

## HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 20, 2022

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 20th DAY OF SEPTEMBER 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:

Pastor Adam Knapp, First United Methodist Church of San Marcos, 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

*Susan Cook made a public comment regarding charges brought against Commissioner Smith and unwanted roadways. Dan Lyon made a public comment regarding charges brought against Commissioner Smith. Lee Ikels, President of Hays County Child Protective Board, thanked the court and stated Hays County has received two awards that will be presented in court next month. Rodrigo Amaya made a public comment regarding charges brought against Commissioner Smith and spoke of unjust amounts of time for those incarcerated at the Hays County Jail awaiting trial. Amy Kamp, Mano Amiga, made a public comment on jail conditions. Matthew Wackerle made a public comment regarding the Hays County jail population, unjust amounts of time for those incarcerated at the Hays County Jail awaiting trial and high bail amounts. Elaine H. Cardenas, County Clerk, read aloud the following emailed public comments from the previous Commissioners Court meeting that were missed: Ashley Wittenburger made a public comment regarding a resolution passed at Hays County Republican Party Precinct 344 convention. Matthew Johnson, Wimberley resident, made a public comment calling for Commissioner Smith's resignation. Alex Villalobos made a public comment calling for the removal of Commissioner Smith. Three anonymous public comments were read aloud calling for the removal of Commissioner Smith. Elaine H. Cardenas, County Clerk, read aloud the following emailed public comments from this week's meeting: V. A. Wilder made a public comment regarding election integrity, Commissioner Smith and the Hays County Justice system. Jordan Buckley made a public comment regarding charges brought against Commissioner Smith. Karen Munoz made a public comment regarding the Hays County jail population.*

Presentation recognizing 4-H Gold Star Award recipients.

*Aaron McCoy, AgriLife Extension office, presented the Gold Star award for 4H to Lizée McMillan and Ella Burden. The Gold Star award is the highest achievement award by the Texas 4H Youth Development program through the County 4H program. Ella Burden, Wimberley 4H, spoke on the 3 projects she is working on. Lizée McMillan, President of Buda 4H and Vice President of Hays County Council, spoke on the 3 projects she is working on. Commissioner Smith thanked the program for the invitation to the court to attend the County banquet and thanked them for recognizing Commissioner Jones for his lifetime of service to the County.*

**38037** Adopt a Proclamation declaring September 15 - October 15, 2022 as Hispanic Heritage Month.

*Jessica Mejia made a public comment about the origin of many Hispanic Hays County residents and reminded the court that we are all related. She stated grace should be given, and we should be here for the children that were hearing everything today. She stated we can move forward together. Gina Alba-Rogers, Council for the Indigenous and Tejano Community, spoke on some history of Hays County settlers and thanked the court for this proclamation.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring September 15 - October 15, 2022 as Hispanic Heritage Month.

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

**38038** Adopt a Proclamation declaring September 20, 2022 as Parks and Open Space Commission Appreciation Day in Hays County.

*The court thanked the volunteers and committee members for their time and this proclamation.*

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a Proclamation declaring September 20, 2022 as Parks and Open Space Commission Appreciation Day in Hays County.

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

Presentation by the Hays County Office of Emergency Services to include a recap of the 2022 Preparedness Fair and to announce the winning department for the best overall basket in the employee raffle basket contest.

*Mike Jones, Office of Emergency Services, spoke about the Preparedness Fair that took place on September 10, 2022. He thanked H-E-B and County staff for working together to make this happen. He also gave thanks to the over 50 vendors, all Hays County ESD's, Hays CISD High School and Middle school bands, Starflight from Austin/Travis County and the 1-108 AVN BN Black Hawk Helicopter. With over 15 basket submissions, most from Hays County employees, the trophy was presented to the winner, the Hays County Auditor's office. Marisol Villarreal-Alonzo, County Auditor, thanked her staff for contributing to this. This makes her office the winner of the basket contest 2 years in a row.*

**38039** Approve payments on County invoices.

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

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

**38040** Approve Commissioners Court Minutes of August 16, 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 16, 2022.

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

**38041** Authorize the County Clerk's Office to accept a \$1,000 donated value from Kofile, Inc. for travel expenses to Dallas, Texas related to a workshop and tour of the Kofile Facility.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Clerk's Office to accept a \$1,000 donated value from Kofile, Inc. for travel expenses to Dallas, Texas related to a workshop and tour of the Kofile Facility.

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

**38042** Authorize the execution of a resolution for the Office of the Governor, Bullet Resistant Shield Grant Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a resolution for the Office of the Governor, Bullet Resistant Shield Grant Program.

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

**38043** Authorize the County Judge to execute a resolution certifying that Hays County has approved a \$13,000.00 grant for the FY 2023 budget year to Combined Community Action, in support for providing home delivered meals to homebound persons in the county that are elderly or disabled.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a resolution certifying that Hays County has approved a \$13,000.00 grant for the FY 2023 budget year to Combined Community Action, in support for providing home delivered meals to homebound persons in the county that are elderly or disabled.

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

**5 - 0 Passed - Unanimously**

**38044** Authorize the Commissioner Pct. 1 Office to support Bonham Pre-Kindergarten School in the San Marcos Consolidated Independent School District (SMCISD) with Bonham STEAM Night, one of the many free after school opportunities Bonham provides for SMCISD students and their families.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Commissioner Pct. 1 Office to support Bonham Pre-Kindergarten School in the San Marcos Consolidated Independent School District (SMCISD) with Bonham STEAM Night, one of the many free after school opportunities Bonham provides for SMCISD students and their families.

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

**5 - 0 Passed - Unanimously**

**38045** Authorize Building Maintenance to replace one HVAC compressor and filter drier on CU-4 located at the Health Department in the amount of \$5,863.22 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize Building Maintenance to replace one HVAC compressor and filter drier on CU-4 located at the Health Department in the amount of \$5,863.22 and amend the budget accordingly.

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

**5 - 0 Passed - Unanimously**

**38046** Authorize Countywide Operations to renew the annual Commercial General Liability and Excess Liability Insurance related to the Gay Ruby Dahlstrom Nature Preserve in the amount of \$9,108.53.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Countywide Operations to renew the annual Commercial General Liability and Excess Liability Insurance related to the Gay Ruby Dahlstrom Nature Preserve in the amount of \$9,108.53.

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

**5 - 0 Passed - Unanimously**

**38047** Authorize the execution of the First Amendment to the 2020 Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association as previously discussed and approved by the Court.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of the First Amendment to the 2020 Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association as previously discussed and approved by the Court.

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

**5 - 0 Passed - Unanimously**

**38048** Authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$16,000.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$16,000.00.

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

**5 - 0 Passed - Unanimously**

**38049** Amend the Human Resources operating budget for continuing education expenses for Fred Pryor Seminar subscriptions.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Human Resources operating budget for continuing education expenses for Fred Pryor Seminar subscriptions.

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

**38050** Authorize the acceptance of a grant award and the execution of a grant contract and service agreement for the FY23 Statewide Automated Victim Notification Service (SAVNS) through the Office of the Attorney General in the amount of \$29,403.16.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award and the execution of a grant contract and service agreement for the FY23 Statewide Automated Victim Notification Service (SAVNS) through the Office of the Attorney General in the amount of \$29,403.16.

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

**38051** Authorize the acceptance and execution of a grant amendment from the Department of State Health Services for the FY 2023 TB Federal Grant Program in the amount of \$26,760.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance and execution of a grant amendment from the Department of State Health Services for the FY 2023 TB Federal Grant Program in the amount of \$26,760.00.

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

**38052** Amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2022 year-end process.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend various departmental operating, special revenue and capital project budgets in preparation for the County's Fiscal Year 2022 year-end process.

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

**38053** Accept the delivery of the Internal Examination report for the Fiscal Year 2021 Hays County Sheriff's Office Drug Forfeiture Fund and Chapter 59 Asset Forfeiture Report.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the delivery of the Internal Examination report for the Fiscal Year 2021 Hays County Sheriff's Office Drug Forfeiture Fund and Chapter 59 Asset Forfeiture Report.

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

**38054** Discussion and possible action to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$2,304,404.09 for the Hymeadow, Section 2, Phase 2 Subdivision (Bond # 70NGP200080).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept fiscal surety for the construction of roadway and drainage improvements in the amount of \$2,304,404.09 for the Hymeadow, Section 2, Phase 2 Subdivision (Bond # 70NGP200080).

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

**38055** Discussion and possible action to consider the release of the Letter of Credit #SBPTX303415 for revegetation efforts in the amount of \$15,938.03 for El Dorado subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to release of the Letter of Credit #SBPTX303415 for revegetation efforts in the amount of \$15,938.03 for El Dorado subdivision.

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

**5 - 0 Passed - Unanimously**

**38056** PLN-1868-NP; Discussion and possible action regarding the final determination for the Quinta Subdivision Plat (5 lots).

*Colby Machacek, County Planner, stated this item has full staff recommendation.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the final determination for the Quinta Subdivision Plat (5 lots).

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

**5 - 0 Passed - Unanimously**

**38057** Hold a public hearing in accordance with Section 293.101 of the Texas Health and Safety Code, to discuss, consider, and take appropriate action on the proposed mandatory payment rate to be assessed on institutional healthcare providers in fiscal year (FY) 2023 pursuant to the County Health Care Provider Participation Program.

*Judge Becerra opened the Public Hearing at 10:32 AM. Bill Galinsky, Vice President Government Finance with Baylor, Scott & White, spoke in favor of the proposed rate. Robin Daniel, Adelanto Healthcare Ventures, spoke in favor of the proposed rate and thanked the court for their support. Judge Becerra closed the Public Hearing at 10:35 AM. Commissioner Shell provided background on the item. He stated the rate they will be approving is 6%. Tammy Crumley, Countywide Operations, read aloud the revenue and assessment amounts from each hospital in Hays County.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt the mandatory payment rate of 6% to be assessed on institutional healthcare providers in fiscal year (FY) 2023 pursuant to the County Health Care Provider Participation Program.

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

**5 - 0 Passed - Unanimously**

**38058** Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #5 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

*Commissioner Jones stated this will allow us to move forward with building two fire stations. The new stations will also be used as voting centers in the future. Commissioner Ingalsbe thanked the Chiefs for their participation and stated this is a fantastic use of ARPA funds. She stated we can better serve an area of the County that has been underserved in the past. Kyle Taylor, Fire Chief of Hays County ESD #5, thanked the court for their work on this. He stated there will be fire trucks and 2 ambulances at these new locations, reducing response times on the East side of Hays County. Clay Huckaby, Fire Chief of Buda Fire Dept, Buda EMS and Hays County ESD # 8, thanked the court for their partnership and stated groundbreaking will be in the near future. Judge Becerra asked that the whole court be invited to the openings. Commissioner Jones stated there will also be new county roads nearby which will help. Mark Kennedy, General Counsel, stated any reference to working capital in the backup has been changed to capital expenditures.*

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #5 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

**5 - 0 Passed - Unanimously**

**38059** Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #8 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

*Commissioner Jones stated this will allow us to move forward with building two fire stations. The new stations will also be used as voting centers in the future. Commissioner Ingalsbe thanked the Chiefs for their participation and stated this is a fantastic use of ARPA funds. She stated we can better serve an area of the County that has been underserved in the past. Kyle Taylor, Fire Chief of Hays County ESD #5, thanked the court for their work on this. He stated there will be fire trucks and 2 ambulances at these new locations, reducing response times on the East side of Hays County. Clay Huckaby, Fire Chief of Buda Fire Dept, Buda EMS and Hays County ESD # 8, thanked the court for their partnership and stated groundbreaking will be in the near future. Judge Becerra asked that the whole court be*

*invited to the openings. Commissioner Jones stated there will also be new county roads nearby which will help. Mark Kennedy, General Counsel, stated any reference to working capital in the backup has been changed to capital expenditures.*

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Services District #8 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

**38060** Discussion and possible action to authorize the County Judge to execute a new contract with Thomson Reuters for online legal research services in the Hays County Criminal District Attorney's Office with funds budgeted for FY2023.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a new contract with Thomson Reuters for online legal research services in the Hays County Criminal District Attorney's Office with funds budgeted for FY2023.

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

**38061** Discussion and possible action to authorize the Recycling and Solid Waste Department to utilize salary savings to pay down compensation accruals for the Recycling and Solid Waste Manager position and approve an additional 120 hours of vacation time to be rolled to FY23 to be used by March 31, 2023.

*Tammy Crumley, Director of Countywide Operations, stated this employee has been the sole employee for a while now and has accrued too much Comp time that he will not be able to take.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Recycling and Solid Waste Department to utilize salary savings to pay down compensation accruals for the Recycling and Solid Waste Manager position and approve an additional 120 hours of vacation time to be rolled to FY23 to be used by March 31, 2023.

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

**38062** Discussion and possible action to authorize the County Courts at Law to hire the Mental Health Court Caseworker, grade 111 position at the 66.46th percentile effective October 1, 2022.

*Dan O'Brien, County Court at Law # 3 Judge, stated the Court earmarked funds for this position earlier in the year. He reviewed the candidates qualifications for this position. Commissioner Shell stated Human Resources has reviewed the qualifications and believes this is a reasonable percentile. The court spoke on the events, people and organizations continuously working on the mental health efforts in Hays County.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Courts at Law to hire the Mental Health Court Caseworker, grade 111 position at the 66.46th percentile effective October 1, 2022.

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

**38063** Discussion and possible action to authorize the County judge to execute a Service Contract related to RFP 2022-P01 Electronic Security Upgrades between Hays County and CML Security, LLC.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County judge to execute a Service Contract related to RFP 2022-P01 Electronic Security Upgrades between Hays County and CML Security, LLC.

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

**38064** 1:00p.m. Hold a final public hearing for the Fiscal Year 2023 Hays County Proposed Budget.

*Judge Becerra opened the public hearing at 1:00 p.m. Ellen Ermis spoke on new members, and is pleased to accept donations of \$12,000 and for additional allocation to the group. Domingo Castilleja spoke in support and asked for court to reconsider application for \$20,000. Mary Helen Tijerina gave her testimonial of the program and expressed her support for Capital Idea. Reverend and Dr. Todd Salmi, President of Southside Community Center, spoke on the services offered to the community. He stated the help they can provide is crucial and asked they increase their allocation by \$15,000. Kathy Morris, Chair of Hays County Family Justice Center, made a public comment thanking many offices for their partnership. She requested \$45,000 for the share of the City/County partnership and \$10,000 for operation. Vickie Dorsett, County Budget Officer, spoke on the budget changes listed in her handout, including an additional \$8,000 for Kyle Area Senior Zone and \$15,000 for Southside Community Center. She stated there was an additional \$7,623 that was in savings that was added to contingencies. There was also an additional \$10,845 that can be added to the budget due to pricing differences. As a result of the Grievance hearing, \$17,750 for increases in Justice of the Peace travel allowances. The Extension office would like to convert a position at the cost of \$2,480. Constable Precinct 1 requested to convert 4 positions, which if approved, the CBA plan could absorb the cost to move them into that new plan. Judge Becerra proposed moving poll worker salary to \$20 per hour. Dorsett stated the Elections Administrator sets those pay rates. This would not be a budget impact but may have to come back to court for approval. Information Technology department is requesting \$5,000 Continuing Education funds. Sheriff's Office has requested to add the Corrections Specialist position to the list of positions that are approved for overtime payments. Kyle Housing Authority has requested a one-time capital contribution of \$75,000 for repairs to the Pete Dressen Housing Apartments which have not passed the HUD inspections, to match the City of Kyle's contributions. Grant Revenue changes as listed, totaling \$16,971 for the General Fund and \$9,539,341 for the ARPA Fund. Additionally, item K1 from today will need to add \$10,800,000 to the LPPF fund revenue for the total assessment, a total of 6%. Computer related changes recommended by Information Technology Department. FY 22 Capital that will not be received by end of fiscal year to roll over to FY23. Minor changes to DA Drug Forfeiture fund of \$9,840 to budget for Miscellaneous expenses. County Clerk's office is requesting 2 high performance scanners totaling \$31,500 utilizing the Records Management fund. Also, County Clerk has requested the court establish the second DC III position that funds were set aside for in the August meeting. Dorsett stated we will need to budget the fund balance in the Park bond fund for agreement with City of San Marcos for Five Mile Dam. There is a list of capital improvement projects that has been edited by Countywide Operations Department. Judge Becerra asked who keeps track of A/C shelf life and warranties to which Tammy Crumley replied. Dorsett stated the court will need to identify which changes the court will accept before the public hearing can be closed. Commissioner Ingalsbe pointed out that the JP increases were unanimously voted on in court. Commissioner Ingalsbe, Commissioner Jones and Judge Becerra also gave their support of the one-time Capital contribution of \$75,000 towards repairs for the Pete Dressen Housing Apartments. Commissioner Ingalsbe stated there are some discussions to be had with Southside Community Center for possible use of ARPA funds. Judge Becerra stated he would like to see all requests funded through ARPA if possible. Judge Becerra closed the public hearing at 1:33 p.m.*

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the list, as provided by the Budget Office, leaving \$11,622 that is left in General Fund. With exception of the 2 positions.

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

A motion was made by Commissioner Shell, seconded by Commissioner Smith to place the \$11,622 into County contingencies.

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

**38065** Discussion and possible action to set the Fiscal Year 2023 salaries and allowances for Hays County Elected Officials.

*Vickie Dorsett, County Budget Officer, stated the list is in backup with travel allowances for Justice of Peace officials. Commissioner Shell clarified this includes no salary increases but only increases to travel allowances through the Grievance process.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to set the Fiscal Year 2023 salaries and allowances for Hays County Elected Officials.

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

**38066** Discussion and possible action to adopt the Fiscal Year 2023 Hays County budget after making any final changes as a result of the public hearing.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to action to adopt the Fiscal Year 2023 Hays County budget after making any final changes as a result of the public hearing.

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

**38067** Discussion and possible action to ratify the property tax increase reflected in the Fiscal Year 2023 Hays County budget.

*Commissioner Smith stated this means a no new revenue rate for current residents.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to ratify the property tax increase reflected in the Fiscal Year 2023 Hays County budget that will raise revenue from property taxes more than last year's budget by \$5,679,017 for 5.85% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$6,074,019.

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

**38068** Discussion and possible action to approve an order adopting the tax rate for Fiscal Year 2023 and levy the taxes.

*Commissioner Smith commented on taxes owed by Judge Becerra.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve an order adopting the tax rate for Fiscal Year 2023 and levy the taxes as follows - General Maintenance and Operations 20.37 cents, General Debt 9.13 cents, Road and Bridge Maintenance and Operations 1.75 cents for a total Ad Valorem tax rate for FY 2023 at 31.25 cents.

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

**Clerk's Note:** Executive Session began at 10:58 a.m. and resumed back into open court at 1:00 p.m.

**38069** 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 as we lead into the conservation of Starnes Property, NRCS portion of funding requires the execution of certain documents related tot the application for federal funding that will help close this transaction. Another one of our projects that' receiving federal matching, which is good for our tax payers.*

A motion was made by Commissioner Shell, seconded by Commissioner Jones to grant General Counsel authority to execute any and all documents presented by the National Resource Conservation Service, related to Hays County's status as prospective co-holder of a conservation easement, along with Hill Country Conservancy, on the Starnes Parks and Open Space project, in Precinct 3 of Hays County.

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

**38070** Executive Session pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Thin Mint. Possible discussion and/or action may follow in open Court.

*Commissioner Ingalsbe stated the land will be subdivided into multiple lots as each phase of development on the land occurs. Because such lots are not yet created, they will not have an independent Ad Valorem tax value for 2022. Base year tax value will be based upon square footage. This will consist of 800,000 square feet of new spec building located on the land. Grant payment shall be in amount equal to 50% of the real property taxes paid by developer. Grant payment, otherwise owed by the County for the year, during which such leasing occurred, will be reduced in proportion to the square footage of the area lease relative to the total square footage of the building improvements. Judge Becerra gave clarification to this idea. Commissioner Smith clarified in the future, spec space would not be what the majority of the court would want in the future.*



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Chapter 381 Economic Development Incentives Agreement between Hays County and Majestic Realty Company LLC as discussed and presented in Executive Session.

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

**Clerk's Note Agenda Item # M -1 RE: *Discussion and possible action related to the burn ban.* - WAS PULLED**

Discussion related to the Hays County inmate population, to include current population counts and costs.

*Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 650, with a peak of 663 on September 16th, 2022. The estimated cost for outsourcing inmates this week was \$129,024. The average number of outsourced males is 205 and females is 24. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnett Comal, Fort Bend, Haskell, Lee, Maverick and Red River. The hopes is Maverick and Red River will soon be zeroed out. The number of "paper-ready" inmates who are now wardens of the state is 31. 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 1:41 P.M.

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I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on SEPTEMBER 20, 2022.



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

