

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 10, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10th DAY OF AUGUST A.D., 2021, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA
DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
WALT SMITH
ELAINE H. CÁRDENAS

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Mark Jones 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

Dan Lyon made a public comment regarding the economic impact of job availability and expressed concerns over the county's role in economic development. Rodrigo Amaya made a public comment regarding corruption within county government and encouraged citizens to report any corrupt activity.

HOLD A MOMENT OF SILENCE IN MEMORY OF JUDGE BERT COBB, M.D. AND GIVE WORDS OF REMEMBRANCE.

Commissioners Shell, Ingalsbe, Jones, and Smith, Judge Becerra, Mark Kennedy, General Counsel, Marisol Alonzo, Auditor, Vickie Dorsett, First Assistant County Auditor, and Tammy Crumley, Director of Countywide Operations, gave words of remembrance for Judge Bert Cobb, M.D. No action taken.

36669 APPROVE PAYMENTS OF COUNTY INVOICES.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

36670 APPROVE PAYMENTS OF JUROR CHECKS.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of Juror checks. All present voted "Aye." MOTION PASSED.

36671 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #5 RE: APPROVE COMMISSIONERS COURT MINUTES OF JULY 27, 2021 AND AUGUST 3, 2021. - WAS PULLED.

36672 APPROVE THE PAYMENT OF THE AUGUST 15, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,100,000.00 EFFECTIVE AUGUST 13, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

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A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the August 15, 2021 payroll disbursements in an amount not to exceed \$3,100,000.00 effective August 13, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36673 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR FOUR BUILDINGS SERVING A WINERY LOCATED AT 3700 BELL SPRINGS RD, DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for four buildings serving a winery located at 3700 Bell Springs Rd, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

36674 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR ONE SINGLE FAMILY RESIDENCE AND TWO TINY HOMES LOCATED AT 2529 HUGO RD, WIMBERLEY, TX, 78676.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for one single family residence and two tiny homes located at 2529 Hugo Rd, Wimberley, TX, 78676. All present voted "Aye." MOTION PASSED.

36675 AUTHORIZE PAYMENT TO BRIGGS EQUIPMENT IN THE AMOUNT OF \$1,245.61 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize payment to Briggs Equipment in the amount of \$1,245.61 in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36676 ACCEPT THE FISCAL YEAR 2020 HAYS COUNTY EMERGENCY SERVICES DISTRICT #7 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the Fiscal Year 2020 Hays County Emergency Services District #7 Audit Report per Texas Health and Safety Code 775.082. All present voted "Aye." MOTION PASSED.

36677 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR FITZ RV PARK EAST SYSTEM LOCATED AT 6990 W. FITZHUGH ROAD, DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Fitz RV Park EAST system located at 6990 W. Fitzhugh Road, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

36678 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR FITZ RV PARK WEST SYSTEM LOCATED AT 6990 W. FITZHUGH ROAD, DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Fitz RV Park WEST system located at 6990 W. Fitzhugh Road, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

36679 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 2 - TWO BEDROOM CABINS LOCATED AT 11391 BONHAM RANCH ROAD, DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 2 - two bedroom cabins located at 11391 Bonham Ranch Road, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

**36680 APPROVE UTILITY PERMITS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

36681 AUTHORIZE THE EXECUTION OF A \$1,498.00 PROPOSAL WITH AXON ENTERPRISE, INC. RELATED TO THE PURCHASE OF A CRADLEPOINT AND ANTENNA THE SHERIFF'S OFFICE DRONE TEAM AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a \$1,498.00 Proposal with Axon Enterprise, Inc. related to the purchase of a Cradlepoint and Antenna the Sheriff's Office Drone Team and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36682 AUTHORIZE THE JAIL DIVISION TO ADD A CELL PHONE ALLOWANCE FOR THE JAIL SERGEANT POSITION, SLOT 0620-003 EFFECTIVE AUGUST 16, 2021.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Jail Division to add a cell phone allowance for the Jail Sergeant position, slot 0620-003 effective August 16, 2021. All present voted "Aye." MOTION PASSED.

36683 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TOTALING \$36,100.00 FOR NEEDED REPAIRS TO THE LE FLEET PATROL VEHICLES AND AMEND THE BUDGET ACCORDINGLY.

Dan Lyon made a public comment expressing concern over the cost of vehicle repairs. Commissioner Ingalsbe asked if these vehicles will continue to be used after repairs. Vickie Dorsett, First Assistant County Auditor, stated that while the sheriff's office did receive 20 new vehicles this year, the older vehicles will still be used. Commissioner Smith stated new vehicles take time to arrive so repairs must be done to keep the old vehicles working. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize salary savings totaling \$36,100.00 for needed repairs to the LE Fleet patrol vehicles and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36684 AMEND THE SHERIFF'S DRUG FORFEITURE FUND FOR THE PURCHASE OF TACTICAL HEADSETS FOR THE SWAT TEAM VALUED AT \$12,951.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Sheriff's Drug Forfeiture Fund for the purchase of tactical headsets for the SWAT Team valued at \$12,951.00. All present voted "Aye." MOTION PASSED.

36685 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE EQUIPMENT SAVINGS TO PURCHASE A REPLACEMENT COLLAPSIBLE CRATE VALUED AT \$860.00 FOR THE K-9 DIVISION.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to utilize equipment savings to purchase a replacement Collapsible Crate valued at \$860.00 for the K-9 Division. All present voted "Aye." MOTION PASSED.

36686 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO PURCHASE ONE WGEN 9500 PORTABLE GENERATOR VALUED AT \$1,000.00 FOR THE JUVENILE SKILLED TRADES PROGRAM AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Juvenile Probation Department to purchase one WGen 9500 Portable Generator valued at \$1,000.00 for the Juvenile Skilled Trades Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



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- 36687 AUTHORIZE PAYMENT TO ENTERPRISE FLEET MANAGEMENT IN THE AMOUNT OF \$705.56 FOR MAINTENANCE ON THE 2018 DODGE CARAVAN WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize payment to Enterprise Fleet Management in the amount of \$705.56 for maintenance on the 2018 Dodge Caravan where no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

- 36688 ACCEPT A \$10,000.00 CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept a \$10,000.00 contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36689 APPROVE A BUDGET AMENDMENT TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) IDCU/SUR COVID CONTRACT NO. HHS000812700024 TO ADD ADDITIONAL FUNDING IN THE AMOUNT OF \$129,721 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a budget amendment to the Department of State Health Services (DSHS) IDCU/SUR COVID Contract No. HHS000812700024 to add additional funding in the amount of \$129,721 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36690 AUTHORIZE THE COMMISSION PCT. 1 OFFICE TO PURCHASE ONE REPLACEMENT DELL OPTIPLEX 7090 DESKTOP COMPUTER AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Commission Pct. 1 Office to purchase one replacement Dell OptiPlex 7090 desktop computer and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36691 AUTHORIZE THE JUSTICE OF THE PEACE PCT. 5 OFFICE TO PURCHASE TWO REPLACEMENT DELL LATITUDE 5420 LAPTOPS UTILIZING THE JUSTICE COURT TECHNOLOGY FUND AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Justice of the Peace Pct. 5 Office to purchase two replacement Dell Latitude 5420 Laptops utilizing the Justice Court Technology Fund and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36692 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A 4-WAY STOP AT THE INTERSECTION OF OLD BASTROP HIGHWAY AND CENTERPOINT ROAD.**

Judge Becerra opened the public hearing at 9:49 a.m. No comments were made. Judge Becerra closed the public hearing at 9:49 a.m. Commissioner Ingalsbe stated that the 4-way stop is needed due to increased traffic and accidents at this intersection. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a 4-way stop at the intersection of Old Bastrop Highway and Centerpoint Road. All present voted "Aye." MOTION PASSED.

- 36693 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A 4-WAY STOP AT THE INTERSECTION OF CROSSWINDS PARKWAY, WINDSWEPT WAY AND THE AMENITY CENTER ENTRANCE IN CROSSWINDS SUBDIVISION.**

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Judge Becerra opened the public hearing at 9:50 a.m. No comments were made. Judge Becerra closed the public hearing at 9:50 a.m. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a 4-way stop at the intersection of Crosswinds Parkway, Windswept Way and the Amenity Center entrance in Crosswinds subdivision. All present voted "Aye." MOTION PASSED.

36694 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A "NO THRU TRAFFIC" ZONE IN THE MEADOW WOODS SUBDIVISION WITH SIGNAGE POSTED ON SUNFLOWER DRIVE (AT FM 150) AND MEADOW WOODS DRIVE (AT FM 2770).

Judge Becerra opened the public hearing at 9:51 a.m. No comments were made. Judge Becerra closed the public hearing at 9:51 a.m. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a "No Thru Traffic" zone in the Meadow Woods subdivision with signage posted on Sunflower Drive (at FM 150) and Meadow Woods Drive (at FM 2770). All present voted "Aye." MOTION PASSED.

36695 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON AUGUST 24, 2021 TO REMOVE THE CURRENT STOP SIGN ON TANZANITE CIRCLE AT CALOMEL TRAIL AND MOVE IT ONTO CALOMEL TRAIL AT TANZANITE CIRCLE IN STONEFIELD SUBDIVISION.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on August 24, 2021 to remove the current stop sign on Tanzanite Circle at Calomel Trail and move it onto Calomel Trail at Tanzanite Circle in Stonefield subdivision. All present voted "Aye." MOTION PASSED.

36696 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON AUGUST 24, 2021 TO ESTABLISH A 20 MPH SPEED LIMIT ON EASTERN ROAD.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to call for a public hearing on August 24, 2021 to establish a 20 MPH speed limit on Eastern Road. All present voted "Aye." MOTION PASSED.

36697 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF BGE, INC. TO PERFORM CONSTRUCTION ENGINEERING AND INSPECTION (CE&I) SERVICES FOR THE US 290 WEST AT HENLY LOOP INTERSECTION SAFETY IMPROVEMENTS PROJECT IN PRECINCT 4; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A WORK AUTHORIZATION UNDER THEIR ON-CALL CE&I CONTRACT.

Commissioner Smith stated this will make the area safer. Judge Becerra thanked Commissioner Smith for this item. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the selection of BGE, Inc. to perform Construction Engineering and Inspection (CE&I) services for the US 290 West at Henly Loop Intersection Safety Improvements project in Precinct 4; and to authorize staff and counsel to negotiate a Work Authorization under their On-Call CE&I contract. All present voted "Aye." MOTION PASSED.

36698 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COURT TO EXECUTE CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$500,000 TO THE PROFESSIONAL SERVICE AGREEMENT WITH BGE, INC. FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (IH35 TO FM2001) PROJECT AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.024(A)(4).

Commissioner Jones stated that the project has changed from two lanes with shoulders to four lanes with a median. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Court to execute Contract Amendment No. 1 in the amount of \$500,000 to the Professional Service Agreement with BGE, Inc. for the Hillside Terrace Safety Improvements (IH35 to FM2001) project and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.



- 36699 PLN-1706-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE DOUGLAS ESTATES SUBDIVISION, LOT D-38, REPLAT.**

Judge Becerra opened the public hearing at 9:52 a.m. No comments were made. Judge Becerra closed the public hearing at 9:52 a.m. Colby Machacek, Hays County Planner, stated this item has full staff recommendation. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat of the Douglas Estates Subdivision, Lot D-38, Replat. All present voted "Aye." MOTION PASSED.

- 36700 PLN-1549-PC; HOLD A PUBLIC HEARING ON AUGUST 10TH, 2021 TO DISCUSS APPROVAL OF THE FINAL PLAT OF THE PICO RANCH 1, TRACT 1R AND TRACT 3, REPLAT.**

Judge Becerra opened the public hearing at 9:33 a.m. No comments were made. Judge Becerra closed the public hearing at 9:33 a.m. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat of the Pico Ranch 1, Tract 1R and Tract 3, Replat. All present voted "Aye." MOTION PASSED.

- 36701 PLN-1658-PC; CALL FOR A PUBLIC HEARING ON AUGUST 24TH, 2021 TO DISCUSS FINAL ACTION REGARDING THE BOOKY T SUBDIVISION, LOT 1, REPLAT.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on August 24th, 2021 to discuss final action regarding the Booky T Subdivision, Lot 1, Replat. All present voted "Aye." MOTION PASSED.

- 36702 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) IN THE AMOUNT OF \$330,000.00 FOR ACTIVITIES IN RELATION TO THE PUBLIC HEALTH WORKFORCE GRANT PROGRAM AND AMEND THE BUDGET ACCORDINGLY.**

Rodrigo Amaya made a public comment expressing concern over tracking money given to hospitals. Tammy Crumley, Director of Countywide Operations, stated the grant is for a new program focused on community outreach. Commissioner Ingalsbe expressed appreciation for the Health Department's preventative work. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a contract with the Department of State Health Services (DSHS) in the amount of \$330,000.00 for activities in relation to the Public Health Workforce Grant Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36703 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE ACCEPTANCE OF U.S. DEPARTMENT OF THE TREASURY CORONAVIRUS STATE FISCAL RECOVERY FUNDS.**

Judge Becerra asked for consistent use of vocabulary when discussing items like these for the public's benefit. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the acceptance of U.S. Department of the Treasury Coronavirus State Fiscal Recovery Funds. All present voted "Aye." MOTION PASSED.

- 36704 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS LIMITED TAX BONDS"; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

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Dan Lyon made a public comment against the item. Dan Wegmiller, Specialized Public Finance, explained the item and stated pricing will be finished late August/early September. He answered Commissioner Smith's question about interest rates and spoke about the high demand for the bonds. Commissioner Shell stated that the bonds are a result of a 2020 election and are approved by the voters and the court. Commissioner Ingalsbe asked about the term length; Dan Wegmiller answered 20-25 years. Julie Houston, Hays County Bond Counsel/Orrik Law Firm, stated the bonds are offered publicly and are held electronically by DTC on behalf of the bond holders. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt an order by the Commissioners Court of Hays County, Texas authorizing the issuance of "Hays County, Texas Limited Tax Bonds"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; delegating authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; authorizing the execution of a paying agent/registrar agreement; and providing an effective date. All present voted "Aye." MOTION PASSED.**

36705 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE A CONTRACT AMENDMENT WITH WILDCAT ELECTRIC SUPPLY, CO RELATED TO IFB 2021-B07 SIGNAL POLES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.0305.

Commissioner Shell stated this item covers increased costs of signal poles. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize a Contract Amendment with Wildcat Electric Supply, Co related to IFB 2021-B07 Signal Poles pursuant to Texas Local Government Code, Ch. 262.0305. All present voted "Aye." MOTION PASSED.

36706 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A \$299,994.17 PROPOSAL WITH KOFI LE TECHNOLOGIES RELATED TO THE PRESERVATION OF PROBATE CASE FILES MAINTAINED WITHIN THE COUNTY CLERK'S OFFICE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a \$299,994.17 Proposal with Kofile Technologies related to the preservation of probate case files maintained within the County Clerk's Office. All present voted "Aye." MOTION PASSED.

36707 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE TASK ORDER #3 TO THE MASTER INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY EXECUTED ON OR ABOUT AUGUST 18, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Task Order #3 to the Master Interlocal Agreement between Hays County and Texas State University executed on or about August 18, 2020. All present voted "Aye." MOTION PASSED.

36708 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT (ILA) WITH THE CITY OF SAN MARCOS RELATED TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY21 LOCAL SOLICITATION.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of an Interlocal Agreement (ILA) with the City of San Marcos related to the Edward Byrne Memorial Justice Assistance Grant (JAG) program FY21 Local Solicitation. BECERRA. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #43 RE: DISCUSSION AND POSSIBLE ACTION TO APPROVE EARLY VOTING SCHEDULE & LOCATIONS AND ELECTION DAY LOCATIONS FOR THE SPECIAL ELECTION CALLED BY THE GOVERNOR TO VOTE ON CONSTITUTIONAL AMENDMENTS. – WAS PULLED.

11:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2022 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW.

Judge Becerra opened the workshop at 11:05 a.m. Constable John Ellen, Pct. 5, presented a budget request for Precinct 5 and a salary modification request for the constables. Constable Don Montague, Pct. 3, presented a

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budget request for Precinct 3. Constable Ron Hood, Pct. 4, presented a budget request for Precinct 4. Constable David Peterson, Pct. 1, presented a budget request for Precinct 1. Judge Chris Johnson, County Court-at-Law #2, contributed to Constable Peterson's presentation. No action taken.

Clerk's Note: Executive Session began at 10:11 a.m. and resumed back into open court at 11:02 a.m.

36709 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY LOCATED AT OR NEAR CLOVIS BARKER RD, SAN MARCOS IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the office of General Counsel to attain appraisal services in relation to real property owned by Hays County located at or near Clovis Barker Road, San Marcos in Pct. 1; And to develop and implement an application process for attaining real estate brokerage services for that property. All present voted "Aye." MOTION PASSED.

36710 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF RIGHT OF WAY LOCATED AT OR NEAR WINTERS MILL PARKWAY AT RM 3237, WIMBERLEY IN PCT. 3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Purchase and Sale Agreement between Hays County and Clark Wilson Myers Investment Trust related to the acquisition of 0.95 acres of Right of Way and .126 acres of Temporary Construction Easement along Winters Mill Parkway in Precinct 3, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

36711 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 0.0126 ACRES IN FEE SIMPLE AND 0.0478 ACRES OF PERMANENT UTILITY EASEMENT FROM PROPERTY LOCATED ALONG COTTON GIN ROAD (CR 129) NEAR GOFORTH ROAD, OWNED BY FABIAN RAMIREZ, OLGA JAIMES, DIANNA JASMINE RAMIREZ JAIMES, AND LORENA RAMIREZ JAIMES, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED COTTON GIN ROAD (CR129) ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (COTTON GIN ROAD (CR129), PARCEL 1). POSSIBLE ACTION TO FOLLOW IN OPEN COURT.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Resolution related to the acquisition of .0126 acres of Right of Way and .0478 acres of Permanent Utility Easement from Fabian Ramirez, Olga Jaimes, Dianna Jasmine Ramirez Jaimes, and Lorena Ramirez Jaimes, declaring the public necessity for acquiring said property and easement by condemnation for the purpose of improving Cotton Gin Road (CR 129); And ordering that the condemnation proceed. All present voted "Aye." MOTION PASSED.

36712 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 0.222 ACRES IN FEE SIMPLE AND 0.256 ACRES FOR A TEMPORARY CONSTRUCTION EASEMENT FROM PROPERTY LOCATED ALONG FM 3237 AT OR NEAR THE INTERSECTION OF WINTERS MILL PARKWAY, OWNED BY 31872 RR 12, LLC, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED RR 3237 AND WINTERS MILL PARKWAY ROADWAY



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INTERSECTION IMPROVEMENTS AND CONSTRUCTION, AND TAKE OTHER APPROPRIATE ACTION (WINTERS MILL, PARCEL 2). POSSIBLE ACTION TO FOLLOW IN OPEN COURT.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution of a resolution related to the acquisition of .222 acres of Right of Way and .256 acres of Temporary Construction Easement from "31872 RR 12, LLC", declaring the public necessity for acquiring said property and easement by condemnation, for the purpose of improving the intersection of FM 3237 and Winters Mill Parkway; And ordering that the condemnation proceed. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL POSITIONS WITHIN THE HAYS COUNTY BUILDING MAINTENANCE AND COUNTY WIDE OPERATIONS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

Clerk's Note Agenda Item #50 RE: *DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - WAS PULLED.*

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

Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average for the week of August 1-7, 2021 was 610, with a peak of 618 on August 3, 2021. The estimated cost for outsourcing inmates this week was \$68,550. The average number of outsourced males is 164 and females is 0. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, and Guadalupe. No action taken.

Clerk's Note: Judge Becerra stated the fire marshal has recommended no burn ban immediately after discussion related to the Hays County Inmate Population.

Clerk's Note Agenda Item #52 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. - WAS PULLED.*

Clerk's Note Agenda Item #53 RE: *UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW. - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 12:25 p.m.

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 10, 2021.



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