

HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

STATE OF TEXAS     \*  
COUNTY OF HAYS    \*

ON THIS THE 29<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://hayscountytexas.com/commissioners-court/court-video/>  
**Transcript can be translated into any language through Google.com.**

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

Pastor Darius Todd of Abundant Life Christian Church 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 calling for accountability and reasserted comments he made last week about shopping locally; he also said the Precinct 1 Constable's car is in violation; and he cautioned the Court to follow Court regulations. Dan Lyon made a public comment against County disbursements, specifically the approval of travel expenses for the Emergency Services team to stay in Manor's historical hotel; he also spoke on water expenses and protection of the Edwards Aquifer.

**37435           ADOPT A PROCLAMATION RECOGNIZING LIGHTS OUT HAYS COUNTY MONTHS TO THE HAYS COUNTY FRIENDS OF THE NIGHT SKY.**

Rodrigo Amaya made a public comment stating that the item represents incorrect priorities. Judge Becerra spoke in support of the item. Commissioner Smith spoke in support of the item. Cindy Luongo Cassidy, Board President of Hays County Friends of the Night Sky and a Hays County Master Naturalist, spoke in support of protecting local birds and asked the community to turn off all non-essential lights. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a Proclamation recognizing Lights Out Hays County Months to the Hays County Friends of the Night Sky. 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.**

Rodrigo Amaya made a public comment that the County had lost \$2.5 million in funding due to ill-preparedness. He asked for accountability and terminations and said that the County should consider creating something like a coalition of attorneys to help with eviction cases as in Travis County. Tammy Crumley, Director of Countywide Operations, provided an update on dollars disbursed under the program, tickets handled, and communications. Judge Becerra asked that the program communication be published in English and Spanish. Becerra iterated that homeowners are left out of renters' assistance and asked that communications include referrals for homeowners. Commissioner Smith mentioned a Tax Office/State of Texas partnership where people behind on tax payments are referred to a program.

**37436           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.

**37437 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.

**Clerk's Note Agenda Item #5 RE: *APPROVE COMMISSIONERS COURT MINUTES OF MARCH 8, 2022 AND MARCH 22, 2022.* – WAS PULLED.**

**37438 APPROVE THE PAYMENT OF THE MARCH 31, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,100,000.00 EFFECTIVE MARCH 31, 2022 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 March 31, 2022 payroll disbursements in an amount not to exceed \$4,100,000.00 effective March 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**37439 AUTHORIZE AN AMENDMENT FOR \$1000.00 TO THE TRANSPORTATION DEPARTMENTS OPERATING BUDGET FOR TRAVEL EXPENDITURES RELATED TO COUNTY BUSINESS.**

Rodrigo Amaya made a public comment on County debt, the Road Commissioner's salary, and called for a task force to document why certain job applicants are turned down. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize an amendment for \$1000.00 to the Transportation Departments operating budget for travel expenditures related to County business. All present voted "Aye." MOTION PASSED.

**37440 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL SERVICE AGREEMENT WITH SMITHS DETENTION, INC. IN THE AMOUNT OF \$8,938.00 FOR THE GENERAL MAINTENANCE, INSPECTION, AND REPAIRS OF THE INDUSTRIAL X-RAY SECURITY SCANNERS LOCATED AT THE HAYS COUNTY GOVERNMENT CENTER.**

Rodrigo Amaya made a public comment stating the County has excessive machinery and asked for more respect to the taxpayers. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a renewal Service Agreement with Smiths Detention, Inc. in the amount of \$8,938.00 for the general maintenance, inspection, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center. All present voted "Aye." MOTION PASSED.

**37441 APPROVE THE JOINT ELECTION AGREEMENTS FOR LOCAL POLITICAL SUBDIVISIONS THAT WILL RUN JOINTLY WITH THE CONSTITUTIONAL AMENDMENT ELECTION ON MAY 7, 2022.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the Joint Election Agreements for local political subdivisions that will run jointly with the Constitutional Amendment Election on May 7, 2022. All present voted "Aye." MOTION PASSED.

**37442 ADOPT A REVISION TO THE ELECTION FEE SCHEDULE FOR SECURITY AT CENTRAL COUNT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a revision to the Election Fee Schedule for Security at Central Count. All present voted "Aye." MOTION PASSED.

**37443 APPROVE AND CONFIRM THE APPOINTMENT OF DAVE AUSTIN DYKES AS A REGULAR FULL-TIME DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE EFFECTIVE APRIL 1, 2022.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

Rodrigo Amaya made a public comment concerning appointments. He stated that Deputy Constables are not on task. He also stated that the belts they wear do not show a use of force continuum. He asked for accountability. Commissioner Jones introduced Constable Torres who shared Dykes' work history and welcomed him to the County. **A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve and confirm the appointment of Dave Austin Dykes as a regular full-time Deputy Constable in the Hays County Constable Precinct 2 Office effective April 1, 2022. All present voted "Aye." MOTION PASSED.**

**37444 ACCEPT THE FISCAL YEAR 2021 HAYS COUNTY EMERGENCY SERVICES DISTRICT #4 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the Fiscal Year 2021 Hays County Emergency Services District #4 Audit Report per Texas Health and Safety Code 775.082. All present voted "Aye." MOTION PASSED.

**37445 APPROVE UTILITY PERMITS.**

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

**37446 AUTHORIZE PAYMENT TO LONGHORN TRUCK RENTAL IN THE AMOUNT OF \$719.18 FOR TRUCK USE DURING ELECTIONS TO DELIVER EQUIPMENT IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

Rodrigo Amaya made a public comment asking why the County is choosing to use a leasing company rather than a County-owned truck. Commissioner Shell noted that the truck being considered in the item is a storage box truck used to transport elections equipment, rather than an open-bed truck. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize payment to Longhorn Truck Rental in the amount of \$719.18 for truck use during elections to deliver equipment in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.**

**37447 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 1800 APARTMENTS, LOCATED IN SAN MARCOS, HAYS COUNTY, TEXAS.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe 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 1800 Apartments, located in San Marcos, Hays County, Texas. All present voted "Aye." MOTION PASSED.

**37448 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 SENIOR RESIDENCES, LOCATED IN CALDWELL COUNTY, TEXAS.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe 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 Senior Residences, located in Caldwell County, Texas. All present voted "Aye." MOTION PASSED.

**37449 AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE INSURANCE PROCEEDS FOR REPAIRS TO SIGNAGE LOCATED AT THE ELECTIONS BUILDING AND AMEND THE BUDGET ACCORDINGLY.**

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



March 29, 2022

- 37450      APPROVE OUT-OF-STATE TRAVEL USING SALARY SAVINGS TO SEND LT. JEFFREY SPENCER, SGT. RYAN HAYDEN, SGT. PETE CHANEY, CPL. DAVID MARSHALL, CPL. BRIAN WAHLERT AND DEPUTY MATTHEW HALES TO NATIONAL POLICE WEEK ON MAY 11-17, 2022, IN WASHINGTON, D.C., AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon made a public comment noting that the Sheriff's Office has spoken of being short-handed in the past and is now sending six officers to travel. Lyon stated that the County cannot allow travel expenses and adequately staff the Sheriff's Office. Rodrigo Amaya made a public comment stating that over 300 employees work at the County jail; he asked how the County justifies reckless expenses. Commissioner Smith asked Chief Davenport to speak. Davenport spoke on Corrections Officer James Henry's line-of-duty death and said this type of travel to commemorate a fallen officer is a rare occurrence, only the second time in County history that he is aware of. Commissioner Smith said that excepting the years during COVID-19, he has attended Police Week every year at his own expense since high school and that he believes the event will provide closure to attendees. Commissioner Shell said that there will always be disagreements on County spending, but that he is certain the public would share an overwhelming support for this item. Judge Becerra agreed and asked if the attendees would proportionately represent the diversity of the Sheriff's Office. Davenport responded that officers were chosen to attend based on the Henry family's request. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out-of-state travel using salary savings to send Lt. Jeffrey Spencer, Sgt. Ryan Hayden, Sgt. Pete Chaney, Cpl. David Marshall, Cpl. Brian Wahlert and Deputy Matthew Hales to National Police Week on May 11-17, 2022, in Washington, D.C., and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

- 37451      AUTHORIZE THE HAYS COUNTY JUDGE TO EXECUTE THE FIRST AMENDED AND RESTATED AGREEMENT TO PROVIDE JOINT FUNDING FOR THE PROVISION OF YOUTH SERVICE BETWEEN HAYS COUNTY, THE CITY OF SAN MARCOS, TEXAS STATE UNIVERSITY AND THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (CORE 4) WHICH WILL EXTEND THE TERM OF THE AGREEMENT UNTIL JANUARY 25, 2023.**

Commissioner Smith thanked the City of San Marcos, Texas State University and San Marcos School District for their continued work on the Core 4 objectives. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Judge to execute the First Amended and Restated Agreement to Provide Joint Funding for the Provision of Youth Service between Hays County, the City of San Marcos, Texas State University and the San Marcos Consolidated Independent School District (Core 4) which will extend the term of the agreement until January 25, 2023. All present voted "Aye." MOTION PASSED.**

- 37452      AUTHORIZE PAYMENT TO ECKMANN GROLL, INC. FOR APPRAISAL SERVICES ON THE CR 266 ROAD PROJECT IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Eckmann Groll, Inc. for appraisal services on the CR 266 Road Project in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.**

- 37453      APPROVE EXTENSION OF RFP 2016-P06 BANK DEPOSITORY WITH SAGE CAPITAL BANK, N.A. FOR A PERIOD NOT TO EXCEED 91 DAYS (JUNE 30, 2022).**

Commissioner Smith said he wants to see an open process for additional submissions, including another Request for Proposals to solicit additional vendors. Judge Becerra agreed. County Auditor Marisol Villareal-Alonzo said the Treasurer is working on an RFP to be brought to the Court for approval soon. Commissioner Shell thanked Sage Capital Bank, N.A. for servicing the County. Judge Becerra said he was appreciative of Sage. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 91 days (June 30, 2022). All present voted "Aye." MOTION PASSED.**

- 37454      APPROVE RENEWAL OF IFB 2019-B02 ROAD BUILDING MATERIALS - GENERAL ROAD CONSTRUCTION WITH BRAUNTEX MATERIALS, LLC., COLORADO MATERIALS, LTD., AND INDUSTRIAL ASPHALT, LLC.**



HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve renewal of IFB 2019-B02 Road Building Materials - General Road Construction with Brauntex Materials, LLC., Colorado Materials, Ltd., and Industrial Asphalt, LLC. All present voted "Aye." MOTION PASSED.

**37455        AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE BUDGET ACCORDINGLY.**

Judge Becerra asked that an exact dollar amount be included in future items. The amount under consideration in this item was \$554.65. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37456        AUTHORIZE THE ACCEPTANCE OF \$4,389.50 OF SUPPLEMENTAL GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE COORDINATOR.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of \$4,389.50 of supplemental grant funds from the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance Coordinator. All present voted "Aye." MOTION PASSED.

**37457        AUTHORIZE THE ACCEPTANCE OF \$5,328.34 OF SUPPLEMENTAL GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM FOR THE HAYS COUNTY VICTIM ASSISTANCE COORDINATOR FOR THE FAMILY JUSTICE CENTER.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of \$5,328.34 of supplemental grant funds from the Office of the Governor, Criminal Justice Division, General Victim Assistance program for the Hays County Victim Assistance Coordinator for the Family Justice Center. All present voted "Aye." MOTION PASSED.

**37458        AUTHORIZE THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES TO USE AMERICAN RESCUE PLAN FUNDS IN THE AMOUNT OF \$639.93 TO PURCHASE A 6-BAY RADIO CHARGER AND IN ADDITION USE \$5,362.50 TO UPGRADE 16 HANDHELD RADIOS TO HAVE VHF CAPABILITIES.**

Dan Lyon made public comment against the use of these funds for this item. Commissioner Smith stated the ARP funds are designated by Treasury on how they are spent. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the Hays County Office of Emergency Services to use American Rescue Plan Funds in the amount of \$639.93 to purchase a 6-bay radio charger and in addition use \$5,362.50 to upgrade 16 handheld radios to have VHF capabilities. All present voted "Aye." MOTION PASSED.

**37459        DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON APRIL 12, 2022 TO ESTABLISH A 4-WAY STOP LOCATION ON MAIN STREET AT THE INTERSECTION WITH CAMPO DEL SOL PARKWAY NEAR SUNFIELD SUBDIVISION, PER A RECENT TRAFFIC STUDY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on April 12, 2022 to establish a 4-way stop location on Main Street at the intersection with Campo Del Sol Parkway near Sunfield subdivision, per a recent traffic study. All present voted "Aye." MOTION PASSED.

**37460        DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SELECTION OF BGE INC. TO SERVE AS THE GENERAL ENGINEERING CONSULTANT (GEC) FOR THE STUDY OF A PROPOSED EXTENSION OF SH45 SOUTHWEST FROM FM 1626 TO IH35; AND TO AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

Dan Lyon made a public comment stating that BGE is the proposed contractor and that they have contributed to Commissioner Smith's political campaign. Lyon said that ethically, Smith should not be able to vote on this item. Lyon asked for Commissioners to recuse themselves. Commissioner Jones provided background on the project. Commissioner Smith said the level of oversight proposed in this item is necessary for this project. Judge Becerra clarified he has not received any campaign contributions from BGE. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the selection of BGE Inc. to serve as the General Engineering Consultant (GEC) for the study of a proposed extension of SH45 Southwest from FM 1626 to IH35; and to authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.**

**37461 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE SITE IMPROVEMENT PERFORMANCE BOND NO. 800132287 IN THE AMOUNT OF \$660,477.10 FOR STREET EXCAVATION, DRAINAGE, AND EROSION CONTROL IMPROVEMENTS IN THE CALITERRA SUBDIVISION, PHASE 4, SECTION 12.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Site Improvement Performance Bond No. 800132287 in the amount of \$660,477.10 for street excavation, drainage, and erosion control improvements in the Caliterra Subdivision, Phase 4, Section 12. All present voted "Aye." MOTION PASSED.

**37462 PLN-1887-NP; DISCUSSION AND POSSIBLE ACTION REGARDING THE FINAL PLAT FOR THE MARTINEZ PLACE SUBDIVISION (1 LOT).**

Marcus Pacheco, Director of Development Services, provided background for the item. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the final plat for the Martinez Place Subdivision (1 Lot). All present voted "Aye." MOTION PASSED.**

**37463 PLN-1759-NP ANTHEM PHASE 4 PRELIMINARY PLAN (110 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.**

Marcus Pacheco, Director of Development Services, provided background for the item. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Anthem Phase 4 Preliminary Plan (110 Lots). All present voted "Aye." MOTION PASSED.**

**37464 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE FISCAL YEAR 2021 HAYS COUNTY ANNUAL COMPREHENSIVE FINANCIAL REPORT AS AUDITED BY ABIP, PC CERTIFIED PUBLIC ACCOUNTANTS.**

Jeremy Barbado, Audit Manager of ABIP, presented and said that the outcome of the report was the "highest opinion you can receive from an independent accounting firm." Judge Becerra asked how our County compared to others in terms of receiving grant dollars. Barbado responded that in comparison to the two other counties their firm has audited, Hays has the most grants activities. Judge Becerra asked Barbado to explain medical and dental expenses. Barbado shared that last year, the County had about \$10 million in claims, while this year it had \$16 million, making it important to have a reserve for anticipated claims. Judge Becerra reiterated that the County has 6 months' worth of reserves. County Auditor Marisol Villarreal-Alonzo said that their office will be presenting the financial statement to the Government Finance Officers Association for recognition. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the Fiscal Year 2021 Hays County Annual Comprehensive Financial Report as audited by ABIP, PC Certified Public Accountants. All present voted "Aye." MOTION PASSED.**

**37465 DISCUSSION AND POSSIBLE ACTION TO REVIEW AND APPROVE A PRELIMINARY HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2023.**

Vickie Dorsett, Assistant County Auditor, stated because of Hays County's population under the most recent census, they must now choose a budget process whereby the County Auditor is the Budget Officer, or the Court appoints a Budget Officer. She noted that in a previous budget process, the Court set aside funds to establish a Budget Office and Officer. The Officer will be responsible for preparing a balanced budget to present to the Court for further consideration and final adoption. She stated workshops and public hearings are scheduled in August and September and that an August 23<sup>rd</sup> meeting was previously cancelled. She recommended the Court reconsider that cancellation to meet timelines for some required Public Notices. Judge Becerra asked Human Resources to speak on an expected timeline for hiring the new Budget Office.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

Shari Miller, Human Resources Director, stated she has begun to review positions in other counties and will be ready to bring back recommendations to the court by April 12, 2022. The Court had a lengthy discussion regarding the structure and hiring process. Judge Becerra stated the item can come back to court on the 12<sup>th</sup> with more actionable options. Vickie Dorsett stated the budget calendar is drafted. Commissioner Smith pointed out a typo on the second bullet. **A motion was made by Judge Becerra, seconded by Commissioner Shell to reinstate the August 23<sup>rd</sup> Commissioners Court date and to approve a preliminary Hays County budget calendar for Fiscal Year 2023. All present voted "Aye." MOTION PASSED.**

**37466 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE SHERIFF'S OFFICE TO HIRE A BUDGET COORDINATOR, SLOT 0027-001 AT THE 50TH PERCENTILE EFFECTIVE 4/1/22.**

Rodrigo Amaya made a public comment that the expense is not justified. Dan Lyon made a public that the expense is not justified, that the Sheriff's Office's budget is distorted and that expenses are causing suffering. Commissioner Ingalsbe said that last week's discussion addressed this item and that a planned compensation analysis workshop would as well. Commissioner Jones asked how many applications were received. Chief Davenport said that besides the applicant being presented to the Court, only one other person applied and later withdrew. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to hire a Budget Coordinator, slot 0027-001 at the 50th percentile effective 4/1/22. All present voted "Aye." MOTION PASSED.**

**37467 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE A ROAD MAINTENANCE LEAD, SLOT 1055-007 AT THE 25TH PERCENTILE EFFECTIVE APRIL 4, 2022.**

Rodrigo Amaya made public comment against this item. Commissioner Ingalsbe stated the applicant has 10 years of experience and qualifications. Aaron Jones, Road Maintenance Superintendent, stated this applicant has various skill sets that would be an asset to the department. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Transportation Department to hire a Road Maintenance Lead, slot 1055-007 at the 25th percentile effective April 4, 2022. All present voted "Aye." MOTION PASSED.**

**37468 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR RFQ 2022-Q01 ONION CREEK WATERSHED HYDRAULIC STUDY TO HALFF ASSOCIATES, INC.; AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT TO BE BROUGHT BACK TO COURT FOR APPROVAL AND FINAL CONTRACT AWARD.**

Rodrigo Amaya made a public comment that General Counsel is not qualified to participate in this discussion. Dan Lyon made a public comment that Halff and Associates, Inc. are listed as a campaign contributor on Commissioner Smith's campaign financing report. Commissioner Smith asked the Auditor's Office to speak through the state-mandated Request for Proposals process. County Auditor Marisol Villarreal-Alonzo provided background for the RFP process related to this particular item, confirming that Halff Associates, Inc. had the highest rating after scores were averaged across five reviewers. **A motion was made by Commissioner Smith, seconded by Commissioner Jones to award contract for RFQ 2022-Q01 Onion Creek Watershed Hydraulic Study to Halff Associates, Inc.; 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.**

**37469 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF BUDA FOR CONTRACTS PROCURED BY THE HAYS COUNTY PURCHASING DEPARTMENT.**

**A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Judge to execute an Interlocal Cooperative Agreement between Hays County and the City of Buda for contracts procured by the Hays County Purchasing Department. All present voted "Aye." MOTION PASSED.**

**37470 DISCUSSION AND POSSIBLE ACTION REGARDING THE PREVIOUSLY APPROVED INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE REGARDING THE CITY OF KYLE TAX INCREMENT REINVESTMENT ZONE NO.3 (TIRZ 3).**

## HAYS COUNTY COMMISSIONERS' COURT MINUTES



March 29, 2022

Mark Kennedy, General Counsel, stated the TIRZ is planned at 40 years, rather than the 25 earlier estimated. He explained how the PID and TIRZ are related which lengthens the process. Judge Becerra voiced support for the concept and made the assumption that the extension is to lessen the tax burden on the homeowner, which Mark Kennedy confirmed. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute the Interlocal Agreement between Hays County and the City of Kyle regarding the City of Kyle Tax Increment Reinvestment Zone No.3 (TIRZ 3) once finalized, to extend to a 40-year length. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called for a recess that began at 10:51 a.m. and resumed back into open court at 11:02 a.m.

### **REVIEW OF THE HAYS COUNTY COMPENSATION PRACTICES AND DISCUSSION RELATED TO THE APPROACH GOING FORWARD, INCLUDING IDENTIFICATION OF THE GOALS OF THE CURRENT SALARY STUDY BEING CONDUCTED BY THE HUMAN RESOURCES DEPARTMENT.**

Rodrigo Amaya made a public comment expressing concerns about County leadership related to staffing and that job openings are not being filled. Dan Lyon made a public comment on how he thought salaries should be structured, suggesting department heads' salaries be cut in half. Lyon said we need to judge County workers on what they produce and that the County is not making a profit. Shari Miller, Human Resources Director, spoke about a planned salary study and asked for specificity in what the Court wanted included in the study. Judge Becerra asked if the County can anonymously survey County employees on job satisfaction. She said it may work if there is guaranteed anonymity. Commissioner Jones said the survey could be done internally, not as a part of the study. Shari Miller shared that the County currently has an open range salary structure, not a graded step structure. Commissioner Ingalsbe asked what percentage of employees are at the 50<sup>th</sup> percentile for their salary range. Shari Miller said she will provide this number to the Court on April 12<sup>th</sup>. Shari Miller asked if the Court wants the study to address benefits and the Court agreed they would like a total compensation analysis. Commissioner Smith said a progression plan is needed for customer service positions so that when staff in higher positions leave, a knowledge base is not lost. Shari Miller asked if there was interest in studying staffing strategies and organizational structure and the Court agreed they would like this included. She asked if the Court would like recommendations on salary exceptions to help the County move towards a systematic process. Commissioner Jones asked that the compensation piece be the priority of the study, with other issues also included. Marisol Villareal-Alonso, County Auditor, spoke on internal inequity in her office. No action taken.

**Clerk's Note:** Executive Session began at 11:59 a.m. and resumed back into open court at 12:29 p.m.

### **EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PROJECT(S) RELATED TO THE ECONOMICALLY DISTRESSED AREAS PROGRAM, AS CONDUCTED BY THE TEXAS WATER DEVELOPMENT BOARD.**

No action taken.

**Clerk's Note Agenda Item #41 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 659, with a peak of 664 on March 25<sup>th</sup>, 2022. The estimated cost for outsourcing inmates this week was \$107,471. The average number of outsourced males is 209 and females is 22. 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. No action taken.

**Clerk's Note Agenda Item #43 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.*





March 29, 2022

**Clerk’s Note Agenda Item #44 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 12:29 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 March 29, 2022.



\_\_\_\_\_  
ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS’ COURT OF  
HAYS COUNTY, TEXAS

