

HAYS COUNTY COMMISSIONERS' COURT MINUTES



May 10, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF MAY 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
DEBBIE GONZALES INGALSBE
MARK JONES
LON A. SHELL
ELAINE H. CÁRDENAS

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
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 WALT SMITH BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Dan Lyon made public comment concerning Jacob's Well and the fee to swim there. He also spoke against increasing property taxes.

37562 ADOPT A PROCLAMATION RECOGNIZING MAY 9-13, 2022 AS ECONOMIC DEVELOPMENT WEEK.

Judge Becerra spoke about the importance of economic development and how it benefits the county. Collin Sherman, Greater San Marcos Partnership, thanked the court for the Proclamation and highlighted their social media campaign. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation recognizing May 19-13, 2022 as Economic Development Week. All present voted "Aye." MOTION PASSED.**

PRESENTATION BY TEXAS WORKFORCE COMMISSION ABOUT VOCATIONAL REHABILITATION SERVICES.

Giovanni, Community Outreach and Awareness Specialist for Vocational Rehabilitation, spoke about how the agency helps people with disabilities maintain employment and gave a brief history of the agency. Commissioner Ingalsbe thanked Giovanni for presenting. Giovanni stated Vocational Rehabilitation now has a call center and an online portal for remote assistance. Commissioner Jones asked if Giovanni is the local representative for Hays County, and she answered that she works for the regional office, but there are 3-4 counselors available in the Workforce Center here. Commissioner Shell and Judge Becerra thanked Giovanni for presenting.

Clerk's Note Agenda Item #3 RE: UPDATE BY DIRECTOR OF COUNTYWIDE OPERATIONS AND HAYS COUNTY STAFF ON THE EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP); POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW. – WAS PULLED.

37563 APPROVE PAYMENTS OF COUNTY INVOICES.

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

37564 APPROVE PAYMENTS OF JUROR CHECKS.

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



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37565 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

37566 APPROVE THE PAYMENT OF THE MAY 15, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,120,000.00 EFFECTIVE MAY 13, 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 Shell to approve the payment of the May 15, 2022 payroll disbursements in an amount not to exceed \$3,120,000.00 effective May 13, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

37567 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN HAYS COUNTY AND THE BUG MASTER FOR PEST CONTROL SERVICES FOR THE JACOB'S WELL NATURAL AREA VISITOR CENTER IN THE AMOUNT OF \$979.00.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute an Agreement between Hays County and The Bug Master for pest control services for the Jacob's Well Natural Area Visitor Center in the amount of \$979.00. All present voted "Aye." MOTION PASSED.

37568 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD AND EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION AND CONTROL STATE GRANT PROGRAM.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the acceptance of a grant award and execution of a contract with the Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control State Grant Program. All present voted "Aye." MOTION PASSED.

37569 AUTHORIZE PAYMENT TO TRUCK CITY FORD IN THE AMOUNT OF \$2,829.41 FOR THE CONSTABLE, PRECINCT 3 OFFICE RELATED TO CATALYST, CONDENSER, AND VALVE REPAIRS ON A 2014 FORD F-150 AND A 2015 FORD F-150, IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE HAYS COUNTY PURCHASING POLICY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to Truck City Ford in the amount of \$2,829.41 for the Constable, Precinct 3 Office related to catalyst, condenser, and valve repairs on a 2014 Ford F-150 and a 2015 Ford F-150, in which no purchase order was issued as required per the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

37570 AUTHORIZE THE HAYS COUNTY PARKS DEPARTMENT TO ACCEPT A \$1,500.00 DONATION FROM CHARLES NAGEL FOR THE PURPOSE OF PARK FACILITY IMPROVEMENTS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Hays County Parks Department to accept a \$1,500.00 donation from Charles Nagel for the purpose of Park facility improvements and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



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37571 APPROVE THE FILING OF TAX ASSESSOR-COLLECTOR JENIFER O'KANE'S CONTINUING EDUCATION TRANSCRIPT AS REQUIRED BY SECTION 6.231 (D) OF THE TEXAS PROPERTY TAX CODE.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code. All present voted "Aye." MOTION PASSED.

37572 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 4 TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE IMMUNIZATION/LOCALS PROGRAM FOR FY2023 IN THE AMOUNT OF \$192,341.00.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Amendment No. 4 to the Department of State Health Services (DSHS) for the Immunization/Locals Program for FY2023 in the amount of \$192,341.00. All present voted "Aye." MOTION PASSED.

37573 APPROVE UTILITY PERMITS.

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

37574 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES AND HAYS COUNTY CERT TO ACCEPT A DONATION OF A 2014 FORD F-350 PICKUP TRUCK FROM HAYS COUNTY ESD NO. 5 VALUED AT \$11,221.00 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Office of Emergency Services and Hays County CERT to accept a donation of a 2014 Ford F-350 Pickup truck from Hays County ESD NO. 5 valued at \$11,221.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37575 APPROVE THE RE-APPOINTMENTS OF ANDREW CABLE, JOHN ANDERSON, AND SCOTT BROWN TO THE EMERGENCY SERVICE DISTRICT (ESD) #7 BOARD FOR TWO-YEAR TERMS ENDING DECEMBER 31, 2023.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the re-appointments of Andrew Cable, John Anderson, and Scott Brown to the Emergency Service District (ESD) #7 Board for two-year terms ending December 31, 2023. All present voted "Aye." MOTION PASSED.

37576 AMEND THE GRANT BUDGET FOR THE DISTRICT ATTORNEY'S OFFICE OF THE GOVERNOR VICTIMS ASSISTANCE GRANT PROGRAM FOR ADDITIONAL EQUIPMENT, TRAINING, AND SUPPLIES.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the grant budget for the District Attorney's Office of the Governor Victims Assistance grant program for additional equipment, training, and supplies. All present voted "Aye." MOTION PASSED.

37577 ACCEPT THE FISCAL YEAR 2021 HAYS COUNTY EMERGENCY SERVICES DISTRICT #2 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2021 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082. All present voted "Aye." MOTION PASSED.



37578 ACCEPT THE FISCAL YEAR 2021 HAYS COUNTY EMERGENCY SERVICES DISTRICT #5 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2021 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082. All present voted "Aye." MOTION PASSED.

37579 ACCEPT THE FISCAL YEAR 2021 HAYS COUNTY EMERGENCY SERVICES DISTRICT #9 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.0829.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2021 Hays County Emergency Services District #9 Audit Report per Texas Health and Safety Code 775.0829. All present voted "Aye." MOTION PASSED.

37580 AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH ABIP, PC FOR SERVICES RELATED TO THE FISCAL YEAR 2021 HAYS COUNTY ANNUAL FINANCIAL AUDIT.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2021 Hays County Annual Financial Audit. All present voted "Aye." MOTION PASSED

37581 AMEND THE GRANT BUDGET FOR THE DISTRICT ATTORNEY'S OFFICE OF THE GOVERNOR VICTIMS ASSISTANCE FOR FAMILY JUSTICE GRANT PROGRAM FOR ADDITIONAL EQUIPMENT, TRAINING, AND SUPPLIES.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the grant budget for the District Attorney's Office of the Governor Victims Assistance for Family Justice grant program for additional equipment, training, and supplies. All present voted "Aye." MOTION PASSED.

37582 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB INC. FOR THE EAST SIDE CORRIDOR STUDY, A STUDY OF BOTH RECOMMENDED CORRIDORS 10 AND 11 FROM THE 2021 HAYS COUNTY TRANSPORTATION PLAN.

Dan Lyon made a public comment concerning campaign contributions received by Commissioner Smith from WSB. Commissioner Jones stated this will help mobility and safety issues. Commissioner Ingalsbe stated this will help secure and preserve the right of way to have the alignment established. Judge Becerra requested that the map be easily accessible on the County website. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and WSB Inc. for the East Side Corridor Study, a study of both Recommended Corridors 10 and 11 from the 2021 Hays County Transportation Plan. All present voted "Aye." MOTION PASSED.

37583 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH STOP LOCATIONS ON APPALOOSA WAY, IN APPALOOSA ACRES SUBDIVISION, AT THE INTERSECTION WITH PETRAS WAY AND AT THE INTERSECTION WITH BRIDLE PATH.

Judge Becerra opened the public hearing at 9:32 a.m. No comments were made. Judge Becerra closed the public hearing at 9:32 a.m. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones 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.



37584 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO ESTABLISH STOP LOCATIONS ON CROSSCREEK DRIVE & BLUFF TRAIL AT THEIR INTERSECTIONS WITH BEAR CREEK PASS IN BEAR CREEK ESTATES SUBDIVISION.

Judge Becerra opened the public hearing at 9:33 a.m. No comments were made. Judge Becerra closed the public hearing at 9:33 a.m. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones 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.

37585 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT NO. 2 IN THE AMOUNT OF \$36,145.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND WSB & ASSOCIATES, INC. FOR THE US 290 WEST AT TRAUTWEIN ROAD INTERSECTION PROJECT IN PRECINCT 4, AS PART OF THE 2016 ROAD BOND PROGRAM, UTILIZING A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).

Dan Lyon made a public comment concerning where the fee schedule is located in the back-up. Mark Kennedy, General Counsel, stated fee schedules are not disclosed to the public before the court approves the contract. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a Contract Amendment No. 2 in the amount of \$36,145.00 to the Professional Services Agreement between Hays County and WSB & Associates, Inc. for the US 290 West at Trautwein Road Intersection project in Precinct 4, as part of the 2016 Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

37586 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 2 IN THE AMOUNT OF \$232,000.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND RPS INFRASTRUCTURE, INC. FOR THE FM 621 SAFETY IMPROVEMENTS PROJECT IN PRECINCT 1, AS PART OF THE HAYS COUNTY ROAD BOND PROGRAM, UTILIZING A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).

Dan Lyon made a public comment concerning the fee schedule's location in the back-up. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$232,000.00 to the Professional Services Agreement between Hays County and RPS Infrastructure, Inc. for the FM 621 Safety Improvements project in Precinct 1, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

37587 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$9,970.00 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HDR ENGINEERING, INC. TO PROVIDE CONSTRUCTION ENGINEERING, INSPECTION & TESTING (CE&I) SERVICES AS PART OF THE ON-CALL CE&I CONTRACT AND RELATED TO THE 2016 ROAD BOND PROGRAM RM 3237 AT RM 150 ROUNDABOUT PROJECT.

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Dan Lyon made public comment concerning campaign contributions received by Commissioner Jones from HDR. Commissioner Shell stated he also has received campaign contributions from HDR. Shell asked if rates are changing for the additional length of time. A representative from HDR Engineering replied that there is no rate change. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 1 in the amount of \$9,970.00 to the Professional Services Agreement between Hays County and HDR Engineering, Inc. to provide construction engineering, inspection & testing (CE&I) services as part of the On-Call CE&I contract and related to the 2016 Road Bond Program RM 3237 at RM 150 Roundabout project. All present voted "Aye." MOTION PASSED.**

37588 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY (PUA) RELATING TO THE COUNTY'S DARDEN HILL ROAD AT SAWYER RANCH ROAD ROUNDABOUT PROJECT AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Agreement between Hays County and West Travis County Public Utility Agency (PUA) relating to the County's Darden Hill Road at Sawyer Ranch Road Roundabout project and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37589 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY.

Commissioner Ingalsbe stated this is done every year to make sure credible coverage is provided to retirees. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an agreement between Hays County and Milliman, Inc. for actuarial services related to retiree drug subsidy. All present voted "Aye." MOTION PASSED.

37590 DISCUSSION AND POSSIBLE ACTION TO ACCEPT A PROPOSAL FROM BECKWITH ELECTRONIC SYSTEMS, LLC TO REPLACE TWO (2) SHURE QLXD MICROPHONES IN COUNTY COURT AT LAW COURTROOM #2 IN THE AMOUNT OF \$3,093.00; ALLOW FOR A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7)(D) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a Proposal from Beckwith Electronic Systems, LLC to replace two (2) Shure QLXD Microphones in County Court at Law Courtroom #2 in the amount of \$3,093.00; allow for a discretionary exemption pursuant to Texas Local Government Code 262.024a (7)(D) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37591 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE RECYCLING AND SOLID WASTE DEPARTMENT TO PURCHASE A JOHN DEERE SKID STEER LOADER FOR THE DRIFTWOOD LOCATION IN THE AMOUNT OF \$46,734.00 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the Recycling and Solid Waste Department to purchase a John Deere Skid Steer Loader for the Driftwood location in the amount of \$46,734.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



- 37592 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADVANCE FUNDING AGREEMENT FOR A TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM PROJECT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FM 2325 SIDEWALK PROJECT AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project between Hays County and the Texas Department of Transportation for the FM 2325 Sidewalk project and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37593 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREED TERMINATION OF INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF WOODCREEK, TEXAS REGARDING TERMINATION OF SERVICES PROVIDED BY THE PRECINCT 3 CONSTABLE'S OFFICE FOR TRAFFIC ENFORCEMENT WITHIN THE CITY LIMITS.**

Commissioner Shell stated the City of Woodcreek is hiring a Marshal, and the Precinct 3 Constables are no longer needed for enforcement. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an Agreed Termination of Interlocal Cooperative Agreement between Hays County and the City of Woodcreek, Texas regarding termination of services provided by the Precinct 3 Constable's Office for traffic enforcement within the city limits. All present voted "Aye." MOTION PASSED.

- 37594 DISCUSSION AND POSSIBLE ACTION TO ACCEPT A PROPOSAL FROM WATER & EARTH TECHNOLOGIES (WET) RELATED TO THE UPSTREAM REMOTE CAMERA ON THE FM 150 DOUBLE CROSSING OF ONION CREEK; AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO LOCAL GOVERNMENT CODE, CH. 262.024 (A)(7)(D) AND AMEND THE BUDGET ACCORDINGLY.**

Mike Jones, Director of Emergency Services, stated the camera was damaged by a vehicle and needs to be repaired. Commissioner Jones asked if there can be a warning system for when that crossing is closed. Mike Jones suggested there may be other areas in the county that would benefit from a warning system as well. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept a Proposal from Water & Earth Technologies (WET) related to the upstream remote camera on the FM 150 double crossing of Onion Creek; authorize a discretionary exemption pursuant to Local Government Code, Ch. 262.024 (a)(7)(D) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37595 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE LOCAL HEALTH DEPARTMENT COMMUNITY OUTREACH PROGRAM TO UTILIZE DSHS GRANT FUNDS IN THE AMOUNT OF \$1,000.00 TO PURCHASE ONE ADDITIONAL APPLE MACBOOK AIR THAT WILL BE AWARDED TO ONE OF THE TOP SIX HIGH SCHOOL STUDENT ESSAY WRITERS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Local Health Department Community Outreach Program to utilize DSHS grant funds in the amount of \$1,000.00 to purchase one additional Apple MacBook Air that will be awarded to one of the top six high school student essay writers and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37596 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS REGARDING ACCESS TO THE COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEMS AT THE COMBINED EMERGENCY COMMUNICATIONS CENTER (CECC) AND AMEND THE BUDGET ACCORDINGLY.**



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A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve an Interlocal Agreement between Hays County and the City of San Marcos regarding access to the Computer Aided Dispatch and Records Management Systems at the Combined Emergency Communications Center (CECC) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

37597 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE A TRANSPORTATION DEPARTMENT EMPLOYEE, ROAD LEAD SLOT 1055-007 TO TAKE A COUNTY ISSUED VEHICLE TO A RESIDENCE OUTSIDE THE COUNTY LIMITS.

Judge Becerra stated the employee is 4 miles away from the set radius created by the court. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize a Transportation Department employee, Road Lead slot 1055-007 to take a county issued vehicle to a residence outside the county limits. All present voted "Aye." MOTION PASSED.

37598 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, THE CITY OF KYLE, THE CITY OF BUDA, AND TEXAS STATE UNIVERSITY FOR OPERATIONS AND MAINTENANCE OF THE COMBINED EMERGENCY COMMUNICATIONS CENTER.

Commissioner Shell stated this will now allow for all agencies in Hays County to be on the same system. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the Amended and Restated Interlocal Agreement between Hays County, the City of Kyle, the City of Buda, and Texas State University for operations and maintenance of the Combined Emergency Communications Center. All present voted "Aye." MOTION PASSED.

Clerk's Note: Executive Session began at 9:44 a.m. and resumed back into open court at 1:03 p.m.

37599 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY ASSOCIATED WITH THE POSAC-RECOMMENDED 2020 PARKS AND OPEN SPACE BOND PROJECTS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

Commissioner Shell stated this transaction will establish a safe route for visitors to the Preserve, which will be shared with the owners of the tracts accessible from the roadways on the former Boy Scout Ranch. Once the donation is received, an item will be brought to court to "book" the value of that acreage. About half of the roadway already exists and requires minimal upgrades to meet Comal County standards. The other half has been negotiated with the developer of the Ranches at Sentinel Peak, who has agreed to donate the acreage needed to establish the route. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize General Counsel and staff to file a plat application and accompanying documents with Comal County, for the establishment of the Park Access Roadway for the Sentinel Peak Preserve, which will be received via donation from Ranches at Sentinel Peak, LLC and the Top Road Association; and to authorize General Counsel to execute a Maintenance Agreement between Hays County and the neighboring land owners to ensure fair distribution of costs associated with maintenance of the roadway, based on use by the property owners who have access to the road. All present voted "Aye." MOTION PASSED.

Commissioner Shell stated this document will be executed at the same time as Hays County's purchase of the Sentinel Peak Preserve from the Nature Conservancy. The Conservation Easement will ensure that a third party has a property interest in the perpetual conservation of this very important property and project. Some shared conservation values include a bird habitat, water quality and quantity, and park access. He hopes for some form of opening in summer of 2023 for first swimming, then establishment of hiking routes. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Reservation of Conservation Easement between Hays County and The Nature Conservancy, related to the conservation of Sentinel Peak Preserve, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

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Commissioner Shell stated the easement will conserve very important water quality lands within the watershed of Sink Creek, which plays an important role in the production of flow from Aquarena Springs. The easement will also establish two trail routes that are planned to connect to parts of the Emerald Crown Trail and/or trails systems established by the Great Springs Project. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Option Agreement between Hays County and ByrdNest Ventures LLC, related to the conservation of approximately 385 acres and the establishment of two public access trails, as presented in Executive Session and as negotiated by General Counsel. All present voted "Aye." MOTION PASSED.**

Commissioner Shell stated the city is expected to vote on this agreement next week. The city and Dripping Springs Community Foundation will manage the distribution of approximately \$624,250 from Hays County for construction of the Regional Skate Park. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Agreement between the City of Dripping Springs, Texas; Hays County; and the Dripping Springs Community Foundation, for the construction of Dripping Springs Regional Skate Park, to be constructed at the Founders Memorial Park, a public property owned by the City of Dripping Springs, as presented in Executive Session. All present voted "Aye." MOTION PASSED.**

Commissioner Jones stated that generally, the county will be receiving property interests, not conveying it. In the event the county conveys property interests (via deed, easement, etc.), the County Judge will sign that instrument, which will be recorded in the county's official public record. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize General Counsel to execute all documents incidental to real estate transactional closings for 2020 Parks and Open Space Bond Projects, including but not limited to Easement Agreements, HUD-1 Forms, Statutory Notices and Waivers, and other documents presented by the title company. All present voted "Aye." MOTION PASSED.**

37600 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL ATTORNEY POSITIONS WITHIN THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Shell, seconded by Commissioner to accept the District Attorney's revised Salary Progression Plan for the Attorney positions and place existing personnel in revised plan effective June 1, 2022, and add a Court Chief stipend to Attorney slot 0786-001 of \$400 monthly effective May 6, 2022 as presented in Executive Session. All present voted "Aye." MOTION PASSED.

37601 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY BUDGET OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT INCLUDING BUT NOT LIMITED TO APPOINTMENT AND EMPLOYMENT OF THE HAYS COUNTY BUDGET OFFICER (CONTINGENT UPON AN ACCEPTABLE BACKGROUND CHECK AND ACCEPTANCE OF AN OFFER OF EMPLOYMENT).

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to make an offer of Appointment to Vickie Dorsett as the Hays County Budget Officer, at 50% of Grade 120, effective May 16, 2022, If such offer is accepted by the candidate for appointment. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to create a Budget Analyst III position within the Hays County Budget Office at Grade 115, effective May 16, 2022. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF ALL POSITIONS WITHIN THE HAYS COUNTY TRANSPORTATION DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.



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No action taken.

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

No action taken.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL RELATED TO PUBLIC FINANCING OF THE LA CIMA SUBDIVISION(S). POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

Clerk's Note Agenda Item #46 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 population peaked at 679 inmates on May 5th, 2022. The estimated cost for outsourcing inmates this week was \$117,652. The average number of outsourced males is 216 and females is 36. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Grimes, Lee, Maverick, and Red River. No action taken.

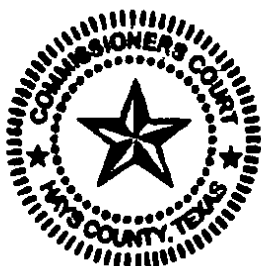
Clerk's Note Agenda Item #48 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.

Clerk's Note Agenda Item #49 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 1:10 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 May 10, 2022.



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