

HAYS COUNTY COMMISSIONERS' COURT MINUTES



April 26, 2022

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 26<sup>th</sup> DAY OF APRIL 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
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.**

**WITH COMMISSIONER MARK JONES BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

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

**PUBLIC COMMENTS**

Dan Lyon made a public comment regarding property taxes. He stated property taxes are too high and provided a graph to the court comparing Hays County taxes with other county taxes in the state. Lyon also addressed an item from the last meeting expressing concerns about a company's campaign contributions to Commissioner Smith and spoke about logistical issues with jury duty at the Government Center. Rodrigo Amaya made a public comment against drilling lights in the front of the Historical Courthouse and expressed concerns about county employee performance and lost money.

**37520 ADOPT A PROCLAMATION DECLARING APRIL 25-MAY 2, 2022 AS NATIONAL INFANT IMMUNIZATION WEEK.**

Julie Barksdale, Hays County Epidemiologist, spoke about the importance of infant immunization and how vaccines have significantly lowered child mortality rates. She reminded parents to keep their children's vaccines up to date, especially since vaccine rates have lowered during the COVID pandemic. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring April 25-May 2, 2022 as National Infant Immunization Week. All present voted "Aye." MOTION PASSED.**

**37521 ADOPT A PROCLAMATION DECLARING MAY 15-21, 2022 AS POLICE WEEK AND MAY 15, 2022 AS PEACE OFFICERS MEMORIAL DAY.**

Sheriff Cutler stated there will be a memorial ceremony on May 10<sup>th</sup>. Commissioner Smith thanked the officers for their service and spoke about a family member who was killed in the line of duty. He also spoke about the 3 officers from Hays County who were lost in the last few years, including an officer from Dripping Springs. Judge Becerra suggested Commissioners Court goes into recess during the ceremony in May so the court members may attend. Commissioner Ingalsbe and Commissioner Shell thanked the officers for their service. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Proclamation declaring May 15-21, 2022 as Police Week and May 15, 2022 as Peace Officers Memorial Day. All present voted "Aye." MOTION PASSED.**

**37522 ADOPT A PROCLAMATION DECLARING MAY 1-7, 2022 AS NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK.**

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Sheriff Cutler praised the Hays County correctional officers for working hard while being short staffed. Captain Villalpando thanked the court and described the officers' around the clock work. Commissioner Shell stated that although the public does not see everything correctional officers do, they have a very challenging job. Judge Becerra praised the officers for staying on top of jail facility maintenance and thanked them for doing an emotionally challenging job. Commissioner Ingalsbe thanks the officers for their work. Commissioner Shell stated there have been more challenges since the pandemic and thanked the officers for their work. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring May 1-7, 2022 as National Correctional Officers and Employees Week. 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.**

Tammy Crumley, Countywide Operations Director, gave a report on the ERA Program. Disbursements are up about \$400,000 from the last meeting. The case count is about 400; 230 are pending citizen completion, 60 are under Auditor review, and about 100 are waiting for case manager review. The majority of applications are requests for additional assistance. Ardurra is working on program outreach in English and Spanish in the Kyle area. No action taken.

**37523 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**37524 APPROVE PAYMENTS OF JUROR CHECKS.**

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

**37525 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

**37526 APPROVE THE PAYMENT OF THE APRIL 30, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,050,000.00 EFFECTIVE APRIL 29, 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 Shell to approve the payment of the April 30, 2022 payroll disbursements in an amount not to exceed \$4,050,000.00 effective April 29, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**37527 APPROVE RENEWAL OF IFB 2021-B05 CONCRETE CONTRACTOR WITH MYERS CONCRETE CONSTRUCTION, LP.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve renewal of IFB 2021-B05 Concrete Contractor with Myers Concrete Construction, LP. All present voted "Aye." MOTION PASSED.

**37528 AUTHORIZE THE COUNTYWIDE OPERATIONS DEPARTMENT TO PURCHASE THREE (3) DELL REPLACEMENT LAPTOPS WITH DOCKING STATIONS TOTALING \$4,939.41 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Countywide Operations Department to purchase three (3) Dell replacement laptops with docking stations totaling \$4,939.41 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



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**37529        AUTHORIZE THE LOCAL HEALTH DEPARTMENT EMERGENCY PREPAREDNESS PROGRAM TO PURCHASE ONE 7500-WATT CHAMPION PORTABLE GENERATOR IN THE AMOUNT OF \$750 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Local Health Department Emergency Preparedness Program to purchase one 7500-Watt Champion Portable Generator in the amount of \$750 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37530        AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE LAPTOPS WITH ACCESSORIES AND FUJITSU SCANNERS FOR THE JUSTICE OF THE PEACE PCT. 4 OFFICE AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Department to purchase laptops with accessories and Fujitsu Scanners for the Justice of the Peace Pct. 4 Office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37531        AUTHORIZE PAYMENT TO GRUENE HARLEY DAVIDSON IN THE AMOUNT OF \$850.30 FOR THE CONSTABLE PCT. 5 OFFICE RELATED TO REPLACEMENT TIRES FOR THE 2020 HARLEY DAVIDSON MOTORCYCLE 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 Gruene Harley Davidson in the amount of \$850.30 for the Constable Pct. 5 Office related to replacement tires for the 2020 Harley Davidson Motorcycle in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

**37532        APPROVE AND CONFIRM THE APPOINTMENT OF JOHN SYLVESTER, EFFECTIVE APRIL 14, 2022, AS A REGULAR FULL-TIME DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE.**

Commissioner Shell stated the candidates will be sworn in by Judge Cable. Constable Montague stated this will bring the office to a normal staffing level. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of John Sylvester, effective April 14, 2022, as a regular full-time Deputy Constable in the Hays County Constable Precinct 3 Office. All present voted "Aye." MOTION PASSED.

**37533        APPROVE AND CONFIRM THE APPOINTMENT OF FRANK CHEATHAM, EFFECTIVE APRIL 26, 2022, AS A REGULAR FULL-TIME DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE.**

Commissioner Shell stated the candidates will be sworn in by Judge Cable. Constable Montague stated this will bring the office to a normal staffing level. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Frank Cheatham, effective April 26, 2022, as a regular full-time Deputy Constable in the Hays County Constable Precinct 3 Office. All present voted "Aye." MOTION PASSED.

**37534        AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION VALUED AT \$750.00 TO THE 2022 JR. DEPUTY PROGRAM FROM THE SAN MARCOS LIONS CLUB AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a donation valued at \$750.00 to the 2022 Jr. Deputy Program from the San Marcos Lions Club and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



- 37535      AUTHORIZE PAYMENT TO JM ENGINEERING, LLC. IN THE AMOUNT OF \$35,329.37 FOR PREVENTATIVE MAINTENANCE AND ADDITIONAL FILTER CHANGE SERVICES PROVIDED ON UNITS AT VARIOUS COUNTY BUILDINGS AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER. 262.024(A)(7)(D).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to JM Engineering, LLC. in the amount of \$35,329.37 for preventative maintenance and additional filter change services provided on units at various county buildings and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter. 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.

- 37536      AUTHORIZE PAYMENT TO CHUCK NASH AUTO GROUP FOR VEHICLE REPAIR (REPLACEMENT OF THERMOSTAT HOUSING AND COOLANT TEMP SENSOR, PLUS LABOR) TO A 2015 CHEVROLET TAHOE IN THE AMOUNT OF \$605.66 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 Ingalsbe, seconded by Commissioner Shell to authorize payment to Chuck Nash Auto Group for vehicle repair (replacement of Thermostat Housing and Coolant Temp Sensor, plus labor) to a 2015 Chevrolet Tahoe in the amount of \$605.66 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.

- 37537      APPROVE THE TRANSFER OF \$1,400.00 TO THE COUNTY JUDGE'S CONTINUING EDUCATION BUDGET TO COVER ATTENDANCE TO THE SOUTH TEXAS COUNTY JUDGE'S AND COMMISSIONERS CONFERENCE AND THE TEXAS EMERGENCY MANAGEMENT CONFERENCE AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the transfer of \$1,400.00 to the County Judge's Continuing Education budget to cover attendance to the South Texas County Judge's and Commissioners Conference and the Texas Emergency Management Conference and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37538      AUTHORIZE REIMBURSEMENT FOR ADDITIONAL EXPENSES AMOUNTING TO \$236.99 RELATED TO THE 2ND ANNUAL EASTER EVENT HOSTED AT THE HAYS COUNTY HISTORICAL COURTHOUSE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize reimbursement for additional expenses amounting to \$236.99 related to the 2nd Annual Easter Event hosted at the Hays County Historical Courthouse. All present voted "Aye." MOTION PASSED.

- 37539      AUTHORIZE THE COUNTY JUDGE TO EXECUTE TWO TEXAS WORKFORCE COMMISSION DATA EXCHANGE REQUESTS AND SAFEGUARD PLANS RELATED TO INFORMATION RELEASE CONTRACTS FOR THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE AND THE HAYS COUNTY SHERIFF'S OFFICE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute two Texas Workforce Commission Data Exchange Requests and Safeguard Plans related to Information Release Contracts for the Hays County Criminal District Attorney's Office and the Hays County Sheriff's Office. All present voted "Aye." MOTION PASSED.

- 37540      DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON MAY 10, 2022 TO ESTABLISH STOP LOCATIONS ON CROSSCREEK DRIVE & BLUFF TRAIL AT THEIR INTERSECTIONS WITH BEAR CREEK PASS IN BEAR CREEK ESTATES SUBDIVISION.**





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A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on May 10, 2022 to establish stop locations on Crosscreek Drive & Bluff Trail at their intersections with Bear Creek Pass in Bear Creek Estates subdivision. All present voted "Aye." MOTION PASSED.

**37541 DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON MAY 10, 2022 TO ESTABLISH STOP LOCATIONS ON APPALOOSA WAY, IN APPALOOSA ACRES SUBDIVISION, AT THE INTERSECTION WITH PETRAS WAY AND AT THE INTERSECTION WITH BRIDLE PATH.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to call for a public hearing on May 10, 2022 to establish stop locations on Appaloosa Way, in Appaloosa Acres subdivision, at the intersection with Petras Way and at the intersection with Bridle Path. All present voted "Aye." MOTION PASSED.

**37542 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE VEGETATIVE COVERAGE OF ALL DISTURBED AREAS IN THE ROW, AND THE RELEASE OF THE 1-YEAR REVEGETATION BOND #PB03016800710M IN THE AMOUNT OF \$26,929.65 FOR 6 CREEKS SUBDIVISION, PHASE 1, SECTION 5A.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the vegetative coverage of all disturbed areas in the ROW, and the release of the 1-year revegetation bond #PB03016800710M in the amount of \$26,929.65 for 6 Creeks subdivision, Phase 1, Section 5A. All present voted "Aye." MOTION PASSED.

**37543 DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & SURFACE DRAINAGE IMPROVEMENTS, RELEASE OF THE LETTER OF CREDIT #20214349 IN THE AMOUNT OF \$556,380.37, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #PB03016800694M3 IN THE AMOUNT OF \$59,069.03, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #PB03016800694M4 IN THE AMOUNT OF \$22,277.75 FOR 6 CREEKS SUBDIVISION, PHASE 1, SECTION 4B.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release of the Letter of Credit #20214349 in the amount of \$556,380.37, acceptance of the 2-year maintenance bond #PB03016800694M3 in the amount of \$59,069.03, and acceptance of the 2-year revegetation bond #PB03016800694M4 in the amount of \$22,277.75 for 6 Creeks subdivision, Phase 1, Section 4B. All present voted "Aye." MOTION PASSED.

**37544 PLN-1780-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE STAGECOACH RANCH, SEC 3, LOT 1, REPLAT.**

Judge Becerra opened the Public Hearing at 9:52 a.m. No comments were made. Judge Becerra closed the Public Hearing at 9:53 a.m. Colby Machacek, County Planner, described the project and stated it has full staff recommendation. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the Stagecoach Ranch, Sec 3, Lot 1, Replat. All present voted "Aye." MOTION PASSED.

**37545 PLN-1841-PC; HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE GLENN H. KOTHMANN PROPERTIES SUBDIVISION, LOT 14, REPLAT.**

Judge Becerra opened the Public Hearing at 9:54 a.m. No comments were made. Judge Becerra closed the Public hearing at 9:54 a.m. Colby Machacek, County Planner, described the project and stated it has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Glenn H. Kothmann Properties Subdivision, Lot 14, Replat. All present voted "Aye." MOTION PASSED.

**37546 PLN-1806-NP; DISCUSSION AND POSSIBLE ACTION TO APPROVE THE VISTA WEST RANCHES, LOTS 13A, 13A-1, 14A, AND 14A-1, FINAL PLAT.**

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Colby Machacek, County Planner, described the project and stated it has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Vista West Ranches, Lots 13A, 13A-1, 14A, and 14A-1, Final Plat. All present voted "Aye." MOTION PASSED.

**37547 PLN-1925-NP; BLUFF SPRINGS ESTATES, FINAL. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT.**

Colby Machacek, County Planner, described the project and stated it has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the final plat of Bluff Springs Estates, Final. All present voted "Aye." MOTION PASSED.

**37548 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF A REPLACEMENT AUGER IN THE AMOUNT OF \$2,271.25 FOR THE TRANSPORTATION DEPARTMENT'S COUNTYWIDE CREW AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the purchase of a replacement auger in the amount of \$2,271.25 for the Transportation Department's Countywide crew and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37549 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE LOCAL HEALTH DEPARTMENT COMMUNITY OUTREACH PROGRAM TO ESTABLISH THE HAYS COUNTY PUBLIC HEALTH ESSAY COMPETITION AND UTILIZE DSHS GRANT FUNDS IN THE AMOUNT OF \$5,000.00 TO PURCHASE FIVE APPLE MACBOOK AIRS THAT WILL BE AWARDED TO THE TOP FIVE HIGH SCHOOL STUDENT ESSAY WRITERS AND AMEND THE BUDGET ACCORDINGLY.**

Tammy Crumley, Countywide Operations Director, stated this is an opportunity to reach underserved students. Matthew Gonzales, Hays County Health Department Community Program Manager, stated this allows for communication with the younger generation about the effects of the COVID pandemic. Commissioner Ingalsbe stated students can express what they have gone through during the past few years. Commissioner Shell thanked Matthew Gonzales. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the Local Health Department Community Outreach Program to establish the Hays County Public Health Essay Competition and utilize DSHS grant funds in the amount of \$5,000.00 to purchase five Apple MacBook Airts that will be awarded to the top five high school student essay writers and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37550 DISCUSSION AND POSSIBLE ACTION TO APPROVE BUILDING MAINTENANCE TO PURCHASE AND INSTALL AT THE GOVERNMENT CENTER A NEW PATRIOT 80-GALLON ELECTRIC WATER HEATER IN THE AMOUNT OF \$5,332.55 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Building Maintenance to purchase and install at the Government Center a new Patriot 80-gallon electric water heater in the amount of \$5,332.55 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37551 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE AND INSTALLATION OF A NEW WATER FOUNTAIN AND BOTTLE FILING STATION LOCATED AT THE FIVE MILE DAM PARK SOCCER COMPLEX IN THE AMOUNT OF \$5,823.00.**

Commissioner Shell and Judge Becerra spoke about this location being a popular place for families in the county. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the purchase and installation of a new water fountain and bottle filing station located at the Five Mile Dam Park Soccer Complex in the amount of \$5,823.00. All present voted "Aye." MOTION PASSED.

**37552 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND CONNECTED NATION, INC. TO PERFORM BROADBAND FIELD VALIDATION SERVICES IN HAYS COUNTY.**

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A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement between Hays County and Connected Nation, Inc. to perform broadband field validation services in Hays County. All present voted "Aye." MOTION PASSED.

**37553      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RELEASE FOR USE OF LOCATION AGREEMENT BETWEEN HAYS COUNTY AND PROOF ADVERTISING, LLC REGARDING PERMISSION TO FILM AT JACOB'S WELL NATURAL AREA, WIMBERLEY, PCT 3.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Release for Use of Location agreement between Hays County and Proof Advertising, LLC regarding permission to film at Jacob's Well Natural Area, Wimberley, Pct 3. All present voted "Aye." MOTION PASSED.

**37554      DISCUSSION AND POSSIBLE ACTION REGARDING THE CREATION OF THE HAYS COUNTY SEXUAL ASSAULT RESPONSE TEAM (SART) PURSUANT TO SECTION 351.252 OF THE TEXAS GOVERNMENT CODE.**

Commissioner Smith stated statute passed in the last legislative session has changed reporting authority and staffing requirements, and this resolution formalizes the process of complying with those changes. Melissa Rodriguez, CEO of the Hays-Caldwell Women's Center, thanked the court and stated this will formalize the process and progress the work they have already started, including forming a protocol. Commissioner Ingalsbe thanked Melissa for stepping up when needed. Commissioner Shell thanked Melissa and asked that a representative from Friends of the Family Justice Center be included. Judge Becerra thanked Melissa and suggested changing the name of the Women's Center to be more inclusive toward men experiencing abuse. A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt the resolution. All present voted "Aye." MOTION PASSED.

**37555      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT FOR ADULT AND JUVENILE HEALTH CARE SERVICES WITH WELLPATH, LLC PURSUANT TO RFP 2021-P04 MEDICAL SERVICES FOR THE JAIL AND JUVENILE DETENTION FACILITIES AND AMEND THE BUDGET ACCORDINGLY.**

Jordan Powell, Assistant General Counsel, spoke about the new consolidated contract. This contract will keep current programs as well as add a new program for on-site blood draws and increased mental health services and staff. Judge Becerra asked for the dollar amounts for the previous contract compared to the new contract. Jordan stated the cost of the health services from May to October of this year will be \$258,673.17 per month for the jail and \$28,512.75 for the juvenile detention center. Starting October 1<sup>st</sup>, the jail rate will be \$276,064.42 and the juvenile detention center rate will remain the same. Vickie Dorsett, Assistant County Auditor, stated the cost for the jail contract is increasing by about 27% and the cost for the juvenile detention center contract is increasing by about 4%. Commissioner Ingalsbe and Commissioner Shell thanked Jordan and the Office of General Counsel for their work on the contract. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement for Adult and Juvenile Health Care Services with Wellpath, LLC pursuant to RFP 2021-P04 Medical Services for the Jail and Juvenile Detention Facilities and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37556      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY, TEXAS AND THE CITY OF SAN MARCOS, TEXAS, RELATED TO IMPROVEMENTS TO FIVE MILE DAM PARK IN PRECINCT 3 AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Shell stated the City of San Marcos will split the cost of lighting for nighttime use of the fields. He expressed gratitude for the park and said this would have a positive impact on a lot of families in the county. Judge Becerra stated his family also frequented the park and he is happy to continue upkeep. Mark Kennedy, General Counsel, spoke about additional work needed on the windmill and solar panels. Commissioner Ingalsbe mentioned lighting has been an issue for years and she is glad this item will fix that. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Funding Agreement between Hays County, Texas and the City of San Marcos, Texas, related to improvements to Five Mile Dam Park in Precinct 3 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

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Clerk's Note: Executive Session began at 10:32 a.m. and resumed back into open court at 12:13 p.m.

**37557 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY LOCATED AT 712 S. STAGECOACH TRAIL, SAN MARCOS IN PCT.3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Shell stated the lease runs until 2025, the Municipal Court has been a good partner in that space, growth is presenting needs for our own District and County Courts, and providing early notice under the Lease should give the City enough time to make a plan and implement it. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of General Counsel to draft, execute and send Notice of Non-Renewal to the City of San Marcos pursuant to Section 4.1 of the Commercial Office Lease between the City and Hays County related to the Municipal Court space within the Hays County Government Center. All present voted "Aye." MOTION PASSED.**

**37558 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL POSITIONS WITHIN THE HAYS COUNTY AUDITOR'S OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the Auditor's Office staffing matrix, to regrade and retitle positions per policy, and add a Financial Analyst, an Internal Auditor, level 4, grade 116 to the current salary chart effective May 1<sup>st</sup>, 2022, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

**37559 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF RIGHT OF WAY LOCATED AT OR NEAR WINDY HILL IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Ingalsbe stated if the counteroffer is not accepted, then we expect that another Executive discussion and action of Court may be needed. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize our Right of Way consultants to make a counteroffer for Parcel No. 46 on the Windy Hill Road project in Precinct 1, as discussed and presented in Executive Session; and, if the counteroffer is accepted, to authorize General Counsel to execute all documents incidental to Closing. All present voted "Aye." MOTION PASSED.**

**37560 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL POSITIONS WITHIN THE COMBINED EMERGENCY COMMUNICATIONS CENTER OF THE HAYS COUNTY SHERIFF'S OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff's Emergency Communication Division Salary Set Plan to change the promotions and demotions section to be applied at the same percentile for years of service as presented in Executive Session and effective today, April 26<sup>th</sup>, 2022. All present voted "Aye." MOTION PASSED.

**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 LASER LEMON AND PROJECT FIRE ENGINE RED. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**37561 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN.**



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Mark Wobus, Hays County Fire Marshal, stated fire chiefs in the area are recommending the burn ban be lifted and reported recent rainfall totals. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to lift the burn ban effective April 26<sup>th</sup>, 2022. All present voted "Aye." MOTION PASSED.**

**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 669, with a peak of 684 on April 22<sup>nd</sup>, 2022. The estimated cost for outsourcing inmates this week was \$113,457. The average number of outsourced males is 212 and females is 33. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Grimes, Lee, Maverick and Red River. The number of "paper-ready" inmates who are now wardens of the state is 57. Judge Becerra asked if the Sheriff's Office could report how many state inmates are moving through the system. Chief Davenport stated they can report how many state inmates are moved out of the county. Commissioner Shell stated Hays County is having to spend \$5-10 thousand per day on state inmates. No action taken.

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

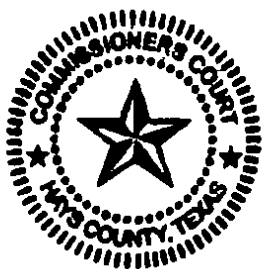
**Clerk's Note Agenda Item #47 RE:** *DISCUSSION AND POSSIBLE ACTION REGARDING HAYS COUNTY'S USE OF FEDERAL OR OTHER GRANT FUNDING RELATED TO COVID-19 RESPONSE INCLUDING BUT NOT LIMITED TO THE AMERICAN RESCUE PLAN ACT (ARPA) AND THE EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP). – WAS PULLED.*

**ADJOURNMENT**

A motion was made by Commissioner Smith, seconded by Judge Becerra to adjourn court at 12:17 p.m.

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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 April 26, 2022.



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

