

HAYS COUNTY COMMISSIONERS' COURT MINUTES



August 24, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24th 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 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

Rodrigo Amaya made a public comment regarding concerns about the county budget, wages, and money management. Dan Lyon made a public comment regarding concerns about property taxes.

36735 ADOPT A PROCLAMATION DECLARING SEPTEMBER 2021 AS EMERGENCY PREPAREDNESS MONTH IN HAYS COUNTY.

Mike Jones, Emergency Services Director, spoke about the importance of emergency preparedness. Michelle Villegas, Emergency Preparedness Coordinator, stated that in person classes will continue, there will be an online silent auction benefitting the Hays County Fire Chiefs Association on September 1st, and there will be a preparedness fair on September 11th. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a proclamation declaring September 2021 as Emergency Preparedness Month in Hays County. All present voted "Aye." MOTION PASSED.

36736 APPROVE PAYMENTS OF COUNTY INVOICES.

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

36737 APPROVE PAYMENTS OF JUROR CHECKS.

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

36738 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 voted "Aye." MOTION PASSED.

36739 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 10, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve commissioners court minutes of August 10, 2021. All present voted "Aye." MOTION PASSED.



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36740 APPROVE THE PAYMENT OF THE AUGUST 31, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,315,000.00 EFFECTIVE AUGUST 31, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the payment of the August 31, 2021 payroll disbursements in an amount not to exceed \$4,315,000.00 effective August 31, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

36741 AUTHORIZE THE ACCEPTANCE OF AN AWARD AND THE EXECUTION OF THE FY2022 STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICES (SAVNS) MAINTENANCE GRANT CONTRACT IN THE AMOUNT OF \$30,143.66.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of an award and the execution of the FY2022 Statewide Automated Victim Notification Services (SAVNS) Maintenance Grant Contract in the amount of \$30,143.66. All present voted "Aye." MOTION PASSED.

36742 RATIFY THE SUBMISSION OF THE COUNTY FERAL HOG ABATEMENT GRANT SUBMISSION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM IN THE AMOUNT OF \$7,500.00.

Dan Lyon made a public comment stating he had difficulty finding where to turn in tails. Tammy Crumley, Director of Countywide Operations, stated the information for turning in tails will be posted more publicly in the future. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the submission of the County Feral Hog Abatement Grant submission to the Texas A&M AgriLife Extension Services, Wildlife Services Program in the amount of \$7,500.00. All present voted "Aye." MOTION PASSED.

36743 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 3 - 792 SQUARE FOOT HOUSES AT 660 WAYSIDE DRIVE, WIMBERLEY, TEXAS 78676.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize on-site sewage facility permit for 3 – 792 square foot houses at 660 Wayside Drive, Wimberley, Texas 78676. All present voted "Aye." MOTION PASSED.

36744 AUTHORIZE THE ELECTIONS OFFICE TO PURCHASE (3) LAPTOPS TO BE USED FOR VOTER REGISTRATION AND VOTER LIST MAINTENANCE ACTIVITIES AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the Elections Office to purchase (3) laptops to be used for voter registration and voter list maintenance activities and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36745 APPROVE UTILITY PERMITS.

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

36746 APPROVE THE RE-APPOINTMENT OF COMMISSIONER LON SHELL AND COMMISSIONER DEBBIE INGALSBE, TO THE GREATER SAN MARCOS PARTNERSHIP (GSMP) BOARD OF DIRECTORS.

Dan Lyon made a public comment against the Greater San Marcos Partnership. A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the re-appointment of Commissioner Lon Shell and Commissioner Debbie Ingalsbe, to the Greater San Marcos Partnership (GSMP) Board of Directors. All present voted "Aye." MOTION PASSED.



- 36747 AUTHORIZE THE HAYS COUNTY PARKS DEPARTMENT TO ACCEPT A \$500.00 DONATION FROM RAUCOUS CONTENT FOR THE PURCHASE OF SUPPLIES RELATED TO COMMUNITY AND EDUCATIONAL OUTREACH AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Hays County Parks Department to accept a \$500.00 donation from Raucous Content for the purchase of supplies related to community and educational outreach and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36748 AUTHORIZE JM ENGINEERING, LLC TO REPLACE THE EXISTING R-22 WAREHOUSE AC UNIT WITH A NEW 5 TON, 14 SEER AMERICAN STANDARD HVAC LOCATED AT THE RAINBOW ROOM IN THE AMOUNT OF \$7,920.29 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize JM Engineering, LLC to replace the existing R-22 Warehouse AC unit with a new 5 Ton, 14 SEER American Standard HVAC located at the Rainbow Room in the amount of \$7,920.29 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36749 ACCEPT THE NOTICE OF RATE CHANGE FROM BURNET COUNTY FOR THE HOUSING AND CARE OF HAYS COUNTY INMATES FROM \$55.00 PER INMATE PER DAY TO \$62.00 PER INMATE PER DAY, EFFECTIVE OCTOBER 1, 2021.**

Dan Lyon made a public comment against outsourcing inmates and county spending. A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the notice of rate change from Burnet County for the housing and care of Hays County inmates from \$55.00 per inmate per day to \$62.00 per inmate per day, effective October 1, 2021. All present voted "Aye." MOTION PASSED.

- 36750 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH COX COMMERCIAL CONSTRUCTION, LLC. RELATED TO RM 3237 ROUNDABOUT PURSUANT TO IFB 2021-B06.**

Rodrigo Amaya made a public comment regarding concerns about Cox Commercial Construction, LLC. Judge Becerra stated he has followed up on those concerns. Commissioner Shell clarified the changes being made to the contract and stated they are selecting the lowest bid in compliance with the law. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a Contract Amendment with Cox Commercial Construction, LLC related to RM 3237 Roundabout pursuant to IFB 2021-B06. All present voted "Aye." MOTION PASSED.

- 36751 APPROVE RENEWAL OF RFP 2020-P08 ELECTION FORM PRINTING SERVICES WITH AMG PRINTING.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve renewal of RFP 2020-PO8 Election Form Printing Services with AMG Printing. All present voted "Aye." MOTION PASSED.

- 36752 APPROVAL TO HOLD AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152(A)(1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE; APPROVE THE DISPOSAL OF PROPERTY AS AUTHORIZED PER TEXAS LOCAL GOVERNMENT CODE 263.152(A)(3).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones for approval to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152(a)(1) and authorize purchasing manager to advertise; approve the disposal of property as authorized per Texas Local Government Code 263.152(a)(3). All present voted "Aye." MOTION PASSED.



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- 36753 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO REMOVE THE CURRENT STOP SIGN ON TANZANITE CIRCLE AT CALOMEL TRAIL AND MOVE IT ONTO CALOMEL TRAIL AT TANZANITE CIRCLE IN STONEFIELD SUBDIVISION.**

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 Jones, seconded by Commissioner Ingalsbe 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.**

- 36754 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH A 20 MPH SPEED LIMIT ON EASTERN ROAD.**

Judge Becerra opened the public hearing at 9:34 a.m. No comments were made. Judge Becerra closed the public hearing at 9:34 a.m. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to establish a 20 MPH speed limit on Eastern Road. All present voted "Aye." MOTION PASSED.**

- 36755 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #5 IN THE AMOUNT OF \$30,000 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LJA ENGINEERING, INC. FOR RIGHT-OF-WAY SERVICES ON THE OLD BASTROP RD (CR 266) PROJECT, FROM CENTERPOINT ROAD TO RATTLER ROAD, IN PRECINCT 1 AS PART OF THE ROAD BOND PROGRAM AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.024(A)(4).**

Dan Lyon made a public comment regarding concerns over changes in the timeline and additional money spent. Commissioner Ingalsbe stated that dealings with an estate, rain delays, and septic tank issues have contributed to the delays. Commissioner Shell clarified how bids are done. Tony Rodriguez, Project Manager, and David Baylor, LJA Right of Way Agent, gave more information on the time extension and additional costs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Change Order #5 in the amount of \$30,000 to the Professional Services Agreement between Hays County and LJA Engineering, Inc. for Right-of-Way services on the Old Bastrop Rd (CR 266) project, from CenterPoint Road to Rattler Road, in Precinct 1 as part of the Road Bond Program and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

- 36756 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 2 WITH LJA ENGINEERING, INC. IN THE AMOUNT OF \$12,800 TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE DARDEN HILL/SAWYER RANCH ROAD INTERSECTION ROUNDABOUT PROJECT IN PRECINCT 4 AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CH. 262.024(A)(4).**

Dan Lyon made a public comment against the item. Commissioner Smith stated the acquisition of the property has had issues. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Change Order No. 2 with LJA Engineering, Inc. in the amount of \$12,800 to provide Right-of-Way Acquisition services for the Darden Hill/Sawyer Ranch Road Intersection Roundabout project in Precinct 4 as part of the Hays County 2016 Road Bond Program and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.**

- 36757 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$45,000 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB & ASSOCIATES, INC. FOR THE US 290 WEST AT TRAUTWEIN ROAD INTERSECTION PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.**

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A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$45,000 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

36758 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND PAPE DAWSON ENGINEERS TO PROVIDE ENGINEERING DESIGN SERVICES RELATED TO IMPROVEMENTS TO BEBACK INN ROAD FROM CENTER POINT ROAD TO SH 123 IN PCT. 1.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement between Hays County and Pape Dawson Engineers to provide engineering design services related to improvements to Beback Inn Road from Center Point Road to SH 123 in Pct. 1. All present voted "Aye." MOTION PASSED.

36759 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL NO. 1 TO A STANDARD UTILITY AGREEMENT (SUA) IN THE AMOUNT OF \$161,000.00 WITH ENTERPRISE TEXAS PIPELINE LLC FOR THE RELOCATION OF EXISTING FACILITIES IN CONFLICT WITH THE FM 2001 WEST (SUNBRIGHT SECTION) SAFETY IMPROVEMENTS PROJECT FROM SH21 TO WHITE WING TRAIL IN PRECINCT 2 AS PART OF THE ROAD BOND PROGRAM.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Supplemental No. 1 to a Standard Utility Agreement (SUA) in the amount of \$161,000.00 with Enterprise Texas. All present voted "Aye." MOTION PASSED.

PLN-1658-PC; HOLD A PUBLIC HEARING TO DISCUSS FINAL ACTION REGARDING THE BOOKY T SUBDIVISION, LOT 1, REPLAT.

Judge Becerra opened the public hearing at 9:58 a.m. No comments were made. Judge Becerra closed the public hearing at 9:59 a.m. Commissioner Smith stated that the owners have requested changes and asked for no action to be taken. No action taken.

Clerk's Note: Judge Becerra called for a break that began at 10:00 a.m. and resumed back into open court at 10:03 a.m.

36760 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an agreement between Hays County and Milliman, Inc. for actuarial services related to retiree drug subsidy. All present voted "Aye." MOTION PASSED.

36761 DISCUSSION AND POSSIBLE ACTION TO CREATE THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE FOR THE REMAINDER OF THE FISCAL YEAR PURSUANT TO CHAPTER 152 OF THE LOCAL GOVERNMENT CODE.

Discussion was had among the court regarding the salary grievance committee. Mark Kennedy, General Counsel, selected the following names as public members: Sergio Maldonado, Brian Walsh, Kala Horadam, Lisa Cabello, Doris Wagner, Lindsey Gomez, Molly Beard, Phillip Kemink, Deborah Jacoby, Robert Young, Kimberly Shelly, Rafael Camarena, Taylor Sahley, George Peterson Jr., Clayton Destefano, Rodney Sparks, Jake Minniti Jr., Charlene Martinez, Breanna Randolph, Cheryl Moreland, Esequiel Gil, Sierra Loera, John Esquivel Jr., Sean Welch, Garrett Burgess, Jose Garza, Jaime Mancillas, Eric Garza, Jennifer Gaines, and Jerry Buchanan Jr. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to create the Hays County Salary Grievance Committee for the remainder of the fiscal year pursuant to Chapter 152 of the Local Government Code. All present voted "Aye." MOTION PASSED.**



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36762 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) IN THE AMOUNT OF \$400,000 FOR ACTIVITIES IN RELATION TO THE COVID-19 HEALTH DISPARITIES GRANT PROGRAM AND AMEND THE BUDGET ACCORDINGLY.

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 \$400,000 for activities in relation to the COVID-19 Health Disparities Grand Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36763 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY FOR COSTS RELATED TO THE TYLER TECHNOLOGIES' NEW WORLD COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) NECESSARY FOR OPERATIONS OF THE COMBINED EMERGENCY COMMUNICATIONS CENTER (CECC).

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve an agreement between Hays County and Texas State University for costs related to the Tyler Technologies' New World Computer Aided Dispatch (CAD) and Records Management System (RMS) necessary for operations of the Combined Emergency Communications Center (CECC). All present voted "Aye." MOTION PASSED.

36764 1:00 P.M. -HOLD A PUBLIC HEARING ON THE FY 2022 HAYS COUNTY PROPOSED BUDGET.

Judge Becerra opened the public hearing at 1:01 p.m. Christine Terrell made a public comment in favor of a public defender's office. Sam Benavides made a public comment in favor of a public defender's office. Eric Martinez made a public comment in favor of a public defender's office. Larry Tim Bauerkemper made a public comment in favor of a public defender's office. Steven Jackobs, Executive Director of Capital Idea, made a public comment requesting more funding for Capital IDEA. Tania Santiago Leon made a public comment advocating for Capital IDEA. Vickie Dorsett, First Assistant Auditor, gave an update to the court of what is still needed to finalize the budget. Regrade requests recommended by Shari Miller, Human Resources Director, were reviewed by the court. Discussion was had regarding Public Defender's office funding and the use of American Recovery Plan (ARP) funds.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to earmark up to \$5 Million of the ARP money towards the roadmap of the development of the Public Defender's office for Hays County out of the countywide budget. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the H.R. recommendations for regrades as presented to the court with an addition of the building maintenance regrades. All present voted "Aye." MOTION PASSED.

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to capture the recommendations of the market analysis performed by Human Resources, for implementation, deleting the individualized department presentation increases, totaling up to \$1.4 Million which includes the 2% COLA and 2% merit, effective 10/1/2021. All present voted "Aye." MOTION PASSED.

Britney Richey, Hays County Treasurer, asked for direction from the court for implementing the cost of living and merit increases. She suggested changing the 2% split between COLA and merit to a full 4% merit increase. An amended motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to give an effective date of 08/31/2021 for the implementation of the market analysis. This does not include Elected Officials, Collective Bargain Agreement employees, funds that are not part of the pool as of 08/31/2021 and does not include temporary employees or interns. All present voted "Aye." MOTION PASSED

The court discussed the District Court's request for salary structure for the bailiffs. The District Court presented an MBS (merit base step) six plan. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to place the bailiffs in the Deputy Constable pay structure with the same hourly rate and placed in the step that coincides with their years of service in the District or County Courts. Motion rescinded. No action taken.

The court discussed social services requests from PALS, Friends of Family Justice Center, Child Protective Board and Capital IDEA. A motion was made by Commissioner Shell, seconded by Commissioner Jones to make the contribution to Friends and Family permanent for \$45,000.00; in support of Child Protective Board Assistant in the amount of is \$27,554; in support of PALS for \$4,375.00; in support of increase to Capital IDEAs from \$30,000.00 to \$50,000.00. All present voted "Aye." MOTION PASSED

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Vickie Dorsett, First Assistant Auditor, stated the court could skip the Constables, Elected Officials and Justice Clerks regrades. She stated if they could decide on Elected Officials today there would not be a need for further discussion. Judge Becerra asked the court their stance on this matter. Commissioner Shell stated an increase is not a priority in this budget. Commissioner Ingalsbe stated the same. This is the same for Constable increases. The Justice Clerk regrades were included in the HR recommendation with exception of the one position requesting a 12% increase. Regarding leased vehicles, Vickie Dorsett stated equity could be used. Judge Becerra asked how much equity and Vickie Dorsett stated she is waiting on an analysis. She believes it will be about \$250,000.00. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to set aside funds for 9 law enforcement equipment costs and allocate once final numbers are received. All present voted "Aye." MOTION PASSED**

The court discussed the Constables' request for replacement of Surface Pros. Commissioner Shell stated he would like to see the I.T. Department help the Constables' offices make the Surface Pros last longer first. No action taken.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve one bailiff Deputy for Precinct 1, one Constable Deputy for Precinct 3 and one Constable Deputy for Precinct 2 with equipment effective 4/1/2022. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve one GIS Specialist to start 10/01/2021, one Environment Health Specialist to start 01/01/2022 and one Planning Technician to start 04/01/2022. All present voted "Aye." MOTION PASSED

Vickie Dorsett spoke to the court regarding the Spanish speaking stipend. She stated Shari Miller asked for more time to review. No action taken.

Elaine H. Cardenas, County Clerk, spoke on re-grading the Administrative Assistant I positions due to the additional tasks they have taken on. Shari Miller, Human Resources Director, stated this was not submitted as an initial requests and would like more time to review. Commissioner Shell stated the continuing education funds will remain the same, but any needs can be brought back to the court during the year for review. Commissioner Shell asked to budget funds for chair replacements. Shari Miller stated the chairs could also be replaced for ergonomic issues. The second Deputy Clerk II position will begin 04/01/2022. **A motion was made by Judge Becerra, seconded by Commissioner Shell to use Records Management funds to approve the start date of 10/01/2021 for the Deputy Clerk II position. All present voted "Aye." MOTION PASSED**

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to approve the Assistant Fire Marshall position with a start date of 04/01/2022 and uniform. All present voted "Aye." MOTION PASSED

The court discussed the District Clerk's request of two new positions for the new court. Commissioner Shell stated the court will be created September 1st, but a Judge may not be appointed immediately. He stated there would be time to review for the FY23 Budge. No action taken.

The court discussed the request for four additional staff members from the IT Department. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a grade 113 position with a start date of 04/01/2022 with equipment; Jeff McGill, IT Director, to bring back the item if needed to decide which position will be created. All present voted "Aye." MOTION PASSED**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve a Mental Health Counselor position for one year using ARP funds with the understanding they will come back next year to review. All present voted "Aye." MOTION PASSED

The court discussed the Sheriff's Office request to remove four deputy positions for nine civilian positions with equipment. Commissioner Shell stated he would like to wait for the number of inmates in the fall or winter. No action taken.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve two new positions: one grade 115 – Specialty Court Manager and one grade 114 – Case Manager for the Mental Health Court from the ARP funds. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Smith to change the Grant Analyst start date to 10/01/2021 and delay the vacant Senior Financial Analyst start date to 02/01/2022. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the replacement of three laptops for the Human Resources department. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the use of reserves to approve rotary lifts for the Sheriff's Office in the amount of \$18,500.00 as a one-time expense. All present voted "Aye." MOTION PASSED

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The court discussed the request for a new bailiff in the District Courts. Commissioner Shell stated with two vacancies, it would be best to fill before creating a new position. No action taken.

Vickie Dorsett, First Assistant Auditor, stated if four deputy positions were removed from and one new civilian position was added to the Sheriff's Office, there would be a savings of \$107.00. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Sheriff's office request to add one Budget Coordinator effective 04/01/2022, one HR Payroll Specialist effective 04/01/2022, two Records Management Officers effective 04/01/2022, one new Criminalist and one new Strategic Analysts Supervisor effective 04/01/2022. All present voted "Aye." MOTION PASSED**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the amount of \$878,000.00 for the Inmate Detention contract. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the District Attorney's request for an increase for a Court Chief's stipend using drug forfeiture funds. All present voted "Aye." MOTION PASSED

The court discussed the Transportation Department's requests for a new road crew. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Transportation Department's request for a Customer Service representative. All present voted "Aye." MOTION PASSED**

Clerk's Note: Judge Becerra called for a break that began at 3:58 p.m. and resumed back into open court at 4:43 p.m.

Commissioner Shell spoke on and identified the positions in need for the budgeting and creation of the Pre-Trial Services Department. Commissioner Shell stated he wanted to move the positions, not individuals. The funds will be credited back to the General Fund and the court will then use ARP funds for the next three years because the Pre-Trial office is in direct relation with COVID-19. The department would be under direction of Commissioners Court, but Commissioner Shell stated he would like to come back to establish an advisory body to oversee the department. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve using ARP funds to establish a Pre-Trial Services office with three positions at grade 111, one Director of Pre-Trial Services at grade 116 and one Admin at grade 110 with an operating expense with \$100,000.00. All present voted "Aye." MOTION PASSED**

A discussion was had regarding renovations of the old jail facility. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to identify \$2 Million in reserve to be earmarked for capital improvement and renovations of the existing L.E.C. All present voted "Aye." MOTION PASSED**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve two rollovers of funds from 2021 to 2022 in the amounts of \$750,000.00 and \$255,000.00. All present voted "Aye." MOTION PASSED

Vickie Dorsett, First Assistant Auditor, stated the action for the Pre-Trial services, using ARP funds, frees up \$175,080.00 in the General Fund. Commissioner Shell stated the funds could be used to fund staff for the Budget Office. The court discussed the location of the Budget Office. **A motion was made by Judge Becerra, seconded by Commissioner Shell to earmark \$190,000.00 for the creation of the Budget Office. All present voted "Aye." MOTION PASSED**

Vickie Dorsett, First Assistant Auditor, stated there is now a credit of \$75,187.00 that could be placed in county contingencies or be utilized on September 21st at the next meeting. Commissioner Smith stated he would like to keep that money in reserves. Commissioner Jones asked what a 5% increase for department heads would do to the budget. The court further discussed a salary increase for elected officials, including alternative rates. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a salary increase of 4% for Elected Officials including Commissioners Court members, excluding County Court at Law Judges. Commissioner Ingalsbe and Commissioner Jones voted "Aye". Commissioner Shell, Commissioner Smith and Judge Becerra voted "No." MOTION FAILED.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve a salary increase of 4% for Elected Officials excluding Commissioners Court and County Court at Law, at base pay. All present voted "Aye." MOTION PASSED

Clerk's Note: Judge Becerra called for a break that began at 5:24 p.m. and resumed back into open court at 5:34 p.m.

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A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the changes for the FY22 Proposed Budget and set the FY22 salaries and allowances presented by the County Auditor's Office, including salaries and allowances of Elected Officials; set a Final Public Hearing to adopt the FY22 Budget and levy the taxes to be held on September 21, 2021, at 1:00 pm in the Hays County Commissioner Courtroom located at 111 E. San Antonio St. All present voted "Aye." MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Jones to set the FY22 tax rate at .3867 cents as follows - .2383 General M&O rate, .1246 Debt rate and .238 Road and Bridge M&O rate. All present voted "Aye." MOTION PASSED

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2022 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW.

Dan Lyon made a public comment regarding concerns about the county budget and spending. Britney Richey, Hays County Treasurer, gave a budget presentation on retiree benefits and recommended no changes. Gary Cutler, Hays County Sheriff, Mark Cumberland, Captain of Support Services Bureau, David Burns, Captain of Law Enforcement Bureau, and Shane Smith, Captain of Jail Operations, gave a budget presentation for the Sheriff's Office. There was a lengthy discussion among the court regarding inmate outsourcing.

Clerk's Note: Judge Becerra called for a break that began at 11:15 a.m. and resumed back into open court at 11:18 a.m.

Steve Thomas, District Court Administrator, gave a budget presentation for the District Court. Karen Brown, Board Member of the Hays County Child Protective Board, gave a budget presentation for the Child Protective Board. Shari Miller, Human Resources Director, gave a presentation on a salary market analysis conducted by the Human Resources Department. No action taken.

Clerk's Note: Judge Becerra called for a break that began at 12:11 p.m. Judge Becerra opted to begin Executive Session at 12:28 p.m. immediately after break and resumed back into open court at 1:00 p.m.

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 ASSOCIATED WITH THE POSAC-RECOMMENDED 2020 PARKS AND OPEN SPACE BOND PROJECTS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE AUDITOR'S OFFICE HAYS COUNTY REGARDING THE USE OF FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021 ALLOCATION. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

Clerk's Note Agenda Item #35 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.

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 15-21, 2021, was 601, with a peak of 607 on August 21, 2021. The estimated cost for outsourcing inmates this week was \$74,120. The average number of outsourced males is 179 and females is 0. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Guadalupe, and Red River. No action taken.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



August 24, 2021

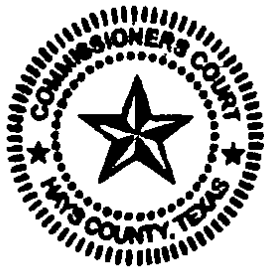
Clerk's Note Agenda Item #37 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. - WAS PULLED.*

Clerk's Note Agenda Item #38 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 5:40 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 24, 2021.



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

