

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 8, 2022

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 8<sup>th</sup> DAY OF MARCH A.D., 2022, 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	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

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

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

Commissioner Ingalsbe led the court in an invocation.

**Clerks Note:** Commissioner Jones arrived in court at 9:02 a.m. for the following proceedings.

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 on Commissioner Smith's campaign financing. Rodrigo Amaya made a public comment defining intoxication and asked the Court to act against a commissioner he believes qualifies for a DWI charge.

**Clerk's Note Agenda Item #1 RE:** *ADOPT A PROCLAMATION DECLARING MARCH 24, 2022 AS WORLD TB DAY FOR HAYS COUNTY. – WAS PULLED.*

**PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE HAYS COUNTY AUDITOR'S OFFICE AND THE AWARD OF FINANCIAL REPORTING ACHIEVEMENT TO THE HAYS COUNTY AUDITOR FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA).**

Marisol Villarreal-Alonzo, Auditor, thanked the court for allowing the Auditor's office to be presented with the Certificate of Achievement. Elaine H. Cardenas, County Clerk, read aloud the press release for the Government Finance Officers Association. Marisol Villarreal-Alonzo recognized her staff for their diligence and detailed hard work.

**37339 ADOPT A PROCLAMATION RECOGNIZING ROSALINDA MORENO, A GARY JOB CORPS EMPLOYEE, ON HER SERVICE TO THE COMMUNITY.**

Lorraine Lane, Executive Center Director of the Gary Job Corps Center, thanked the court for this proclamation and congratulated Ms. Moreno. **A Motion was made By Commissioner Ingalsbe, Seconded by Commissioner Shell to adopt a Proclamation recognizing Rosalinda Moreno, a Gary Job Corps employee, on her service to the community. All present voted "Aye." MOTION PASSED.**

**UPDATE ON THE FEBRUARY REPORT OF THE HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITY MEETING BY CHARLES CAMPISE.**

Charles Campise, Hays County representative of the Hill Country Mental Health Developmental Disability Agency, gave an update to the court. Mr. Campise stated the current budget is \$44 million per year and he was voted as Secretary of the agency during the last meeting. He gave additional updates regarding funds, purchases and reviewed the agenda from the agency's previous meeting.



**UPDATE BY DIRECTOR OF COUNTYWIDE OPERATIONS AND HAYS COUNTY STAFF ON THE EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP); POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW.**

Tammy Crumley, Director of Countywide Operations, gave the court and update to the court. Last session, \$1.2 million had been disbursed and as of yesterday, \$1.5 million has been disbursed. She stated there are approximately 358 open tickets, of which 200 are waiting on citizen responses, 65 are under auditor's review and 91 are under case worker review. The new program manager team will come in tomorrow to train and take over the program. A location will be decided for the public to access easily. Commissioner Ingalsbe thanked Mrs. Crumley for the work done.

**37340 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**37341 APPROVE PAYMENTS OF JUROR CHECKS.**

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

**37342 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

**37343 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 18, 2022, FEBRUARY 1, 2022 AND FEBRUARY 15, 2022.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 18, 2022, February 1, 2022 and February 15, 2022. All present voted "Aye." MOTION PASSED.

**37344 APPROVE THE PAYMENT OF THE MARCH 15, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,175,000.00 EFFECTIVE MARCH 15, 2022 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the March 15, 2022 payroll disbursements in an amount not to exceed \$3,175,000.00 effective March 15, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**37345 ACCEPT THE 2021 RACIAL PROFILING REPORT FROM THE HAYS COUNTY CONSTABLE OFFICE, PRECINCT 1.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the 2021 Racial Profiling Report from the Hays County Constable Office, Precinct 1. All present voted "Aye." MOTION PASSED.

**37346 APPROVE THE RE-APPOINTMENTS OF JOE PENDLETON AND CHUCK WARE TO EMERGENCY SERVICE DISTRICT (ESD) #4 FOR TWO-YEAR TERMS ENDING DECEMBER 31, 2023.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the re-appointments of Joe Pendleton and Chuck Ware to Emergency Service District (ESD) #4 for two-year terms ending December 31, 2023. All present voted "Aye." MOTION PASSED.



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- 37347        AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE INSURANCE PROCEEDS FOR HVAC REPAIRS LOCATED AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Building Maintenance Department to utilize insurance proceeds for HVAC repairs located at the Government Center and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37348        AUTHORIZE THE JUVENILE DETENTION CENTER TO PURCHASE ONE (1) WASTE DISPOSAL WITH LEG KIT VALUED AT \$2,986.33 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Juvenile Detention Center to purchase one (1) Waste Disposal with Leg Kit valued at \$2,986.33 and amend the budget accordingly. All present voted "Aye." MOTION PASSED

- 37349        AUTHORIZE THE COUNTY JUDGE TO EXECUTE A GENERAL AND NO LITIGATION CERTIFICATE OF HAYS RELATED TO THE ISSUANCE OF BONDS BY CAPITAL AREA HOUSING FINANCE CORPORATION FOR LEGACY SQUARE APARTMENTS, LOCATED IN SAN MARCOS, HAYS COUNTY, TEXAS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a General and No Litigation Certificate of Hays related to the issuance of bonds by Capital Area Housing Finance Corporation for Legacy Square Apartments, located in San Marcos, Hays County, Texas. All present voted "Aye." MOTION PASSED

- 37350        APPROVE RENEWAL OF RFP 2018-P10 COUNTY WIDE ELECTRICAL SERVICES WITH CT ELECTRIC AND TED BREIHAN ELECTRIC FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of RFP 2018-P10 County Wide Electrical Services with CT Electric and Ted Breihan Electric for one (1) additional year as stated in the original bid. All present voted "Aye." MOTION PASSED.

- 37351        AUTHORIZE PAYMENT TO COWBOY HARLEY-DAVIDSON OF AUSTIN IN THE AMOUNT OF \$682.96 FOR THE HAYS COUNTY CONSTABLE, PCT. 4 OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Cowboy Harley-Davidson of Austin in the amount of \$682.96 for the Hays County Constable, Pct. 4 Office in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

- 37352        AUTHORIZE SECURITY ONE TO INSTALL A CELLULAR COMMUNICATOR TO THE FIRE ALARM SYSTEM AT THE PRECINCT 5 BUILDING IN THE AMOUNT OF \$800.00 AND EXECUTE THE UPDATED SYSTEM MONITORING AGREEMENT.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Security One to install a Cellular Communicator to the fire alarm system at the Precinct 5 building in the amount of \$800.00 and execute the updated system monitoring agreement. All present voted "Aye." MOTION PASSED.

- 37353        AUTHORIZE THE RECYCLING AND SOLID WASTE DEPARTMENT TO PURCHASE A REPLACEMENT OPTIPLEX 7090 MICRO IN THE AMOUNT OF \$1,022.00 OR THE WIMBERLEY RECYCLING AND SOLID WASTE OFFICE AND AMEND THE BUDGET ACCORDINGLY.**

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A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Recycling and Solid Waste Department to purchase a replacement OptiPlex 7090 Micro in the amount of \$1,022.00 or the Wimberley Recycling and Solid Waste office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37354        AUTHORIZE THE COUNTY JUDGE TO ACCEPT THE ANNUAL 2021 WILDLIFE MANAGEMENT ACTIVITIES REPORT FOR GAY RUBY DAHLSTROM NATURE PRESERVE.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to accept the Annual 2021 Wildlife Management Activities Report for Gay Ruby Dahlstrom Nature Preserve. All present voted "Aye." MOTION PASSED.

**37355        AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE FY23 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) FUNDING IN THE AMOUNT OF \$126,721.00.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services for the FY23 Public Health Emergency Preparedness (PHEP) funding in the amount of \$126,721.00. All present voted "Aye." MOTION PASSED.

**37356        ACCEPT THE 2021 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE PRECINCT 5.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the 2021 Racial Profiling Report from Hays County Constable Office Precinct 5. All present voted "Aye." MOTION PASSED.

**37357        RATIFY THE ACCEPTANCE OF THREE (3) SINGLE-SIDED BANNERS VALUED AT \$600.00 FROM LEWIS SIGNS TO THE SHERIFF'S OFFICE FOR RECRUITING PURPOSES AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the acceptance of three (3) single-sided banners valued at \$600.00 from Lewis Signs to the Sheriff's Office for recruiting purposes and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37358        ACCEPT THE 2021 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the 2021 Racial Profiling Report for the Hays County Sheriff's Office. All present voted "Aye." MOTION PASSED.

**37359        APPROVE OUT OF STATE TRAVEL, UTILIZING THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR CRIMINAL INVESTIGATIONS DIVISION LIEUTENANT MICHAEL BRIGGS TO ATTEND THE NATIONAL HOMELAND SECURITY CONFERENCE ON JULY 11-14, 2022 IN CLEVELAND, OHIO.**

Judge Becerra asked upon return from the training, that he be updated on the latest information available. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Criminal Investigations Division Lieutenant Michael Briggs to attend the National Homeland Security Conference on July 11-14, 2022 in Cleveland, Ohio. All present voted "Aye." MOTION PASSED.

**37360        APPROVE OUT OF STATE TRAVEL, UTILIZING THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR DETECTIVE MIKE ANDREWS TO ATTEND FORCE SCIENCE CERTIFICATION ON APRIL 25-29, 2022 IN CLEVELAND, OHIO.**

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A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Detective Mike Andrews to attend Force Science Certification on April 25-29, 2022 in Cleveland, Ohio. All present voted "Aye." MOTION PASSED.

**37361      AUTHORIZE THE SHERIFF'S OFFICE TO USE SALARY SAVINGS TO COVER PRICE INCREASES FOR FY 2022 BULLETPROOF VESTS AND AMEND THE BUDGET ACCORDINGLY.**

Commission Smith stated these vests expire on an annual basis and must be replaced. There is grant funding, but it does not cover the total costs. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to use salary savings to cover price increases for FY 2022 bulletproof vests and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37362      APPROVE AND CONFIRM THE APPOINTMENT OF THOMAS MCGREEVY AS A REGULAR FULL-TIME DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve and confirm the appointment of Thomas McGreevy as a regular full-time Deputy Constable in the Hays County Constable Precinct 3 Office. All present voted "Aye." MOTION PASSED.

**37363      APPROVE UTILITY PERMITS.**

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

**37364      AUTHORIZE THE SHERIFF'S OFFICE TO USE EXISTING FUNDS TO PURCHASE LAW ENFORCEMENT TACTICAL EQUIPMENT TOTALING \$2,590.00 AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon made a public comment regarding the back up and wanting further clarification. Mike Davenport, Chief – Sheriff's Office, stated this is for surveillance equipment. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to use existing funds to purchase law enforcement tactical equipment totaling \$2,590.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37365      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL RENEWAL AGREEMENT BETWEEN HAYS COUNTY BUILDING MAINTENANCE AND JOHNSON CONTROLS IN THE AMOUNT OF \$10,030.22.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an annual renewal agreement between Hays County Building Maintenance and Johnson Controls in the amount of \$10,030.22. All present voted "Aye." MOTION PASSED.

**37366      APPROVE AN INCREASE OF \$600.00 IN THE CHANGE FUND FOR THE COUNTY CLERK'S OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS LOCAL GOVERNMENT CODE 130.902 (D).**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve an increase of \$600.00 in the change fund for the County Clerk's Office as recommended by the County Auditor per Texas Local Government Code 130.902 (d). All present voted "Aye." MOTION PASSED.

**37367      RATIFY THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND GRIMES COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES.**



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Rodrigo Amaya spoke on Grimes County and their use of outdated information. He asked what type of gardening Grimes County inmates partake in and if Hays County has been paying Grimes County since 2021. Commissioner Ingalsbe stated she was asked to sign this in Judge Becerra's absence. Mark Kennedy, General Counsel, stated we do have inmates in Grimes County and the year 2021 was a clerical error, which should have been 2022. Judge Becerra gave clarification that he was not absent when asked to sign but wanted to bring to court prior. He stated he was disappointed that Commissioner Ingalsbe signed the agreement. Commissioner Shell reviewed population counts and the importance of adding additional counties as a precautionary measure is best as the number of arrests increase in the upcoming summer months. Mark Kennedy stated he asked Commissioner Ingalsbe to sign the agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to ratify the execution of an Interlocal Cooperation Agreement between Hays County and Grimes County for housing and care of Hays County corrections inmates. All present voted "Aye." MOTION PASSED.**

**37368 APPROVE THE REJECTION OF ALL BIDS RELATED TO IFB 2022-B08 DARDEN HILL AT SAWYER RANCH ROUNDABOUT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the rejection of all bids related to IFB 2022-B08 Darden Hill at Sawyer Ranch Roundabout. All present voted "Aye." MOTION PASSED.

**37369 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A QUOTE WITH AXON ENTERPRISES, INC. RELATED TO CRADLEPOINT LICENSES FOR THE SHERIFF & CONSTABLE OFFICES AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Quote with Axon Enterprises, Inc. related to Cradlepoint Licenses for the Sheriff & Constable Offices and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37370 AMEND THE JUVENILE DETENTION CENTER BUDGET FOR EQUIPMENT AND GRAPHICS NEEDED FOR THE DODGE CHARGER APPROVED IN THE FY22 BUDGET PROCESS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Juvenile Detention Center budget for equipment and graphics needed for the Dodge Charger approved in the FY22 budget process. All present voted "Aye." MOTION PASSED.

**37371 ACCEPT A \$500.00 DONATION FOR THE HISTORICAL KYLE DEPOT FROM DANNY AND KAREN DAVIS AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Jones thanked Mr. and Mrs. Davis for their contribution to the Kyle Depot. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept a \$500.00 donation for the Historical Kyle Depot from Danny and Karen Davis and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37372 AMEND THE CONSTABLE PRECINCT 2 OPERATING BUDGET IN THE AMOUNT OF \$1,588.00 FOR INCREASED COST ASSOCIATED WITH AN XL-200P PORTABLE RADIO FOR THE NEW DEPUTY CONSTABLE APPROVED IN THE FY22 BUDGET.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Constable Precinct 2 operating budget in the amount of \$1,588.00 for increased cost associated with an XL-200P Portable Radio for the new Deputy Constable approved in the FY22 budget. All present voted "Aye." MOTION PASSED.

**37373 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE ADDITIONAL KACE QUEST SOFTWARE LICENSES FROM DELL TECHNOLOGIES RELATED TO ENDPOINT COMPLIANCE.**



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Information Technology Department to purchase additional Kace Quest Software Licenses from Dell Technologies related to Endpoint Compliance. All present voted "Aye." MOTION PASSED.

**37374        ACCEPT, FOR THE PURPOSES OF FINALIZING THE CLERK'S RECORD, THE FINAL VERSION OF THE AGREEMENT FOR GRANT MANAGEMENT AND PROGRAM MANAGEMENT SERVICES FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM FOR HAYS COUNTY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept, for the purposes of finalizing the Clerk's Record, the final version of the Agreement for Grant Management and Program Management Services for the Emergency Rental Assistance Program for Hays County. All present voted "Aye." MOTION PASSED.

**37375        AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE LAPTOPS AND ACCESSORIES FOR THE JUSTICE OF THE PEACE PCT. 1-1, 1-2 AND 3 OFFICES AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Information Technology Department to purchase Laptops and Accessories for the Justice of the Peace Pct. 1-1, 1-2 and 3 Offices and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37376        AMEND THE DISTRICT ATTORNEY'S OPERATING BUDGET IN THE AMOUNT OF \$894.00 FOR INCREASED COST ASSOCIATED WITH AN XL-95P PORTABLE RADIO FOR THE INVESTIGATION DIVISION APPROVED IN THE FY22 BUDGET.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the District Attorney's operating budget in the amount of \$894.00 for increased cost associated with an XL-95P Portable Radio for the investigation division approved in the FY22 budget. All present voted "Aye." MOTION PASSED.

**37377        AUTHORIZE THE PURCHASE OF 4 CHIP SCANNERS AT \$400.00 EACH TO BE USED AT EACH COMMISSIONER'S PRECINCT OFFICE TO REUNITE LOST PETS WITH THEIR OWNERS AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Smith asked if there will be training and qualified staff handling this equipment. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of 4 Chip Scanners at \$400.00 each to be used at each Commissioner's Precinct Office to reunite lost pets with their owners and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37378        DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON MARCH 22, 2022 TO REDUCE THE CURRENT SPEED LIMIT OF 35 MPH TO 25 MPH ON BRANGUS ROAD AND NATURE VIEW LOOP IN RUTHERFORD WEST SUBDIVISION, PER A RECENT TRAFFIC STUDY.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to call for a public hearing on March 22, 2022 to reduce the current speed limit of 35 MPH to 25 MPH on Brangus Road and Nature View Loop in Rutherford West subdivision, per a recent traffic study. All present voted "Aye." MOTION PASSED.

**37379        DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF PAPE DAWSON ENGINEERS, INC. TO PERFORM CONSTRUCTION ENGINEERING & INSPECTION (CE&I) SERVICES FOR THE WINTERS MILL PARKWAY AT RM 3237 SAFETY IMPROVEMENTS PROJECT IN PRECINCT 3; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A WORK AUTHORIZATION UNDER THEIR ON-CALL CE&I CONTRACT.**

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A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of Pape Dawson Engineers, Inc. to perform Construction Engineering & Inspection (CE&I) services for the Winters Mill Parkway at RM 3237 Safety Improvements project in Precinct 3; and to authorize staff and counsel to negotiate a Work Authorization under their On-Call CE&I contract. All present voted "Aye." MOTION PASSED.

**37380 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF PAPE DAWSON ENGINEERS, INC. TO PERFORM CONSTRUCTION ENGINEERING & INSPECTION (CE&I) SERVICES FOR THE RM 12 AT RM 3237 SAFETY IMPROVEMENTS PROJECT IN PRECINCT 3; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A WORK AUTHORIZATION UNDER THEIR ON-CALL CE&I CONTRACT.**

Commissioner Shell provided clarification on the "on-call" process. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of Pape Dawson Engineers, Inc. to perform Construction Engineering & Inspection (CE&I) services for the RM 12 at RM 3237 Safety Improvements project in Precinct 3; and to authorize staff and counsel to negotiate a Work Authorization under their On-Call CE&I contract. All present voted "Aye." MOTION PASSED.

**37381 PLN-1840-PC; CALL FOR A PUBLIC HEARING ON MARCH 22, 2022 TO DISCUSS POSSIBLE APPROVAL OF THE DEER RUN ESTATES, LOTS 18 AND 21, REPLAT.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to call for a Public Hearing on March 22, 2022 to discuss possible approval of the Deer Run Estates, Lots 18 and 21, Replat. All present voted "Aye." MOTION PASSED.

**37382 PLN-1807-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT FOR MOUNT GAINOR ESTATES SUBDIVISION.**

Colby Machacek, County Planner with Development Services, stated this item has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat for Mount Gainor Estates subdivision. All present voted "Aye." MOTION PASSED.

**37383 PLN-1810-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAN FOR THE FLAT CREEK RESERVE SUBDIVISION.**

Colby Machacek, County Planner with Development Services, stated this item has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Preliminary Plan for the Flat Creek Reserve subdivision. All present voted "Aye." MOTION PASSED.

**37384 PLN-1647-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT OF ANTHEM PHASE 1C-1 SUBDIVISION.**

Marcus Pacheco, Director of Development Services, stated this item has full staff recommendation. Commissioner Jones stated this is for the Amenity Center. A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve final plat of Anthem Phase 1C-1 Subdivision. All present voted "Aye." MOTION PASSED.

**37385 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDER AND APPROVE POLLING LOCATIONS FOR THE MAY 7, 2022, CONSTITUTIONAL AMENDMENT ELECTION.**

Jennifer Doinoff, Elections Administrator, reviewed early voting and election day voting locations with the court. Commissioner Smith stated there is an address correction needed for the polling location previously changed from Patriots Hall in open court. Jennifer Doinoff stated the correction would be made and that this election is necessary due to two Special Sessions held during the Legislative Session to adopt two Constitutional Amendments to be on the ballot in May. Commissioner Ingalsbe asked when the runoff will take place. Jennifer Doinoff stated they will take place on May 24<sup>th</sup>. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt an Order and approve polling locations for the May 7, 2022, Constitutional Amendment election. All present voted "Aye." MOTION PASSED.





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**37386 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AMENDMENT NO. 4 TO THE STOP LOSS POLICY BETWEEN HAYS COUNTY AND UNITED HEALTHCARE INSURANCE COMPANY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Amendment No. 4 to the Stop Loss Policy between Hays County and United Healthcare Insurance Company. All present voted "Aye." MOTION PASSED.

**37387 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CONSTABLE PRECINCTS 2, 4 & 5 OFFICES TO TRANSFER \$884.00 EACH TO THE SHERIFF'S OFFICE BUDGET FOR THE PURCHASE OF NECESSARY TOOLS AND EQUIPMENT TO PERFORM VEHICLE MAINTENANCE AND REPAIRS TO CONSTABLE'S HARLEY-DAVIDSON MOTORCYCLE FLEET AND AMEND THE BUDGET ACCORDINGLY.**

Ron Hood, Constable Precinct 4, stated this a straightforward proposal for repairs. These Constables worked together to find a way to save money for repairs by not being charged for labor by using the Sheriff's Office. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Constable Precincts 2, 4 & 5 Offices to transfer \$884.00 each to the Sheriff's Office budget for the purchase of necessary tools and equipment to perform vehicle maintenance and repairs to Constable's Harley-Davidson motorcycle fleet and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37388 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 2022 SHERIFF & CONSTABLE FEES.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the 2022 Sheriff & Constable Fees. All present voted "Aye." MOTION PASSED.

**37389 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE FOUR SCHOOL ZONE FLASHER POSTS W/ACCESSORIES IN THE AMOUNT OF \$14,304.00 FOR THE NEW SUNFIELD ELEMENTARY SCHOOL AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Jones stated they will be opening in August, so the posts need to be up. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase four school zone flasher posts w/accessories in the amount of \$14,304.00 for the new Sunfield Elementary School and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE SHERIFF'S OFFICE TO HIRE A BUDGET COORDINATOR, SLOT 0027-01 AT THE 50TH PERCENTILE.**

Yvette Faulkner, Budget Manger - Sheriff's Office, stated this position was approved in FY22 effective 4/1/22. An increase to the 50<sup>th</sup> percentile is being requested due to the candidate's extensive experience in purchasing and is a former Hays County employee that is familiar with County budget, policies, processes, and financial system New World. Marisol Villarreal-Alonzo, Auditor, stated she reached out to Human Resources regarding the inequity this may cause in her department as well as others. Mike Davenport, Chief – Sheriff's Office, stated the intention was not to create inequities but it is difficult to hire with the starting pay rates. He asked the court to consider this request. Judge Becerra stated we are falling short of closing the gap in inequities and stated both points are valid concerns. Shari Miller, Director of Human Resources, stated she collaborates daily with all office and this request is allowed. Judge Becerra stated we need to revisit this topic and find money for our coworkers. Commissioner Shell stated the inequities have gotten larger over the years despite the efforts made by the courts. He asked that HR would develop something similar to what was done in 2015 to identify the inequities and fix them. He also asked that the full range be posted on all job listings. He stated that when a department head asks for an exception to hire at a higher percentile, the position should be posted for two weeks to allow more application submissions. Tammy Crumley, Director of Countywide Operations, asked for clarification on requesting increases for temporary part-time employees, which can be done. Commissioner Jones asked if Chief Davenport would be willing to pull this item and come back in 2 weeks. Commissioner Jones also asked what the costs would be to conduct an independent study. Shari Miller stated she will look into the costs. Rodrigo Amaya made public comment that this request will bring more problems. Commissioner Shell stated they are committed to the employees of Hays County. No action taken.



MARCH 8, 2022

**37390 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A QUOTE WITH TYLER TECHNOLOGIES RELATED TO THE BRAZOS TICKET WRITER IPHONE PLATFORM FOR CONSTABLE'S OFFICES.**

Jeff McGill, Director of Information Technology, stated this was approved in the FY22 Budget. This follows the pattern of replacing Legacy ticket writers with iPhone platforms to allow a multi-functioning device. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Quote with Tyler Technologies related to the Brazos Ticket Writer iPhone Platform for Constable's Offices. All present voted "Aye." MOTION PASSED.

**37391 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE TWO (2) ROAD MAINTENANCE OPERATOR POSITIONS, SLOTS 1075-011 & 1075-012 AT THE 40TH PERCENTILE EFFECTIVE MARCH 14, 2022.**

Aaron Jones, Road Maintenance Superintendent, stated they reviewed other positions in that field along with the applicants' experience to keep the postings within fair range. He stated there are 30 open positions open in the Roads Department operating at about 2/3 staff. Commissioner Jones asked if these positions have been open for 2 weeks, which they have. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Transportation Department to hire two (2) Road Maintenance Operator positions, slots 1075-011 & 1075-012 at the 40th percentile effective March 14, 2022. All present voted "Aye." MOTION PASSED.

**Clerk's Note:** Executive Session began at 11:09 a.m. and resumed back into open court at 1:45 p.m.

**37392 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 17.599 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED AT 1401 YARRINGTON ROAD, OWNED BY FM 158 LAND, LTD., A TEXAS LIMITED PARTNERSHIP, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110 NORTH ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution, as represented in Executive Session, determining the necessity and authorizing the use of the County's power of Eminent Domain to acquire approximately 17.599 acres in fee simple from property located at 1401 Yarrington Road in Precinct 1, which is owned by FM 158 Land LTD, a Texas Limited Partnership, and which is required for the construction of the proposed FM 110 North Roadway improvements and take other appropriate actions. All present voted "Aye." MOTION PASSED.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT INCLUDING BUT NOT LIMITED TO APPOINTMENT AND EMPLOYMENT OF THE HAYS COUNTY FIRE MARSHAL (CONTINGENT UPON AN ACCEPTABLE BACKGROUND CHECK AND ACCEPTANCE OF AN OFFER OF EMPLOYMENT).**

No action taken.

**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 ATLAS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.



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**37393 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Ingalsbe stated Hays County will receive approximately \$625,000 over a period of 15-18 years. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute documents associated with settlements of Opioid claims between Hays County the "Distributors Settlement", the "TEVA Settlement", and the "Endo-Par" Settlement, as discussed in Executive Session. All present voted "Aye." MOTION PASSED.

**37394 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, USE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY LOCATED AT 120 STAGECOACH TRAIL, SAN MARCOS, TEXAS IN PRECINCT 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 Office of General Counsel to collaborate with Countywide Operations, Elections and Information Technology to develop an improvement plan for 120 Stagecoach Trail; and to negotiate professional services with an architect and/or interior designer for a space plan at that location. Contract will be brought back on 3/22/2022. All present voted "Aye." MOTION PASSED.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071: CONSULTATION WITH COUNSEL AND THE HAYS COUNTY AUDITOR REGARDING POLICIES FOR TRACKING HAYS COUNTY ASSETS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**Clerk's Note Agenda Item #65 RE:** *DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN. – 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 was 674, with a peak of 683 on March 4, 2022. The estimated cost for outsourcing inmates this week was \$111,055.00. The average number of outsourced males is 219 and females is 16. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Grimes, Maverick and Red River. The number of "paper-ready" inmates who are now wardens of the state is 38. The number of arrests made by agency are as follows; Buda Police Department - 9, Department of Public Safety - 1, Hays County Sheriff's Office - 45, Constable Precinct 1 - 7, Kyle Police Department - 26, San Marcos Police Department - 36, Texas State Police Department - 3. No action taken.

**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.**

Judge Becerra stated he opened the wrong item. No action taken.

**Clerk's Note Agenda Item #68 RE:** *DISCUSSION AND POSSIBLE ACTION REGARDING HAYS COUNTY'S USE OF FEDERAL OR OTHER GRANT FUNDING RELATED TO COVID-19 RESPONSE INCLUDING BUT NOT LIMITED TO THE AMERICAN RESCUE PLAN ACT (ARPA) AND THE EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP). – WAS PULLED.*



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ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 1:47 PM.

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 March 8, 2022.



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

