

**31 DISCUSSION RELATED TO EMERGENCY MANAGEMENT, THE OFFICE OF EMERGENCY SERVICES, THE CO-LOCATED 911/PSAP, THE PUBLIC SAFETY BUILDING, AND THEIR INVOLVEMENT WITH OTHER ENTITIES WITHIN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO EMERGENCY SERVICES DISTRICTS AND MUNICIPALITIES. POSSIBLE ACTION MAY FOLLOW**

Alex Villalobos, County Judge Chief of Staff, Shari Miller, HR Director, Mark Kennedy, General Counsel, Justin McInnis, Interim Director of Emergency Services, Fire Chief spoke on this item. Commissioner Ingalsbe, Commissioner Shell, Commissioner Smith, and Judge Becerra discussed the Emergency Management involvement with other entities, and the job description of the Emergency Service Director. No action taken.

**32 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT SHAMROCK. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Court convened into Executive Session 2:15 p.m. and reconvened into open court at 2:21 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Judge Becerra, Chief of Staff, Alex Villalobos Assistant General Counsel, Jordan Powell, Legal Support Services Specialist, Janice Jones. No action taken.

**33 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Becerra relayed the Fire Marshall's report to recommend the Burn Ban will remain in effect.

**34 DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS**

Judge Becerra read a report from the Sheriff's office on the number of inmates who were outsourced and associated costs.

**Clerk's Note Agenda Item #35 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. INGALSBE/CUTLER. - WAS PULLED**

**Clerk's Note Agenda Item #36 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, WADE BENTON, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. BECERRA - WAS PULLED**

**Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. SHELL - WAS PULLED**



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## ADJOURNMENT

A motion was made by Commissioner Jones seconded by Commissioner Smith at 12:13 p.m.

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I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on August 27, 2019.



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ELAINE H. CÁRDENAS, COUNTY CLERK ANEXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

