

HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 22, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 22nd 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://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Dan Lyon made a public comment concerning comments made at a previous meeting by members of the Court and requested Commissioner Smith step down; he spoke on property taxes as well. Rodrigo Amaya made a public comment requesting Commissioner Smith step down and expressed concern regarding County job postings remaining open and accountability of County officials.

37395 ADOPT A PROCLAMATION DECLARING MARCH 24, 2022 AS WORLD TB DAY FOR HAYS COUNTY.

Amy Wolf, TB Case Manager for Hays County, spoke about TB cases in the county and the need for more testing in poor areas. Commissioner Ingalsbe thanked Wolf for bringing more awareness to the disease. Commissioner Shell expressed appreciation for the county having its own TB program. Commissioner Smith emphasized the importance of the program and described the high case count in his home county. Judge Becerra stated this is a good reminder of the existence of other viruses to the public. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring March 24, 2022 as World TB Day for Hays County. All present voted "Aye." MOTION PASSED.**

37396 ADOPT A PROCLAMATION DECLARING APRIL 4 - 10, 2022 AS NATIONAL PUBLIC HEALTH WEEK 2022.

Matthew Gonzales, Program Manager of the Health Disparities Grant at the Hays County Health Department, spoke about the importance of promoting public health. Commissioner Ingalsbe and Commissioner Shell thanked Gonzales and the Health Department, and Judge Becerra emphasized the importance of public health awareness during the pandemic. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring April 4 - 10, 2022 as National Public Health Week 2022. All present voted "Aye." MOTION PASSED.**

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

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Rodrigo Amaya made a public comment concerning county money and accountability. Tammy Crumley, Director of Countywide Operations, gave a weekly report on the ERA. As of last Thursday, the ERA has paid out \$1,943,676.73. This is up from the \$1.5 million reported at the last court meeting. Ardurra took over the program on March 10th, 2022. No additional staff have been hired yet. There are approximately 140 applications pending citizen completion, 45 applications under auditor review, and 190 applications under case management review. The Auditor's Office is working to cut checks twice a week and on an emergency basis. Commissioner Ingalsbe stated she has spoken with Ardurra and appreciates their cooperation and willingness for outreach. Crumley stated outreach will focus in the Kyle area and school districts. Commissioner Jones shared a constituent's happiness with how the program is running now. Commissioner Smith asked how many applications had been completed when the program manager resigned, and how much overhead had been spent up to that point. Vickie Dorsett, Assistant County Auditor, provided application and cost numbers that are reported to the US Treasury. Commissioner Smith stated that with the new program management, overhead costs for applications have decreased. The court discussed money allocated for overhead and administrative costs and emphasized that these funds come from the federal government, not the county. Judge Becerra praised the direction the program is going and warned against the media sensationalizing issues. He thanked the City of Kyle for their initiative and Tammy Crumley for her work. Commissioner Ingalsbe thanked all employees and volunteers. No action taken.

37397 APPROVE PAYMENTS OF COUNTY INVOICES.

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

37398 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.

37399 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.

37400 AUTHORIZE THE COUNTY JUDGE TO EXECUTE RENEWAL LIABILITY COVERAGE FOR STORAGE TANK SYSTEMS WITH COMMERCE AND INDUSTRY INSURANCE COMPANY FOR A RENEWAL PREMIUM OF \$1,352.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute renewal liability coverage for storage tank systems with Commerce and Industry Insurance Company for a renewal premium of \$1,352.00. All present voted "Aye." MOTION PASSED.

37401 AUTHORIZE THE LOCAL HEALTH DEPARTMENT TO ORDER SUPPLIES, CONSUMABLES, AND SWAG ITEMS UNDER THE HEALTH DIVERSITY PROGRAM UTILIZING AVAILABLE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) GRANT FUNDS THROUGHOUT THE GRANT PERIOD AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Local Health Department to order supplies, consumables, and swag items under the Health Diversity Program utilizing available Department of State Health Services (DSHS) grant funds throughout the grant period and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37402 APPROVE UTILITY PERMITS.

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

37403 ACCEPT THE 2021 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE PRECINCT 2.



Judge Becerra commented the report appears disproportionate and non-detailed. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the 2021 Racial Profiling Report from Hays County Constable Office Precinct 2. All present voted "Aye." MOTION PASSED.**

37404 APPROVE OUT OF STATE TRAVEL, UTILIZING THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR EMERGENCY COMMUNICATIONS MANAGER AMANDA OLIVER AND EMERGENCY COMMUNICATIONS OFFICERS KRISTI WHITE, KAITLYN LOZANO, THOMAS MARTINEZ, AND JOHNNA MARTONE TO ATTEND THE NAVIGATOR CONFERENCE ON APRIL 24-29, 2022 IN NASHVILLE, TENNESSEE.

Rodrigo Amaya made a public comment concerning office staffing during training. Commissioner Ingalsbe commented that some training costs are covered by Capital Area Council of Governments. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Emergency Communications Manager Amanda Oliver and Emergency Communications Officers Kristi White, Kaitlyn Lozano, Thomas Martinez, and Johnna Martone to attend the Navigator Conference on April 24-29, 2022 in Nashville, Tennessee. All present voted "Aye." MOTION PASSED.**

37405 RATIFY THE ACCEPTANCE OF A DONATION TOTALING \$5,000.00 FROM KINDER MORGAN, INC. TO THE SHERIFF'S OFFICE DRONE TEAM AND AMEND THE BUDGET ACCORDINGLY.

Rodrigo Amaya made a public comment concerning Kinder Morgan's history and conflict of interest. Commissioner Ingalsbe gave thanks for the donation and stated Kinder Morgan's work in the county is complete. Commissioner Smith commented that Hays County was the first county in the State to sue Kinder Morgan, and this donation is a step toward the company becoming a contributing member of the community. Commissioner Shell stated the donation is consistent with their other contributions. Chief Deputy Davenport, Sheriff's Office, clarified that the donation will contribute to the cost of drone batteries. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to ratify the acceptance of a donation totaling \$5,000.00 from Kinder Morgan, Inc. to the Sheriff's Office Drone Team and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

37406 AUTHORIZE THE SHERIFF'S OFFICE TO USE EXISTING FUNDS TO PURCHASE MOTORCYCLE REPAIR EQUIPMENT, VALUED AT \$2,000.00 AND AMEND THE BUDGET ACCORDINGLY.

Rodrigo Amaya made a public comment concerning differences in dollar amounts in the item summary and invoice. Marisol Villarreal-Alonzo, County Auditor, explained that software used rounds up dollar amounts in budget amendments, but the actual amount is exact. Commissioner Smith clarified that this expense was approved at the last court meeting. Judge Becerra expressed support for the item. Commissioner Shell explained the item language and suggested edits for clarification. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to use existing funds to purchase motorcycle repair equipment, valued at \$2,000.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

37407 AUTHORIZE THE ENROLLMENT AND REQUIREMENT OF ALL HAYS COUNTY EMPLOYEES AND ELECTED OFFICIALS WHO HAVE ACCESS TO A LOCAL GOVERNMENT COMPUTER SYSTEM OR DATABASE TO COMPLETE A CYBERSECURITY TRAINING PROGRAM CERTIFIED BY THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) AT LEAST ANNUALLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the enrollment and requirement of all Hays County employees and elected officials who have access to a local government computer system or database to complete a cybersecurity training program certified by the Texas Department of Information Resources (DIR) at least annually. All present voted "Aye." MOTION PASSED.

37408 AUTHORIZE THE COUNTY JUDGE TO USE \$700.00 OF HIS COMMUNITY PROGRAM EXPENSE FOR A PUBLIC EASTER EGG HUNT ON THE COURTHOUSE GROUNDS ON APRIL 15, 2022.

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Rodrigo Amaya made a public comment concerning county spending. Judge Becerra spoke about the importance of community events. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to use \$700.00 of his Community Program Expense for a public Easter Egg Hunt on the Courthouse Grounds on April 15, 2022. All present voted "Aye." MOTION PASSED.**

37409 APPROVE SPECIFICATIONS FOR RFQ 2022-Q04 PROFESSIONAL LAND SURVEYING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFQ 2022-Q04 Professional Land Surveying Services and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

37410 APPROVE SPECIFICATIONS FOR RFQ 2022-Q02 ON-CALL CE&I PROFESSIONAL SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFQ 2022-Q02 On-Call CE&I Professional Services and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

37411 APPROVE SPECIFICATIONS FOR IFB 2022-B10 WINTERS MILL PARKWAY AT RM 3237 INTERSECTION AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for IFB 2022-B10 Winters Mill Parkway at RM 3237 Intersection and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

37412 APPROVE SPECIFICATIONS FOR IFB 2022-B09 RM 12 AT RM 3237 AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for IFB 2022-B09 RM 12 at RM 3237 and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

37413 ACCEPT A \$5,000.00 GRANT ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe thanked the City of San Marcos for their contribution. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept a \$5,000.00 grant on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

37414 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO REDUCE THE CURRENT SPEED LIMIT OF 35 MPH TO 25 MPH ON BRANGUS ROAD AND ON NATURE VIEW LOOP BETWEEN RUTHERFORD DRIVE AND BRANGUS ROAD IN RUTHERFORD WEST SUBDIVISION.

Judge Becerra opened the Public Hearing at 10:22 AM. No comments were made. Judge Becerra closed the Public Hearing at 10:22 AM. Commissioner Smith stated that residents have requested this item. Commissioner Jones explained that this will implement the same speed limits throughout the area. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to reduce the current speed limit of 35 MPH to 25 MPH on Brangus Road and on Nature View Loop between Rutherford Drive and Brangus Road in Rutherford West subdivision. All present voted "Aye." MOTION PASSED.**

37415 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE PERFORMANCE BOND #LICX1192181 IN THE AMOUNT OF \$937,314.16 FOR CALITERRA SUBD. PHASE 3, SECTION 9, AND THE PERFORMANCE



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BOND #LICX1209918 IN THE AMOUNT OF \$803,175.76 FOR CALITERRA SUBD., PHASE 4, SECTION 11.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the Performance Bond #LICX1192181 in the amount of \$937,314.16 for Caliterra subd. Phase 3, Section 9, and the Performance Bond #LICX1209918 in the amount of \$803,175.76 for Caliterra subd., Phase 4, Section 11. All present voted "Aye." MOTION PASSED.

37416 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE MAINTENANCE BONDS #SU1157965 IN THE AMOUNT OF \$24,754.74 AND #SU1157966 IN THE AMOUNT OF \$7,338.87 FOR REUNION RANCH SUBD., PHASE 2, SECTION 4.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to release the Maintenance Bonds #SU1157965 in the amount of \$24,754.74 and #SU1157966 in the amount of \$7,338.87 for Reunion Ranch subd., Phase 2, Section 4. All present voted "Aye." MOTION PASSED.

37417 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LJA ENGINEERING, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE DARDEN HILL PHASE 2 PROJECT FROM SAWYER RANCH ROUNDABOUT (PHASE 1) TO FM 1826 IN PRECINCT 4.

Commissioner Smith stated this will continue the development of the roundabout. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and LJA Engineering, Inc. to provide right-of-way acquisition services for the Darden Hill Phase 2 project from Sawyer Ranch Roundabout (Phase 1) to FM 1826 in Precinct 4. All present voted "Aye." MOTION PASSED.

37418 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND DOUCET AND ASSOCIATES, INC. TO PROVIDE PROJECT DEVELOPMENT SERVICES FOR THE DARDEN HILL PHASE 2 PROJECT FROM SAWYER RANCH ROUNDABOUT TO FM 1826 IN PRECINCT 4.

Commissioner Smith stated this will continue the development of the roundabout. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and Doucet and Associates, Inc. to provide project development services for the Darden Hill Phase 2 project from Sawyer Ranch Roundabout to FM 1826 in Precinct 4. All present voted "Aye." MOTION PASSED.

37419 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY AND COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE DARDEN HILL PHASE 2 PROJECT FROM SAWYER RANCH ROUNDABOUT (PHASE 1) TO FM 1826 IN PRECINCT 4.

Commissioner Smith stated this will continue the development of the roundabout. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract between Hays County and Cobb, Fendley & Associates, Inc. to provide utility coordination services for the Darden Hill Phase 2 project from Sawyer Ranch Roundabout (Phase 1) to FM 1826 in Precinct 4. All present voted "Aye." MOTION PASSED.

37420 DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$547,941.86 FOR DRIFTWOOD SUBDIVISION, PHASE 2 (BOND # 800132233).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for the construction of street and drainage improvements in the amount of \$547,941.86 for Driftwood Subdivision, Phase 2 (Bond # 800132233). All present voted "Aye." MOTION PASSED.



37421 PLN-1733-NP PRAIRIE LAKES SUBDIVISION, PRELIMINARY PLAN (655 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAN.

Colby Machacek, Senior County Planner with Development Services, gave background on the subdivision. Commissioner Jones requested he and Jerry Borchering, Transportation Director, work on road improvements in the area. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the Prairie Lakes Subdivision, Preliminary Plan (655 Lots). All present voted "Aye." MOTION PASSED.**

37422 PLN-1840-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE DEER RUN ESTATES, LOTS 18 AND 21, REPLAT.

Judge Becerra opened the Public Hearing at 10:30 AM. No comments were made. Judge Becerra closed the Public Hearing at 10:30 AM. Colby Machacek, Senior County Planner with Development Services, gave background on the subdivision. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Deer Run Estates, Lots 18 and 21, Replat. All present voted "Aye." MOTION PASSED.**

37423 PLN-1680-NP; OAK RUN FARMS SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT.

Colby Machacek, Senior County Planner with Development Services, gave background on the subdivision. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of Oak Run Farms Subdivision (2 Lots). All present voted "Aye." MOTION PASSED.**

37424 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE APPOINTMENT OF MARK WOBUS AS HAYS COUNTY FIRE MARSHAL, EFFECTIVE APRIL 4, 2022, AND APPROVE THE OFFICIAL BOND PURSUANT TO SECTIONS 352.011 AND 352.012 OF THE TEXAS LOCAL GOVERNMENT CODE.

Rodrigo Amaya made a public comment concerning employee turnover and training costs. Commissioner Shell stated this is a highly qualified candidate. Mike Jones, Emergency Services Director, spoke about the candidate's experience. Mark Wobus, Fire Marshal, spoke about his peace officer, fire, and law enforcement experience. Commissioner Smith spoke about citizen volunteers. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of Mark Wobus as Hays County Fire Marshal, effective April 4, 2022, and approve the official bond pursuant to Sections 352.011 and 352.012 of the Texas Local Government Code. All present voted "Aye." MOTION PASSED.**

37425 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE REPAIRS TO THE SIDEWALK, ELECTRICAL PANELS, AND GENERATOR PANELS LOCATED ON THE EXTERIOR OF THE LOCAL HEALTH DEPARTMENT IN THE AMOUNT OF \$21,911.12 AND AMEND THE BUDGET ACCORDINGLY.

Tammy Crumley, Director of Countywide Operations, explained the damage at the Health Department. Commissioner Ingalsbe expressed concerns about adding additional drainage to adjacent property owners. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize repairs to the sidewalk, electrical panels, and generator panels located on the exterior of the Local Health Department in the amount of \$21,911.12 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

37426 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT FOR GRANT MANAGEMENT AND PROGRAM MANAGEMENT SERVICES FOR THE AMERICAN RESCUE PLAN ACT (ARPA) BETWEEN HAYS COUNTY AND ARDURRA GROUP, INC.

Dan Lyon made a public comment concerning Ardurra campaign contributions and asked for clarification on the timeline. Commissioner Smith explained the difference in the Emergency Rental Assistance Program and the American Rescue Plan Act and stated campaign contributions do not affect the selection of RFP/RFQ winners. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Agreement for Grant Management and Program Management Services for the**

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American Rescue Plan Act (ARPA) between Hays County and Ardurra Group, Inc. All present voted "Aye." MOTION PASSED.

37427 DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTIONS AND APPLICATION AFFIDAVIT ASSOCIATED WITH FILING AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD (TWDB) AND AUTHORIZE THE EXECUTION OF SAID DOCUMENTS.

Commissioner Shell gave background on the item and stated Hays County is the first county in the state to do a project like this. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Resolutions and Application Affidavit associated with filing an application for financial assistance from the Texas Water Development Board (TWDB) and authorize the execution of said documents. All present voted "Aye." MOTION PASSED.

37428 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE ROAD MAINTENANCE LEAD, SLOT 1055-004 AT THE TRANSPORTATION DEPARTMENT TO TAKE A COUNTY ISSUED VEHICLE TO A RESIDENCE OUTSIDE THE COUNTY LIMITS.

Commissioner Shell explained that many county employees live outside of Hays County due to increased costs of living. Judge Becerra stated that the employee lives 22 miles away from their workplace, which is just outside of county car policy. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize Road Maintenance Lead, slot 1055-004 at the Transportation Department to take a county issued vehicle to a residence outside the county limits. All present voted "Aye." MOTION PASSED.

37429 DISCUSSION AND POSSIBLE ACTION TO AWARD A CONTRACT FOR IFB 2022-B04 CEMETERY MAINTENANCE TO KYLE LANDSCAPING SERVICES IN THE AMOUNT OF \$75,720.00.

Rodrigo Amaya made a public comment concerning county spending and the use of local businesses. Judge Becerra asked if the chosen company is local, and if any local companies were denied. Marisol Villarreal-Alonzo, County Auditor, stated the chosen company with the lowest bid is based in Kyle, Texas. Commissioner Jones explained the county would be liable for any injuries if volunteers were used. Commissioner Shell suggested volunteers should not be used when the work involves heavy equipment. A motion was made by Commissioner Jones, seconded by Commissioner Smith to award a contract for IFB 2022-B04 Cemetery Maintenance to Kyle Landscaping Services in the amount of \$75,720.00. All present voted "Aye." MOTION PASSED.

37430 DISCUSSION AND ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND LEE COUNTY FOR JAIL SERVICES RELATED TO THE HOUSING AND CARE OF HAYS COUNTY INMATES.

Commissioner Jones acknowledged a city Chief of Police that was killed recently in Lee County. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and Lee County for Jail Services related to the housing and care of Hays County inmates. All present voted "Aye." MOTION PASSED.

37431 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR RFP 2022-P03 HAYS COUNTY MENTAL HEALTH NEEDS ASSESSMENT TO MEADOWS MENTAL HEALTH POLICY INSTITUTE; AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT TO BE BROUGHT BACK TO COURT FOR APPROVAL AND FINAL CONTRACT AWARD.

Commissioner Smith and Judge Becerra discussed the applicants and stated they were impressed by the picks. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to award contract for RFP 2022-P03 Hays County Mental Health Needs Assessment to Meadows Mental Health Policy Institute; and authorize staff and General Counsel to negotiate a contract to be brought back to court for approval and final contract award. All present voted "Aye." MOTION PASSED.

37432 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE A ROAD MAINTENANCE

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SENIOR OPERATOR POSITION, SLOT 1070-018 AT THE 89TH PERCENTILE EFFECTIVE MARCH 28, 2022.

Rodrigo Amaya made a public comment concerning Precinct 1 road quality. Commissioner Ingalsbe stated the pay is equivalent to what the employee made when they previously worked for the county. Aaron Jones, Road Maintenance Superintendent, explained the need for the pay percentile. Commissioner Smith expressed appreciation for county employees speaking at court. Commissioner Shell thanked the Transportation Department for their hard work. Judge Becerra stated the county is working on updating pay. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Transportation Department to hire a Road Maintenance Senior Operator position, slot 1070-018 at the 89th percentile effective March 28, 2022. All present voted "Aye." MOTION PASSED.**

37433 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT RELATED TO RFP 2022-P02 ANIMAL SHELTER AND ANIMAL SERVICES FEASIBILITY STUDY BETWEEN HAYS COUNTY AND TEAM SHELTER USA.

Commissioner Ingalsbe thanked Sharri Boyett, Hays County Animal Advocacy Advisor. Commissioner Shell thanked Boyett and the Sheriff's Office. Commissioner Smith thanked Commissioners Ingalsbe and Shell for their work and suggested a regionalized clinic. Judge Becerra agreed that a more central facility location is needed. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement related to RFP 2022-P02 Animal Shelter and Animal Services Feasibility Study between Hays County and Team Shelter USA. All present voted "Aye." MOTION PASSED.**

37434 DISCUSSION AND POSSIBLE ACTION TO REVIEW THE VETERANS COURT POSITIONS AND ESTABLISH THE MENTAL HEALTH COURT POSITIONS AND OPERATIONS WITHIN COUNTY AT LAW.

Dan O'Brien, County Court at Law 3 Judge, requested that the Mental Health Court positions be formalized, and the Veterans Court positions be regraded. The Commissioners thanked Judge O'Brien for his leadership and work in the creation of the Mental Health Court. Judge O'Brien explained the differences in the courts. Judge Becerra requested for consistency in position gradings. Judge O'Brien clarified that the Veterans Court positions will have different qualifications than the Mental Health Court positions. Shari Miller, HR Director, recommended the commissioners establish the Mental Health Court positions at grades 114 and 111, re-grade the Veterans Court Coordinator position from a 110 to a 111, and re-grade the Veterans Court Program Manager position from 113 to 114. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to regrade the Veterans Court Coordinator from a 110 to a 111 and retitle to Veterans Treatment Court Caseworker, to regrade the Veterans Treatment Court Program Manager from a 113 to a 114 and retitle to Veterans Treatment Court Administrator, and create a Mental Health Court Case Worker at a 111 and a Mental Health Court Program Manager at a 114, titled Mental Health Coordinator Administrator. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Item 41 was reopened at 10:11 AM.

Vickie Dorsett, Assistant County Auditor, stated the court identified \$100,000 for Mental Health Specialty Court operations during the 2022 budget process, and asked that the court authorize the Auditor's Office to work with Judge O'Brien on that budget amendment. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Auditor's office to use up to the \$100,000 identified during the budget process in the new Mental Health Specialty Court department for supplies, operational costs, etc. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 11:03 AM and resumed back into open court at 11:43 AM.

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 111 E. SAN ANTONIO ST, SAN MARCOS, TEXAS IN PRECINCT 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

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Clerk's Note Agenda Item #43 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 675, with a peak of 681 on March 16th, 2022. The estimated cost for outsourcing inmates this week was \$110,897. The average number of outsourced males is 214 and females is 24. 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 30. Commissioner Shell brought awareness to individuals being held in county jails that have been found not competent to stand trial and are awaiting placement in a state facility for mental health treatment. No action taken.

Clerk's Note Agenda Item #45 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 #46 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.*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 11:43 AM.

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 22, 2022.



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

