

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 30, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30th DAY OF AUGUST A.D., 2022, 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
WALT SMITH
ELAINE H. CÁRDENAS

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Dan O'Brien, Judge for County Court at Law #3, made a public comment concerning staff shortages and raising County pay. Laura Nunn made a public comment concerning election integrity and record retention. Mary Mitchell made a public comment concerning election integrity and voting machines. Audre Lemke made a public comment concerning election integrity and sequentially numbered ballots. Joe Krohn made a public comment concerning election integrity and voting procedures. Lisa Krohn made a public comment concerning election integrity and voting procedures. Dianne Wassenich made a public comment concerning development over aquifer recharge zones and pollution. Elaine Cardenas, County Clerk, read an emailed public comment from Blooglet requesting election records. Virginia Parker made a public comment concerning the La Cima North Public Improvement District and development over aquifer recharge zones.

37962 Adopt a proclamation declaring September 2022 as Emergency Preparedness Month in Hays County.

Judge Becerra spoke about the Community Emergency Response Team (CERT) and the importance of unity. Mike Jones, Director of Emergency Services, spoke about Emergency Preparedness Month and various events in the community. Michelle Villegas, Hays County Emergency Preparedness Coordinator, spoke about the Emergency Preparedness Fair. Commissioner Smith spoke about planning education and outreach for schools regarding overdoses.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring September 2022 as Emergency Preparedness Month in Hays County.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37963 Approve payments of County invoices.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37964 Approve the payment of Juror checks.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37965 Approve the payment of the August 31, 2022 payroll disbursements in an amount not to exceed \$4,185,000.00 effective August 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the payment of the August 31, 2022 payroll disbursements in an amount not to exceed \$4,185,000.00 effective August 31, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37966 Approve the reappointment of Clint Garza to the Board of Directors of the West Travis County Public Utility Agency (the "WTCPUA"), term ending September 2026.

Dan Lyon made a public comment concerning actions taken by the Agency and water shortages. Commissioner Smith clarified appointments are made by cities, and the County only approves the appointments, and spoke about water restrictions and a plan to find other water sources outside the aquifer.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the reappointment of Clint Garza to the Board of Directors of the West Travis County Public Utility Agency (the "WTCPUA"), term ending September 2026.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith
NAY: Judge Becerra
4 - 1 Passed

37967 Approve out-of-state travel for Records Program Administrator Stephanie Robinson to attend the Tyler New World Advisory Board Meeting on September 20-21, 2022 in Troy, Michigan.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve out-of-state travel for Records Program Administrator Stephanie Robinson to attend the Tyler New World Advisory Board Meeting on September 20-21, 2022 in Troy, Michigan.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37968 Authorize payment to Advance Auto Parts in the amount of \$625.55 for the Sheriff's Office related to the purchase of motor oil where no purchase order was in issued as required per the Hays County purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Advance Auto Parts in the amount of \$625.55 for the Sheriff's Office related to the purchase of motor oil where no purchase order was in issued as required per the Hays County purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37969 Authorize the County Judge to execute an annual Remote Monitoring Services Agreement for an in-building cell signal booster with HCI for the Sheriff's Office Training Academy building.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an annual Remote Monitoring Services Agreement for an in-building cell signal booster with HCI for the Sheriff's Office Training Academy building.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37970 Authorize the County Judge to execute a first amendment to the Professional Services Agreement (PSA) between Hays County and Blair Wildlife Consulting, LLC for Environmental Support Services for the Hays County Regional Habitat Conservation Plan (RHCP) and other Hays County Projects and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(A)(4).

Dan Lyon made a public comment concerning the company's hourly pay rates for their employees. Commissioner Shell and Commissioner Smith elaborated on the work that will be done.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a first amendment to the Professional Services Agreement (PSA) between Hays County and Blair Wildlife Consulting, LLC for Environmental Support Services for the Hays County Regional Habitat Conservation Plan (RHCP) and other Hays County Projects and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(A)(4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37971 Amend the Veteran's Administration operating budget for additional continuing education funds related to the National Association of County Veterans Services Officers (NACVSO) 2022 annual conference.

Jude Prather, Veteran Services Officer, provided additional information on the item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Veteran's Administration operating budget for additional continuing education funds related to the National Association of County Veterans Services Officers (NACVSO) 2022 annual conference.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37972 Authorize General Counsel to execute an Engagement Letter with the Law Office of Stephen C. Dickman for legal services associated with revisions to development regulations, Takings Impact Assessments, and related work; authorizing a discretionary exemption pursuant to Texas Local Government Code Chapter. 262.024 (a) (4).

Dan Lyon made a public comment concerning the pay rates charged by the law office. Commissioner Shell clarified why an attorney is needed for this work. Mark Kennedy, General Counsel, spoke about the discretionary exemption. Commissioner Smith and Marcus Pacheco, Director of Development Services, spoke about the necessity of this item.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize General Counsel to execute an Engagement Letter with the Law Office of Stephen C. Dickman for legal services associated with revisions to development regulations, Takings Impact Assessments, and related work; authorizing a discretionary exemption pursuant to Texas Local Government Code Chapter. 262.024 (a) (4).

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37973 Amend the Constable Precinct 5 operating budget for additional ammunition for law enforcement firearm qualifications and officer safety.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to amend the Constable Precinct 5 operating budget for additional ammunition for law enforcement firearm qualifications and officer safety.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37974 Amend the Extension Office operating budget for additional continuing education funds needed related to the Agrilife Extension State Conference.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to amend the Extension Office operating budget for additional continuing education funds needed related to the Agrilife Extension State Conference.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37975 Discussion and possible action to call for a public hearing on September 13, 2022 to establish a 4-way stop location on Windy Hill Road at the intersection with Shadow Creek Blvd and Crosswinds Parkway.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on September 13, 2022 to establish a 4-way stop location on Windy Hill Road at the intersection with Shadow Creek Blvd and Crosswinds Parkway.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37976 Discussion and possible action to call for a public hearing on September 13, 2022 to establish a 3-way stop location on Mathias Lane at the intersection with Foster Place.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to call for a public hearing on September 13, 2022 to establish a 3-way stop location on Mathias Lane at the intersection with Foster Place.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37977 Discussion and possible action to authorize the County Judge to execute a Contract for Engineering Services between Hays County and CP&Y, Inc. for \$2,500,000 related to a corridor study of the SH 45 Gap Project.

Commissioner Jones and Commissioner Smith spoke about meeting with Travis County Commissioners and the progress on this project.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute a Contract for Engineering Services between Hays County and CP&Y, Inc. for \$2,500,000 related to a corridor study of the SH 45 Gap Project.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith
NAY: Judge Becerra
4 - 1 Passed

37978 Discussion and possible action to call for a public hearing on September 13, 2022 to reduce the current speed limit of 35 MPH to 25 MPH on Nature View Loop in Rutherford West subdivision.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to call for a public hearing on September 13, 2022 to reduce the current speed limit of 35 MPH to 25 MPH on Nature View Loop in Rutherford West subdivision.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37979 PLN-1941-PC; Call for a Public Hearing on September 13th, 2022, followed by discussion and possible action regarding the Rainbow Ranch, Lot 18, Replat.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to call for a Public Hearing on September 13th, 2022, followed by discussion and possible action regarding the Rainbow Ranch, Lot 18, Replat.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

10:00am - Conduct a public hearing on the creation of the La Cima North Public Improvement District.

Judge Becerra opened the public hearing at 10:00 a.m. The following individuals made public comments against the Public Improvement District (PID): Dan Lyon, Jessica Amaya, Ed McCaskill, Joe Schneider, Glen Rydl, Jack Mutschlechner, Rocco Moses, Xandria Quichocho, Ralph Meyer, Valerie Morrison, Benny Rice, John Ogden, Christina Rodriguez, and Michael Hester. Jordan Powell, Assistant General Counsel, spoke about required notices. Commissioner Shell spoke about the history of the development, conservation efforts, and addressed public comment concerns about traffic and water supply. Judge Becerra and Commissioner Smith discussed the development and their involvement in water conservation. Eric Willis, La Cima Project Developer, spoke about regulations, addressed concerns, and offered to meet with residents in a forum setting. He clarified that the development will go on if the PID is not created, but the creation of the PID would put more regulations in place. Julie Houston, Bond Counselor with Orrick, advised the court on their options moving forward. The court discussed the benefits of a PID. Virginia Parker, San Marcos River Foundation, offered to have the Foundation host a public

workshop and spoke about the density of the development. Cindy Meyer made a public comment concerning water pollution. Andrew James made a public comment in favor of the PID. Elaine Cardenas, County Clerk, read emailed public comments against the PID from the following members of the public: Stephen Ramirez, Shannon Brown, Lauren Goodley, Jillian Maxwell, Jenna Smith, Nicci Contreras, Lisa Arceneaux, Niki Lake, Wallis Brown, Devan Green, Kat Dennis, Kimberly Meitzen, Kainoa Lee, Ben Hutchins, Jillian Stoker, Debi Hernandez, Dillen Cooper, Brandon Smith, Garrett Douglas, Nicole Duffy, Jennifer Goode, Leah Cuddeback, Regan Doss, Lily Matt, Evan Simons, Weston Kirk, Skylar Mendez, Heather Dyer, Emily McGuire, Erin Gomez, Elisa Jimenez, Ryan Granell, Shannon Haubrich, LaClea Miles, Iseyra Segura, Humberto Trevino Jr., Meleah Harris, Paola Sordo, Jordan Dunlap, Lily Reeves, and Stephen Harker. Commissioner Ingalsbe asked to delay this vote so public concerns may be addressed. Commissioner Shell spoke about the mechanisms of the PID, the Parks and Open Space Advisory Commission (POSAC), and the public notification issue. Commissioner Smith described the difference between a Public Improvement District and a Municipal Utility District and spoke about conservation efforts and county zoning authority. Judge Becerra closed the public hearing at 12:10 p.m.

Discussion and possible action to adopt a Resolution of Hays County, Texas authorizing and creating the La Cima North Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

Julie Houston, Bond Counselor, advised the court on their options moving forward. Commissioner Shell suggested moving this item to the next meeting to allow for time to address the public's concerns. No action taken.

10:00am - Conduct a public hearing on the creation of the La Cima South Public Improvement District.

Judge Becerra opened the public hearing at 10:00 a.m. See La Cima North Public Improvement District public hearing notes for comments (Item K-1). Judge Becerra closed the public hearing at 12:10 p.m.

37980 Discussion and possible action to adopt a Resolution of Hays County, Texas authorizing and creating the La Cima South Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

Julie Houston, Bond Counselor, explained the item. Commissioner Ingalsbe asked for clarification on assessments. Commissioner Ingalsbe emphasized this PID is not connected to the Country Estates Subdivision. Commissioner Smith emphasized this is within an already existing PID and will not lead to expansion.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution of Hays County, Texas authorizing and creating the La Cima South Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

37981 Discussion and possible action to adopt a Resolution approving a second amendment to La Cima Public Improvement District financing agreement; authorizing the execution and delivery of such amendment; and approving any additional actions necessary in connection therewith.

Julie Houston, Bond Counselor, explained the amendment and the financing agreement.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution approving a second amendment to La Cima Public Improvement District financing agreement; authorizing the execution and delivery of such amendment; and approving any additional actions necessary in connection therewith.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith

NAY: Judge Becerra

4 - 1 Passed

37982 Discussion and possible action to adopt a Resolution determining the costs of certain public improvements to be financed by the La Cima Public Improvement District; approving a preliminary 2022 Amended and Restated Service and Assessment Plan for the district, including a proposed updated major improvement area assessment roll, neighborhood improvement area #1 assessment roll and neighborhood improvement area #2 assessment roll and a proposed neighborhood improvement area #3 assessment roll; directing the filing of the proposed assessment rolls with the County Clerk to make available for public inspection; noticing a public hearing for September 13, 2022 to consider an order levying assessments on property located with neighborhood improvement area #3 of the La Cima Public Improvement District; directing county staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto; and providing an effective date.

Julie Houston, Bond Counselor, explained the Resolution. Commissioner Shell stated these improvement areas are in the existing La Cima PID. Eric Willis, La Cima Representative, elaborated on the item and answered questions from Commissioner Smith and Commissioner Shell.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution determining the costs of certain public improvements to be financed by the La Cima Public Improvement District; approving a preliminary 2022 Amended and Restated Service and Assessment Plan for the district, including a proposed updated major improvement area assessment roll, neighborhood improvement area #1 assessment roll and neighborhood improvement area #2 assessment roll and a proposed neighborhood improvement area #3 assessment roll; directing the filing of the proposed assessment rolls with the County Clerk to make available for public inspection; noticing a public hearing for September 13, 2022 to consider an order levying assessments on property located with neighborhood improvement area #3 of the La Cima Public Improvement District; directing county staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto; and providing an effective date.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 12:29 p.m. and resumed back into open court at 12:39 p.m.

37983 Discussion and possible action to approve the Assessment and Collection Agreements with La Salle Municipal Utility Districts 1 and 2.

Commissioner Ingalsbe provided additional information.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the Assessment and Collection Agreements with La Salle Municipal Utility Districts 1 and 2.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37984 Discussion and possible action to authorize the Sheriff's Office to submit orders for one (1) new and two (2) replacement Harley-Davidson Motorcycles that are approved in the FY 2023 budget.

Commissioner Ingalsbe stated this will help avoid delays.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to submit orders for one (1) new and two (2) replacement Harley-Davidson Motorcycles that are approved in the FY 2023 budget.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37985 Discussion and possible action to authorize modification of Exhibit A to the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA) approved on or about October 1, 2020.

Commissioner Shell spoke about the agreement and staffing/recruiting shortages. Mark Kennedy, General Counsel, gave a presentation on the exhibits to the agreement and changes being made to starting pay. Chief Deputy Mike Davenport, Hays County Sheriff's Office, spoke about the criteria to be a corrections officer. The court discussed the need to retain employees and have competitive pay.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize modification of Exhibit A, labeled "8-10-2022 Draft Amended at 4:30 p.m.", to the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA) approved on or about October 1, 2020.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

37986 Discussion and possible action to appoint Wayne Thompson as the Hays County representative on the Board of Community Action Inc. of Central Texas.

Carole Belver, Executive Director of Community Action Inc. of Central Texas, spoke about the appointment.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Wayne Thompson as the Hays County representative on the Board of Community Action Inc. of Central Texas.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37987 Discussion and possible action to authorize the execution of a Government Agency Agreement, Services Agreement Order Form, and associated License Agreements with Flock Group, Inc. for traffic monitoring cameras and associated hardware and software and authorize a waiver to the purchasing policy.

Chief Deputy Mike Davenport, Hays County Sheriff's Office, elaborated on the functions, benefits, and locations of the cameras.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Government Agency Agreement, Services Agreement Order Form, and associated License Agreements with Flock Group, Inc. for traffic monitoring cameras and associated hardware and software and authorize a waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37988 Discussion and possible action to award a contract for RFP 2022-P07 Electronic Security Upgrades to CML Security, LLC., and authorize staff and General Counsel to negotiate a contract.

Tammy Crumley, Director of Countywide Operations, stated this is for the Government Center and Historic Courthouse. Commissioner Ingalsbe thanked Crumley for her work on this.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award a contract for RFP 2022-P07 Electronic Security Upgrades to CML Security, LLC., and authorize staff and General Counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37989 Discussion and possible action to authorize various departments to submit vehicle orders to Enterprise Fleet Management for forty (40) new and replacement leased vehicles that are approved in the FY 2023 budget.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize various departments to submit vehicle orders to Enterprise Fleet Management for forty (40) new and replacement leased vehicles that are approved in the FY 2023 budget.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 1:40 p.m. and resumed back into open court at 2:19 p.m.

37990 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 Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

Commissioner Shell stated the purchase of the Easement for \$9.5 million is well below the appraised value of \$18.65 million. The purchase will extend Hays County's preserve, established in collaboration with the La Cima development, to about 1,769 acres. This land will be conserved in perpetuity. This is not only a Golden Cheeked Warbler Habitat, but also an important protection for the Purgatory Creek watershed, and for the Edwards Aquifer. The purchase will also provide for an extension of the Purgatory Creek trail system, providing the public with more recreational opportunities in this area.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase Agreement Regarding Conservation Easements, a Conservation Easement, and a Public Access Easement, related to the acquisition of approximately 1,068 acres of easement along Purgatory Creek in Precinct 3, as presented and discussed in Executive Session; to authorize General Counsel to execute all documents incidental to closing this transaction; and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

37991 Discussion and possible action related to the burn ban.

Mark Wobus, Hays County Fire Marshal, updated the court on the status of the burn ban and drought conditions. The court discussed extending the burn ban vs. letting it expire. Wobus recommended letting the ban expire on September 6th, 2022, and reinstating it from September 7th-13th 2022, so the court may reevaluate at its next meeting.

A motion was made by Commissioner Smith, seconded by Judge Becerra to let the burn ban expire September 6th and reinstate the burn ban on September 7th, 2022 with an expiration date of September 13th, 2022.

AYE: Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

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 648 for the week of August 21, 2022, to August 27, 2022. The estimated cost for outsourcing inmates this week was \$75,153. The average number of outsourced males is 128 and females is 25. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Lee, Maverick, and Red River. The number of "paper-ready" inmates who are now wardens of the state is 33. No action taken.

Clerk's Note Agenda Item #M-3 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 #M-4 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 2:20 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 August 30, 2022.



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