

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 24, 2022

STATE OF TEXAS     \*  
COUNTY OF HAYS    \*

ON THIS THE 24<sup>TH</sup> 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	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 Jeff Thompson from Corridor Interfaith Alliance for Families led the court in an 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**

Jeff Thompson made a public comment in favor of a Public Defenders Office (PDO). He spoke about the pressures families with an incarcerated member face and the extra costs the county pays to outsource inmates and asked that the process not be delayed any longer. Marilyn Endres made a public comment concerning climate change and asked that the burn ban be specific to separate areas of the county. Rodrigo Amaya made a public comment concerning county law enforcement duties and vehicle markings and thanked the county for removing lights from the outside of the historic courthouse. Eric Martinez made a public comment in support of a wholistic PDO. He suggested having defense attorneys, civil attorneys, and support staff and spoke against the length of time individuals wait for trial. Sam Benavides made a public comment in support of a PDO and thanked Commissioner Shell, Commissioner Ingalsbe, and Judge Becerra for recognizing the need for one. She spoke in favor of a wholistic approach to a PDO and highlighted a campaign to decriminalize marijuana in San Marcos. Dan Lyon made a public comment concerning county disbursements, including vehicle repairs and inmate outsourcing. Jordan Buckley made a public comment in support of a PDO and encouraged the court to take a wholistic approach. Vicki Hartin made a public comment in support of a PDO and spoke about both the country's and the state's high prison rates.

**37603           ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 22-28, 2022 AS SEARCH AND RESCUE WEEK IN HAYS COUNTY.**

Judge Becerra asked that Hays County Community Emergency Response Team (CERT) be included in future similar Proclamations. Commissioner Shell spoke about the flood that occurred 7 years ago and the volunteers and victims. Justin McInnis, President and CEO of Texas Search and Rescue, thanked the court for supporting this Proclamation and the organizations that perform emergency work. Mike Jones, Director of Hays County Emergency Services, spoke about the importance of Texas Search and Rescue. Commissioner Smith thanked Texas Search and Rescue and Hays County emergency workers for their work during floods. Commissioner Jones spoke about the importance of listening to evacuation orders. Commissioner Ingalsbe thanked the organizations that contribute to search and rescue efforts. **A motion was made By Commissioner Shell, Seconded by Commissioner Jones to adopt a Proclamation declaring the week of May 22-28, 2022 as Search and Rescue Week in Hays County. All present voted "Aye." MOTION PASSED.**

**PRESENTATION BY THE MILITARY ORDER OF THE PURPLE HEART CHAPTER 1919. POSSIBLE ACTION MAY FOLLOW, INCLUDING ACCEPTANCE OF HAYS COUNTY'S DESIGNATION AS A PURPLE HEART COUNTY AND INSTRUCTIONS TO STAFF.**

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Commissioner Smith stated this designation will allow the county to establish designated parking at county buildings. Jim Bracken, former Commander of Chapter 1919, spoke about the importance of designated Purple Heart parking and Memorial Day. Ernie Banasau, former Commander of Chapter 1919, spoke about the impact of Memorial Day and thanked the court for the Proclamation. Judge Becerra thanked the speakers and Commissioner Smith. Commissioner Smith encouraged other communities to join the Purple Heart Designation program and suggested having a display with the Historical Commission in the courthouse. Smith directed staff to create a list of facilities where designated parking is needed and directed the Transportation Department to determine which roadways entering the county will need signs. Commissioner Jones stated the county will also need to work with the Texas Department of Transportation for sign installation. Commissioner Ingalsbe thanked the speakers for attending and serving. Commissioner Jones highlighted a local Memorial Day event and thanked the speakers. No action taken.

### **PRESENTATION BY REPRESENTATIVES OF COX COMMERCIAL CONSTRUCTION, LLC REGARDING WORK ZONE AND CONSTRUCTION AREA AWARENESS AND SAFETY.**

Victor Vargas, HNTB General Engineering Consultant, spoke about traffic safety and driver responsibility. Darren Okruhlik, Vice President of Cox Commercial Construction, presented statistics about work zone crashes and fatalities. The presentation included tips for drivers and measures being taken to improve safety. Commissioner Shell thanked the presenters for bringing this issue to attention. Judge Becerra spoke about construction zone signs and thanked the presenters. Commissioner Ingalsbe thanked the presenters. No action taken.

### **PRESENTATION BY LEE MCCORMICK REGARDING THE LONE STAR PACE 2021 ANNUAL REPORT.**

Lee McCormick, President of Lone Star Pace, presented the 2021 annual report. The presentation included project examples and environmental impact, information about education and outreach, and goals for the program. The court thanked the presenters. No action taken.

#### **37604 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

#### **37605 APPROVE PAYMENTS OF JUROR CHECKS.**

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

#### **37606 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

#### **37607 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 29, 2022.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve Commissioners Court Minutes of March 29, 2022. All present voted "Aye." MOTION PASSED.

#### **37608 APPROVE THE PAYMENT OF THE MAY 31, 2022 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$4,100,000.00 EFFECTIVE MAY 31, 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 Smith to approve the payment of the May 31, 2022 payroll disbursements in an amount not to exceed \$4,100,000.00 effective May 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.



- 37609      AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT DIVISION, FOR THE HAYS COUNTY HAZMAT TEAM CAPABILITIES IN THE AMOUNT OF \$73,327.10.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the acceptance of a grant award from the Office of the Governor, Homeland Security Grant Division, for the Hays County HazMat Team Capabilities in the amount of \$73,327.10. All present voted "Aye." MOTION PASSED.

- 37610      RATIFY THE ACCEPTANCE OF A \$500.00 DONATION TO THE SHERIFF'S OFFICE CRIME VICTIM SERVICES PROGRAM AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to ratify the acceptance of a \$500.00 donation to the Sheriff's Office Crime Victim Services Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37611      AUTHORIZE THE SHERIFF'S OFFICE TO ADD A \$45.00 MONTHLY TELEPHONE ALLOWANCE FOR THE SERGEANT SLOT 0475-006 EFFECTIVE JUNE 1, 2022.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the Sheriff's Office to add a \$45.00 monthly telephone allowance for the Sergeant slot 0475-006 effective June 1, 2022. All present voted "Aye." MOTION PASSED.

- 37612      APPROVE OUT OF STATE TRAVEL FOR SERGEANT MATT WASKO AND CORPORAL STEVE LUCIO TO ATTEND THE NATIONAL TACTICAL OFFICERS ASSOCIATION CONFERENCE ON SEPTEMBER 25-30, 2022 IN MILWAUKEE, WISCONSIN.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve out of state travel for Sergeant Matt Wasko and Corporal Steve Lucio to attend the National Tactical Officers Association Conference on September 25-30, 2022 in Milwaukee, Wisconsin. All present voted "Aye." MOTION PASSED.

- 37613      APPROVE OUT OF STATE TRAVEL FOR CRIMINALIST MELODY JARAMIO TO ATTEND THE ADVANCED FORENSIC TECHNIQUES IN CRIME SCENE INVESTIGATIONS II COURSE IN GLYNCO, GEORGIA ON SEPTEMBER 12-23, 2022.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to approve out of state travel for Criminalist Melody Jaramio to attend the Advanced Forensic Techniques in Crime Scene Investigations II Course in Glynco, Georgia on September 12-23, 2022. All present voted "Aye." MOTION PASSED.

- 37614      AUTHORIZE THE SHERIFF'S JAIL DIVISION TO UTILIZE EXISTING FUNDS FOR ELECTRICAL REPAIRS TOTALING \$8,395.00 RELATED TO THE DOMESTIC WATERLINE PROJECT AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the Sheriff's Jail Division to utilize existing funds for electrical repairs totaling \$8,395.00 related to the domestic waterline project and amend the budget accordingly. All present voted "Aye." MOTION PASSED

- 37615      AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ADD A \$45.00 MONTHLY TELEPHONE ALLOWANCE FOR THE ROAD MAINTENANCE LEAD, SLOT NUMBER 1055-004 EFFECTIVE MAY 24, 2022 AND AMEND THE BUDGET ACCORDINGLY.**



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Transportation Department to add a \$45.00 monthly telephone allowance for the Road Maintenance Lead, slot number 1055-004 effective May 24, 2022 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37616        AUTHORIZE BUILDING MAINTENANCE TO REPLACE THE EXISTING 2-TON AC SYSTEM LOCATED AT THE KYLE WIC OFFICE WITH A NEW 2-TON AMERICAN STANDARD HEAT PUMP SYSTEM IN THE AMOUNT OF \$9,213.38 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to replace the existing 2-Ton AC system located at the Kyle WIC Office with a new 2-Ton American Standard heat pump system in the amount of \$9,213.38 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37617        AUTHORIZE BUILDING MAINTENANCE TO REPLACE THE EXISTING 2.5-TON CARRIER AC SYSTEM (UNIT #2) LOCATED AT THE PRECINCT 5 OFFICE WITH A NEW 2.5-TON AMERICAN STANDARD HEAT PUMP SYSTEM IN THE AMOUNT OF \$9,631.81 AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon made a public comment concerning maintenance and repair costs. Judge Becerra stated the county chooses the lowest bid and he would welcome a lower price if one was found. Commissioner Smith stated this company was chosen in the last fiscal year and that the court would be mandated to accept a lower bid. Tammy Crumley, Director of Countywide Operations, stated the hours are estimated and if they end up being less, they will be billed at a different rate. Commissioner Shell stated the mark up is per the contract. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize Building Maintenance to replace the existing 2.5-Ton Carrier AC system (unit #2) located at the Precinct 5 Office with a new 2.5-Ton American Standard heat pump system in the amount of \$9,631.81 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

**37618        AUTHORIZE BUILDING MAINTENANCE TO REPLACE THE EXISTING 5-TON CARRIER AC SYSTEM (UNIT #3) LOCATED AT THE PRECINCT 5 OFFICE WITH A NEW 5-TON AMERICAN STANDARD HEAT PUMP SYSTEM IN THE AMOUNT OF \$12,926.84 AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon made a public comment concerning the contract with the company and their ability to increase costs. He also expressed concern over where the money from recycling old units will go. Tammy Crumley, Director of Countywide Operations, and Commissioner Shell stated the mark-ups are industry-standard. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace the existing 5-Ton Carrier AC system (unit #3) located at the Precinct 5 Office with a new 5-Ton American Standard heat pump system in the amount of \$12,926.84 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

**37619        AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN APPLICATION BY THE HAYS COUNTY SHERIFF'S OFFICE FOR PARTICIPATION IN THE TEXAS 1033 SURPLUS PROPERTY PROGRAM.**

Dan Lyon made a public comment asking what equipment will be acquired through this program. Commissioner Smith stated this is a general renewal and the program is used countywide, not just for law enforcement. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an application by the Hays County Sheriff's Office for participation in the Texas 1033 Surplus Property Program. All present voted "Aye." MOTION PASSED.**

**37620        APPROVE UTILITY PERMITS.**

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

**37621        ESTABLISH AN OPERATING BUDGET AND COMPUTER EQUIPMENT PURCHASES FOR THE NEWLY CREATED BUDGET OFFICE AND AMEND THE BUDGET ACCORDINGLY.**



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to establish an operating budget and computer equipment purchases for the newly created Budget Office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37622      AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE NETWORK EQUIPMENT FOR THE NEW ELECTIONS/IT BUILDING LOCATED AT 120 STAGECOACH TRAIL, SAN MARCOS IN PRECINCT 3.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Department to purchase network equipment for the new Elections/IT Building located at 120 Stagecoach Trail, San Marcos in Precinct 3. All present voted "Aye." MOTION PASSED.

**37623      ACCEPT A \$5,000.00 CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD FROM THE CAPITAL AREA HOUSING FINANCE CORPORATION AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a \$5,000.00 contribution on behalf of the Hays County Child Protective Board from the Capital Area Housing Finance Corporation and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37624      ACCEPT A GRANT & CONTRIBUTION TOTALING \$3,500.00 ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a grant & contribution totaling \$3,500.00 on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**37625      APPROVE RENEWAL OF IFB 2020-B06 ROADWAY STRIPING WITH DIJ CONSTRUCTION, INC.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve renewal of IFB 2020-B06 Roadway Striping with DIJ Construction, Inc. All present voted "Aye." MOTION PASSED.

**37626      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SEVENTH AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN MARCOS, HAYS COUNTY, AND LAZY OAKS RANCH, LP IN CONNECTION WITH THE LA CIMA DEVELOPMENT, EXTENDING SUCH DEVELOPMENT AGREEMENT REGULATIONS TO AN ADDITIONAL APPROXIMATELY 1,295 ACRES.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the Seventh Amended and Restated Development Agreement between the City of San Marcos, Hays County, and Lazy Oaks Ranch, LP in connection with the La Cima development, extending such Development Agreement regulations to an additional approximately 1,295 acres. All present voted "Aye." MOTION PASSED.

**37627      AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) FOR THE HAZARD MITIGATION GRANT PROGRAM (HMGP) IN THE AMOUNT OF \$153,600.00.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant application to the Texas Division of Emergency Management (TDEM) for the Hazard Mitigation Grant Program (HMGP) in the amount of \$153,600.00. All present voted "Aye." MOTION PASSED.

**37628      AUTHORIZE THE COUNTY JUDGE TO SUPPORT THE SAN MARCOS CHESS CLUB UTILIZING \$250.00 OF THE COUNTY JUDGE'S AVAILABLE COMMUNITY PROGRAM FUNDS.**



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to support the San Marcos Chess Club utilizing \$250.00 of the County Judge's available Community Program funds. All present voted "Aye." MOTION PASSED.

**37629        RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY21 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY21 funding under the State Criminal Alien Assistance Program (SCAAP). All present voted "Aye." MOTION PASSED.

**37630        APPROVE EXTENSION OF THE PUBLIC IMPROVEMENT DISTRICT (PID) BOND UNDERWRITING SERVICES POOL RELATED TO RFQ 2019-P04 BOND UNDERWRITING SERVICES FOR A YEAR, JUNE 1, 2022, THROUGH MAY 31, 2023.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve extension of the Public Improvement District (PID) Bond Underwriting Services Pool related to RFQ 2019-P04 Bond Underwriting Services for a year, June 1, 2022, through May 31, 2023. All present voted "Aye." MOTION PASSED.

**37631        AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH TEXAS MATERIALS GROUP, INC. RELATED TO ROAD BUILDING MATERIALS - HOT MIX PURSUANT TO IFB 2019-B03.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with Texas Materials Group, Inc. related to Road Building Materials - Hot Mix pursuant to IFB 2019-B03. All present voted "Aye." MOTION PASSED.

**37632        DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE PERFORMANCE BOND NO. 800054920 IN THE AMOUNT OF \$1,064,632.25 FOR ROAD PAVEMENT IMPROVEMENTS IN THE TRAILS AT WINDY HILL SUBDIVISION, PHASE 8.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the Performance Bond No. 800054920 in the amount of \$1,064,632.25 for road pavement improvements in the Trails at Windy Hill Subdivision, Phase 8. All present voted "Aye." MOTION PASSED.

**37633        DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON JUNE 7, 2022 TO ESTABLISH A 3-WAY STOP LOCATION ON GOFORTH RD AT THE INTERSECTION WITH FOSTER PLACE, PER A RECENT TRAFFIC STUDY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to call for a public hearing on June 7, 2022 to establish a 3-way stop location on Goforth Rd at the intersection with Foster Place, per a recent traffic study. All present voted "Aye." MOTION PASSED.

**37634        DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE REVEGETATION LETTER OF CREDIT EXTENSION FOR EL DORADO SUBDIVISION UNTIL OCTOBER 12, 2022: LOC #SBPTX303415 IN THE AMOUNT OF \$15,938.03.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the revegetation Letter of Credit extension for El Dorado subdivision until October 12, 2022: LOC #SBPTX303415 in the amount of \$15,938.03. All present voted "Aye." MOTION PASSED.



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- 37635      DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE 2-YEAR MAINTENANCE BOND #107226363 IN THE AMOUNT OF \$633,171.00, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR 6 CREEKS SUBDIVISION, PHASE 1, SECTION 2.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe release the 2-year maintenance bond #107226363 in the amount of \$633,171.00, and accept roads into the county road maintenance system for 6 Creeks subdivision, Phase 1, Section 2. All present voted "Aye." MOTION PASSED.

- 37636      DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE RELEASE OF THE 2-YEAR MAINTENANCE BOND #70187170 IN THE AMOUNT OF \$163,290.16, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR THE HEADWATERS AT BARTON CREEK SUBDIVISION, PHASE 2 AND PHASE 4, SECTION 1.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the 2-year maintenance bond #70187170 in the amount of \$163,290.16, and accept roads into the county road maintenance system for the Headwaters at Barton Creek subdivision, Phase 2 and Phase 4, Section 1. All present voted "Aye." MOTION PASSED.

- 37637      DISCUSSION AND POSSIBLE ACTION TO CALL FOR A PUBLIC HEARING ON JUNE 7, 2022 TO REDUCE THE CURRENT SPEED LIMIT OF 40 MPH ON ELDER HILL ROAD, PER A RECENT TRAFFIC STUDY, TO: 1) 30 MPH FROM FM 150 TO APPROXIMATELY 800 FEET EAST OF LA VENTANA PARKWAY, THEN 2) 35 MPH TO APPROXIMATELY 500 FEET WEST OF PANTHER CREEK ROAD, THEN 3) 30 MPH TO RR 12.**

Commissioner Shell thanked the Driftwood Historic Conservation Society, Commissioner Shell, and the Transportation Department for this item. Commissioner Shell stated this is a unique road and these speed limits will improve safety. A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on June 7, 2022 to reduce the current speed limit of 40 MPH on Elder Hill Road, per a recent traffic study, to: 1) 30 MPH from FM 150 to approximately 800 feet east of La Ventana Parkway, then 2) 35 MPH to approximately 500 feet west of Panther Creek Road, then 3) 30 MPH to RR 12. All present voted "Aye." MOTION PASSED.

- 37638      DISCUSSION AND POSSIBLE ACTION TO ACCEPT LETTER OF CREDIT NO. SBP702766 FOR STREET AND DRAINAGE IMPROVEMENTS FOR PARTEN RANCH, PHASE 4, FINAL PLAT IN THE AMOUNT OF \$1,042,313.95.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept Letter of Credit No. SBP702766 for street and drainage improvements for Parten Ranch, Phase 4, Final Plat in the amount of \$1,042,313.95. All present voted "Aye." MOTION PASSED.

- 37639      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT (AFA) FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) PROJECT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE CENTER STREET RAIL SIDING PROJECT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute Amendment #1 to the Advance Funding Agreement (AFA) For Surface Transportation Block Grant Program (STBG) Project between Hays County and the Texas Department of Transportation (TxDOT) for the Center Street Rail Siding Project. All present voted "Aye." MOTION PASSED.



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- 37640      DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO INITIATE THE PROCESS TO REMOVE A SEGMENT OF EXISTING FM 2770 FROM THE STATE HIGHWAY SYSTEM AND CONVEY TO HAYS COUNTY FOR FUTURE OWNERSHIP OF THE RIGHT-OF-WAY AND MAINTENANCE; ADD EXISTING ROBERT S. LIGHT BOULEVARD AND FUTURE ROBERT S. LIGHT BOULEVARD TO THE STATE HIGHWAY SYSTEM FOR STATE FUTURE OWNERSHIP OF THE RIGHT-OF-WAY AND MAINTENANCE AND DESIGNATE THOSE SEGMENTS AS RM 967; AND ADD A JOINT DESIGNATION FOR RM 967 TO A SEGMENT OF FM 1626.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve a resolution requesting the Texas Department of Transportation (TxDOT) to initiate the process to remove a segment of existing FM 2770 from the State Highway System and convey to Hays County for future ownership of the right-of-way and maintenance; add existing Robert S. Light Boulevard and future Robert S. Light Boulevard to the State Highway System for State future ownership of the right-of-way and maintenance and designate those segments as RM 967; and add a joint designation for RM 967 to a segment of FM 1626. All present voted "Aye." MOTION PASSED.

- 37641      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 10 IN THE AMOUNT OF \$50,909.60 TO THE CONSTRUCTION CONTRACT BETWEEN HAYS COUNTY AND COX COMMERCIAL CONSTRUCTION FOR THE RM 3237 AT RM 150 ROUNDABOUT (IFB-2021-B06) PROJECT AS PART OF THE HAYS COUNTY ROAD BOND PROGRAM IN PRECINCT 3.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order No. 10 in the amount of \$50,909.60 to the Construction Contract between Hays County and Cox Commercial Construction for the RM 3237 at RM 150 Roundabout (IFB-2021-B06) project as part of the Hays County Road Bond Program in Precinct 3. All present voted "Aye." MOTION PASSED.

- 37642      DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF ROADWAY AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,465,590.88 FOR HYMEADOW, SECTION 3, PHASE 3 SUBDIVISION (SUBDIVISION BOND # SUR0074087).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$1,465,590.88 for Hymeadow, Section 3, Phase 3 Subdivision (Subdivision Bond # SUR0074087. All present voted "Aye." MOTION PASSED.

- 37643      DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE RELATED TO ILLUMINATION AND A SHARED USE PATH ON DACY LANE BETWEEN BEBEE ROAD AND AMBERWOOD LOOP IN PRECINCT 1.**

Judge Becerra thanked Commissioner Ingalsbe for this item. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Kyle related to illumination and a shared use path on Dacy Lane between Bebee Road and Amberwood Loop in Precinct 1 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37644      PLN-1833-NP; CADENCE COUNTRY RANCH SUBDIVISION. DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM SECTION 721.5.05 (B) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS AND APPROVAL OF FINAL PLAT.**



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Marcus Pacheco, Director of Development Services, gave background on the item and stated four out of five lots will be flag lots. Commissioner Smith stated the City of Austin is implementing the flag lot requirement. Judge Becerra asked if the city's or county's rules prevails, and Mark Kennedy, General Counsel, answered the more stringent rule prevails. Commissioner Smith stated this development is good for the county and preserving open space because each lot is limited to a single-family residence and cannot be subdivided. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from section 721.5.05 (B) of the Hays County Development Regulations and approve the final plat of Cadence Country Ranch Subdivision. All present voted "Aye." MOTION PASSED.**

**37645 DISCUSSION AND POSSIBLE ACTION TO CONSIDER GRANTING A VARIANCE FROM SECTIONS 721.4.01 AND 721.5.05(B) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS FOR THE DRIFTWOOD RANCH SUBDIVISION, PHASE THREE.**

Marcus Pacheco, Director of Development Services, gave background on the item and stated one lot is requesting to be a flag lot, and one lot is requesting utilities be placed under pavement. Commissioner Smith stated this lot is not for development and will be maintained as green space. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from sections 721.4.01 and 721.5.05(B) of the Hays County Development Regulations for the Driftwood Ranch Subdivision, Phase Three. All present voted "Aye." MOTION PASSED.**

**37646 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE SHERIFF'S OFFICE TO CONVERT AN EXISTING CORRECTIONS OFFICER, SLOT 0605-167, TO A MULTIMEDIA SPECIALIST POSITION (GRADE 112) EFFECTIVE JUNE 1, 2022.**

Gary Cutler, Hays County Sheriff, said this item will help the office hire new employees. Commissioner Shell thanked the Sheriff for working to fill vacancies. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the Sheriff's Office to convert an existing Corrections Officer, slot 0605-167, to a Multimedia Specialist position (Grade 112) effective June 1, 2022. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called for a recess that began at 11:26 a.m. and resumed back into open court at 11:36 a.m. Commissioner Jones did not return from recess.

**37647 DISCUSSION AND POSSIBLE ACTION TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY AND H203, LLC, DBA HARVEST RAIN IN THE AMOUNT OF \$32,790.00 RELATED TO A WATER STORAGE TANK LOCATED AT HAYS COUNTY PROPERTY 125 CAMINO DE RANCHO IN PRECINCT 3.**

Aaron Jones, Hays County Road Maintenance Superintendent, stated this will supply water for construction and fire protection. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to execute a contract between Hays County and H203, LLC, dba Harvest Rain in the amount of \$32,790.00 related to a water storage tank located at Hays County property 125 Camino De Rancho in Precinct 3. All present voted "Aye." MOTION PASSED.**

**37648 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE AUDITOR'S OFFICE TO HIRE THE ACCOUNTING MANAGER, SLOT 0013-001 AT THE 50TH PERCENTILE, EFFECTIVE 06/01/2022.**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Auditor's Office to hire the Accounting Manager, slot 0013-001 at the 50th percentile, effective 06/01/2022. All present voted "Aye." MOTION PASSED.**

**37649 DISCUSSION AND POSSIBLE ACTION TO AWARD RFP 2022-P04 PUBLIC DEFENDERS OFFICE TO ONE OF THE TWO RESPONDENTS AND AUTHORIZE THE EVALUATION COMMITTEE AND GENERAL COUNSEL TO ENTER INTO DISCUSSIONS WITH THE SELECTED RESPONDENT FOR CONTRACT DEVELOPMENT WHICH WILL BE BROUGHT BACK TO COURT FOR CONSIDERATION.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 24, 2022

Commissioner Shell updated the court on the process- interviews were held by the selection committee with the two respondents. Shell spoke about the uniqueness of Hays County and how it contributes to the incarceration problem. He pointed out that jail expansion projects have not been able to keep up with inmate population growth and that another solution is needed. Commissioner Ingalsbe reminded the court of the many actions that have been taken to help with the criminal justice system, including the mental health court and pre-filing software. Commissioner Shell stated that a main focus of the court is mental health as it is a growing concern within the jail. He spoke about the mental health needs of the criminal justice system and how the county is addressing them. Commissioner Ingalsbe stated she is leaning toward choosing Neighborhood Defender Service (NDS) and spoke about the pros their services. Commissioner Jones thanked the court for their dedication to this issue and stated his preference is NDS. Commissioner Smith spoke about his desire to focus more resources on victims of crimes and stated his preference for the respondent with more experience in Texas, Texas RioGrande Legal Aid. Commissioner Shell responded a Public Defender Office will help everyone involved, including victims of crimes, and addressed Commissioner Smith's concerns. Commissioner Ingalsbe stated the court cares about victim services and provided statistics on NDS employees' ties to Texas. Commissioner Smith further expressed concern over resources not being allocated to victim services and the coordination needed between those services. Judge Becerra stated \$15,000 is spent per day funding the jail and the PDO will help bring down these costs. He thanked Commissioner Ingalsbe and Commissioner Shell for all their work. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to award RFP 2022-P04 Public Defenders Office to Neighborhood Defender Service, Inc. and authorize the evaluation committee, General Counsel, and other stake holders within the criminal justice system in Hays County to enter discussions with Neighborhood Defender Service, Inc. for contract development which will be brought back to court for consideration at a future date. All present voted "Aye." MOTION PASSED.**

**37650 HOLD A PUBLIC HEARING IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH & SAFETY CODE, TO DISCUSS, CONSIDER, AND TAKE APPROPRIATE ACTION ON THE PROPOSED AMENDED MANDATORY PAYMENT RATE TO BE ASSESSED ON INSTITUTIONAL HEALTHCARE PROVIDERS IN FISCAL YEAR (FY) 2022 PURSUANT TO THE COUNTY HEALTH CARE PROVIDER PARTICIPATION PROGRAM.**

Judge Becerra opened the Public Hearing at 11:17 a.m. Emiliano Romero from Ascension Texas gave support for this item and thanked the court for their partnership with Ascension. Thomas McKinney, President of Christus Santa Rosa San Marcos, also gave support for the item and thanked the court. Dan Lyon spoke against healthcare costs. Judge Becerra closed the Public Hearing at 11:20 a.m. Commissioner Shell gave background on the item. Commissioner Ingalsbe thanked the local hospitals and stated that the county does provide preventative care to its employees. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to amend the FY 2022 LPFF mandatory rate to 6%. All present voted "Aye." MOTION PASSED.**

**37651 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT RELATED TO RFP 2022-P03 HAYS COUNTY MENTAL HEALTH NEEDS ASSESSMENT BETWEEN HAYS COUNTY AND THE MEADOWS MENTAL HEALTH POLICY INSTITUTE FOR TEXAS ("MMHPI").**

Commissioner Ingalsbe spoke about the county's mental health needs and stated she is happy to move forward with this. Commissioner Smith thanked Commissioner Ingalsbe for serving on the selection committee and praised the Meadows Institute. Judge Becerra thanked the court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement related to RFP 2022-P03 Hays County Mental Health Needs Assessment between Hays County and The Meadows Mental Health Policy Institute for Texas ("MMHPI"). All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Commissioner Jones returned to court at 12:20 p.m.

**37652 DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR RFP 2022-P09 COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY TO MANAGEMENT ADVISORY GROUP INTERNATIONAL, INC.; AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT TO BE BROUGHT BACK TO COURT FOR APPROVAL AND FINAL CONTRACT AWARD.**

Shari Miller, Director of Human Resources, stated the county received three bids that were analyzed independently. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to award contract for RFP 2022-P09 Comprehensive Classification and Compensation Study to Management Advisory Group International, 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.**



- 37653 DISCUSSION AND POSSIBLE ACTION TO CONSIDER APPROVAL OF A LA CIMA PUBLIC IMPROVEMENT DISTRICT DEPOSIT AGREEMENT FOR PROPOSED BOND ISSUANCE FOR NEIGHBORHOOD IMPROVEMENT AREA #3, A DEPOSIT AGREEMENT FOR THE PROPOSED LA CIMA NORTH PUBLIC IMPROVEMENT DISTRICT, AND A DEPOSIT AGREEMENT FOR THE PROPOSED LA CIMA SOUTH PUBLIC IMPROVEMENT DISTRICT AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Shell stated these funds are not tax funds, they are PID funds by the developer. Judge Becerra clarified the definition of a PID. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve a La Cima Public Improvement District Deposit Agreement for Proposed Bond Issuance for Neighborhood Improvement Area #3, a Deposit Agreement for the Proposed La Cima North Public Improvement District, and a Deposit Agreement for the Proposed La Cima South Public Improvement District and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 37654 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (SMCISD) REGARDING THE PURCHASE OF A GERLING FAST VAC MOBILE VACCINE FACILITY TO PROVIDE IMMUNIZATION/VACCINE SERVICES TO THE PUBLIC AND AMEND THE BUDGET ACCORDINGLY.**

Tammy Crumley, Director of Countywide Operations, stated this will help get underserved children vaccinated. Judge Becerra stated he is grateful for this program. Commissioner Ingalsbe thanked SMCISD for their support and financial contribution, and Crumley for her work. Commissioner Shell thanked SMCISD and Crumley. Crumley stated they are still working on the agreement. Mark Kennedy, General Counsel, clarified the edits that will be added to the agreement. Miguel Arredondo, SMCISD District 1 Trustee, thanked Crumley and the court for supporting vaccine outreach to the SMCISD areas outside of Hays County. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Funding Agreement between Hays County and San Marcos Consolidated Independent School District (SMCISD) regarding the purchase of a Gerling Fast Vac Mobile Vaccine Facility to provide immunization/vaccine services to the public and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**Clerk's Note:** Executive Session began at 12:38 p.m. and resumed back into open court at 3:07 p.m.

- 37655 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 ROAD IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to accept landowner's counteroffer as discussed in Executive Session and to authorize execution of a Purchase Agreement for acquisition of 0.6447 acres of Right of Way from Anne Phares as presented in Executive Session. All present voted "Aye." MOTION PASSED.

- 37656 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE FEE SIMPLE INTEREST IN 11.60 ACRES, AND ELECTRIC, WATER AND TELECOMMUNICATION EASEMENT RIGHTS IN 2.829 ACRES FROM PROPERTY LOCATED AT THE NW CORNER OF DARDEN HILL ROAD AND SAWYER RANCH ROAD, OWNED BY OC RANCH, LTD., AND WHICH ARE REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED DARDEN HILL RANCH @ SAWYER RANCH ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCELS 1/1E). POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**



Commissioner Smith stated the county currently has a Possession and Use Agreement in place and the project has already started. A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution, as presented in Executive Session, determining the necessity and authorizing the use of the county's power of eminent domain to acquire fee simple interest in 11.60 acres, and electric, water and telecommunication easement rights in 2.829 acres from property located at the NW corner of Darden Hill Road and Sawyer Ranch Road, owned by OC Ranch Ltd., and which are required for the construction of the proposed Darden Hill Ranch at Sawyer Ranch Roadway improvements, and take other appropriate action (Parcels 1/1E). All present voted "Aye." MOTION PASSED.

**37657 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE FEE SIMPLE INTEREST IN 0.9262 ACRE, 0.4724 ACRE, AND 0.2813 ACRE IN FEE SIMPLE FROM PROPERTIES LOCATED AT THE NE CORNER OF DARDEN HILL ROAD AND SAWYER RANCH ROAD, OWNED BY JOHN THOMAS DEANGELO AND SHARON LOUISE BURBA, AND WHICH ARE REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED DARDEN HILL RANCH @ SAWYER RANCH ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCELS 2A-C). POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Smith stated the county currently has a Possession and Use Agreement in place and the project has already started. A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution, as presented in Executive Session, determining the necessity and authorizing the use of the county's power of eminent domain to acquire fee simple interest in 0.9262 acre, 0.4724 acre, and 0.2813 acre in fee simple from properties located at the NE corner of Darden Hill Road and Sawyer Ranch Road, owned by John Thomas DeAngelo and Sharon Louise Burba, and which are required for the construction of the proposed Darden Hill Ranch at Sawyer Ranch Roadway improvements, and take other appropriate action (Parcels 2A-C). All present voted "Aye." MOTION PASSED.

**37658 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 TREASURER'S OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the Treasurer's Office staffing matrix to regrade the Assistant Treasurer, Treasury Services Manager, and Payroll Manager per policy effective May 1<sup>st</sup>, 2022, and to add one new Payroll Manager, grade 116, effective June 1<sup>st</sup>, 2022, utilizing countywide attrition funds as presented in Executive Session. All present voted "Aye." MOTION PASSED.

**EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL RELATED TO ROAD PROJECTS FUNDED OR POTENTIALLY FUNDED BY CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**37659 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 RECYCLING AND SOLID WASTE DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept the Recycling Department staffing matrix to regrade four Technician positions to grade 110, regrade and retitle Coordinator position to a Lead at a grade 111 with the ability to hire up to the 25<sup>th</sup> percentile, and create one new Recycling Manager with a cell phone allowance at a grade of 113, effective June 1<sup>st</sup>, 2022, utilizing countywide attrition funds as presented in Executive Session. All present voted "Aye." MOTION PASSED.





**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 111 E. SAN ANTONIO STREET, SAN MARCOS IN PCT.1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**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.**

No action taken.

**37660 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.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to regrade the Transportation Department's Road Crew and Mechanic positions, the Equipment Superintendent, and Assistant Maintenance Superintendent, effective June 1<sup>st</sup>, 2022, and establish a 5% pool of funds for one-time lump sum payments based on current field positions to be paid on July 15<sup>th</sup>, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

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

Judge Becerra suggested implementing burn bans for only some sections of the county. Commissioner Jones stated state legislation requires burn bans to be implemented for entire counties. Commissioner Shell stated the Fire Marshal errs on the side of caution when making burn ban decisions. He reminded the public that the Fire Marshal will respond to reckless burning despite burn ban status. Mark Wobus, Hays County Fire Marshal, clarified that reckless damage or destruction citations can be issued. Judge Becerra suggested a PSA to educate the public on fire safety. Wobus mentioned the county's burn permit program. Commissioner Shell asked about the outlook for a burn ban for his precinct, and Wobus responded that there is little rain predicted this summer and there will most likely be a burn ban, so this weekend is likely the last chance for burning. He also spoke about fireworks and the possibility of a ban. Commissioner Smith requested that those with burn permits be emailed when a burn ban is implemented. Wobus clarified that anyone wanting to burn outside needs a permit to do so. Commissioner Shell stated residents can report their burning to non-emergency dispatch so that they are prepared, and that permits are encouraged but not mandatory. Commissioner Smith clarified that burn permits are free and are for law enforcement/first responder knowledge. Wobus asked the court to promote the county Facebook page so that information reaches more residents. No action taken.

#### **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 691 for the week of May 21, 2022. The estimated cost for outsourcing inmates this week was \$119,897. The average number of outsourced males is 222 and females is 34. 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 #67 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 #68 RE: DISCUSSION AND POSSIBLE ACTION REGARDING HAYS COUNTY'S USE OF FEDERAL OR OTHER GRANT FUNDING RELATED TO COVID-19 RESPONSE INCLUDING BUT NOT LIMITED TO THE AMERICAN RESCUE PLAN ACT (ARPA) AND THE EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP). – WAS PULLED.**



MAY 24, 2022

ADJOURNMENT

A motion was made by Commissioner Jones seconded by Judge Becerra to adjourn court at 3:13 PM.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 24, 2022.



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

