

HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 25, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25th DAY OF OCTOBER 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 Darius Todd 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

David Boyd made a public comment concerning election integrity. Nancy Herlin made a public comment concerning traffic and safety issues on FM 1826. Glenn Richter made a public comment concerning traffic and safety issues on FM 1826. Bob Alexander made a public comment concerning traffic and safety issues on FM 1826. Bill Brock made a public comment concerning traffic and safety issues on FM 1826. Laura Nunn made a public comment concerning election integrity. Jordan Buckley made a public comment in favor of a Public Defender's Office (PDO). Madeline Brock made a public comment concerning traffic and safety issues on FM 1826. Lisa Krohn made a public comment concerning election integrity. Dan Lyon made a public comment concerning political ads and county spending. Erin Ckudre made a public comment in favor of a PDO. Eric Martinez made a public comment in favor of a PDO. Elle Cross made a public comment in favor of a PDO. Sam Benavides made a public comment in favor of a PDO. Sarah Minion made a public comment in favor of a PDO. Jesmeen Grewal made a public comment in favor of a PDO. Karen Munoz made a public comment in favor of a PDO. Erica Galeon made a public comment in favor of a PDO. Elaine Cardenas, County Clerk, read emailed public comments from the following individuals: V.A. Wilder emailed a public comment in favor of poll watchers. Amy Kamp emailed a public comment in favor of a PDO.

38141 Adopt a Proclamation recognizing Kaare & Brenda Remme as Community Resource of the Year.

Lee Ikels, Chair of the Hays County Child Protective Board, stated he is proud to present the Remmes with this award.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation recognizing Kaare & Brenda Remme as Community Resource of the Year.

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

38142 Adopt a Proclamation recognizing Derrell and Mary Moore as Foster Parents of the Year.

Lee Ikels, Chair of the Hays County Child Protective Board, spoke about the caseworkers and foster parents in Hays County and thanked the court for the recognition. Commissioner Smith spoke about the possible use of ARPA funds for Foster Village in Dripping Springs. Commissioner Shell thanked Ikels and the Child Protective Board for their service.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation recognizing Derrell and Mary Moore as Foster Parents of the Year.

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

Clerk's Note Agenda Item #F-3 RE: *Presentation to the recipient of the Honorary 4-H Award.* - WAS PULLED.

38143 Approve payments of County invoices.

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

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

38144 Approve the payment of Juror checks.

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

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

38145 Approve the payment of United Healthcare claims.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of United Healthcare claims.

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

38146 Approve Commissioners Court Minutes of September 20, 2022, September 27, 2022 and October 11, 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 20, 2022, September 27, 2022 and October 11, 2022.

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

38147 Approve the payment of the October 31, 2022 payroll disbursements in an amount not to exceed \$4,300,000.00 effective October 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 Shell to approve the payment of the October 31, 2022 payroll disbursements in an amount not to exceed \$4,300,000.00 effective October 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

38148 Authorize a renewal contract with West Thomson Reuters for legal research resources for the Office of the Hays County Criminal District Attorney and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024 (a)(7)(B).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a renewal contract with West Thomson Reuters for legal research resources for the Office of the Hays County Criminal District Attorney and authorize a discretionary exemption pursuant to Texas Local Government Code, Ch. 262.024 (a)(7)(B).

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

38149 Authorize the County Judge to execute an Interlocal Agreement between Hays County and the Texas A&M AgriLife Extension Service for the Feral Hog Abatement Program in the amount of \$7,500.00.

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 Texas A&M AgriLife Extension Service for the Feral Hog Abatement Program in the amount of \$7,500.00.

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

38150 Authorize the Parks Department to purchase two 12x24 metal utility sheds for the storage of tools and supplies at Sentinel Peak in the amount of \$9,320.00 (\$4,660 each) and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Parks Department to purchase two 12x24 metal utility sheds for the storage of tools and supplies at Sentinel Peak in the amount of \$9,320.00 (\$4,660 each) and amend the budget accordingly.

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

38151 Authorize Building Maintenance to purchase three (3) new Automated External Defibrillators (AEDs) for Hays County buildings in the amount of \$6,535.02 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Building Maintenance to purchase three (3) new Automated External Defibrillators (AEDs) for Hays County buildings in the amount of \$6,535.02 and amend the budget accordingly.

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

38152 Authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Grant Program in the amount of \$10,000.00 related to HazMat equipment monitoring.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Office of the Governor, State Homeland Security Grant Program in the amount of \$10,000.00 related to HazMat equipment monitoring.

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

38153 Authorize the Local Health Department to purchase a year subscription to Jotform in the amount of \$15,000.00 for questionnaire and survey services needed by the Health Department and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Local Health Department to purchase a year subscription to Jotform in the amount of \$15,000.00 for questionnaire and survey services needed by the Health Department and amend the budget accordingly.

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

38154 Approve specifications for IFB 2023-B06 Culverts and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2023-B06 Culverts and authorize Purchasing to solicit for bids and advertise.

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

38155 Approve specifications for IFB 2023-B05 Road Building Materials - Cold Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2023-B05 Road Building Materials - Cold Mix and authorize Purchasing to solicit for bids and advertise.

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

5 - 0 Passed - Unanimously

38156 Approve specifications for IFB 2023-B04 Road Building Materials - Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2023-B04 Road Building Materials - Hot Mix and authorize Purchasing to solicit for bids and advertise.

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

5 - 0 Passed - Unanimously

Amend the County Judge's operating budget for \$370.25 in travel expenses related to assessment of the Haskell County Detention Contract for outsourcing inmates at the Hays County Jail.

Commissioner Smith asked for clarification on the purpose of the visit and who traveled with the Judge, and expressed concerns about using County funds to reimburse outside organizations. Judge Becerra stated he traveled with volunteers for his office and spoke about his visit to the facility. Commissioner Shell stated he uses his travel allowance instead of amending the budget, and asked Judge Becerra to do the same.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the County Judge's operating budget for \$370.25 in travel expenses related to assessment of the Haskell County Detention Contract for outsourcing inmates at the Hays County Jail.

AYE: Commissioner Ingalsbe, Judge Becerra

NAY: Commissioner Jones, Commissioner Shell, Commissioner Smith

2 - 3 Failed

38157 Authorize the County Judge to execute a contract amendment to the Texas Water Development Board, Flood Infrastructure Fund Grant Agreement for the Onion Creek Watershed Study.

Commissioner Smith thanked Development Services and Countywide Operations staff for their work and spoke about the importance of the study and working with other groups.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a contract amendment to the Texas Water Development Board, Flood Infrastructure Fund Grant Agreement for the Onion Creek Watershed Study.

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

5 - 0 Passed - Unanimously

38158 Amend the Transportation Department's budget for road-building materials valued at \$33,500.00 to receive approximately 320 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through their FY 2023 County Assist Surplus Program and add to the department's inventory.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Transportation Department's budget for road-building materials valued at \$33,500.00 to receive approximately 320 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through their FY 2023 County Assist Surplus Program and add to the department's inventory.

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

5 - 0 Passed - Unanimously

38159 Approve the reappointment of Jerry Borcharding, Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and Winton Porterfield, Hays County Planner, as the alternate voting member.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the reappointment of Jerry Borcharding, Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and Winton Porterfield, Hays County Planner, as the alternate voting member.

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

5 - 0 Passed - Unanimously

38160 Approve the appointment of Angela Kennedy, City of Buda Engineer, to replace John Nett, as the primary voting member on the Technical Advisory Committee of CAMPO, and appoint Aaron Reed, City of Dripping Springs Public Works Director, as the alternate voting member for the remainder of 2022 and all of 2023.

Commissioner Jones thanked John Nett for his service and stated these are good replacements.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Angela Kennedy, City of Buda Engineer, to replace John Nett, as the primary voting member on the Technical Advisory Committee of CAMPO, and appoint Aaron Reed, City of Dripping Springs Public Works Director, as the alternate voting member for the remainder of 2022 and all of 2023.

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

38161 Authorize payment to John M. Warren, Inc. for 30 Breakaway Safety Vests in which no purchase order was issued as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to John M. Warren, Inc. for 30 Breakaway Safety Vests in which no purchase order was issued as required per the Hays County Purchasing Policy.

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

38162 Authorize acceptance of separate donations each in the amount of \$10,000.00 to the Hays County Fire Marshal's Office and to the Office of Emergency Management, from the Estate of Franklin Sears; amend the budget accordingly; and authorize execution of documents incidental to probate of the Sears estate, with guidance from the Office of General Counsel.

Commissioner Ingalsbe thanked the Sears family for their donations.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize acceptance of separate donations each in the amount of \$10,000.00 to the Hays County Fire Marshal's Office and to the Office of Emergency Management, from the Estate of Franklin Sears; amend the budget accordingly; and authorize execution of documents incidental to probate of the Sears estate, with guidance from the Office of General Counsel.

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

38163 Approve the appointment of Raschell D. Jarden to the Board of Emergency Services District #9 to replace Bruce Schneider, for a term ending December 31, 2024.

Commissioner Jones thanked Bruce Schneider for his service and stated this is a good replacement.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointment of Raschell D. Jarden to the Board of Emergency Services District #9 to replace Bruce Schneider, for a term ending December 31, 2024.

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

38164 Amend the Sheriff Drug Forfeiture Fund for the purchase of computer equipment valued at \$7,526.00 for Crime Analyst positions.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Sheriff Drug Forfeiture Fund for the purchase of computer equipment valued at \$7,526.00 for Crime Analyst positions.

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

38165 Approve specifications for IFB 2023-B08 Emulsion Oils and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2023-B08 Emulsion Oils and authorize Purchasing to solicit for bids and advertise.

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

38166 Authorize the Information Technology Department to purchase laptops and accessories for the Justice of the Peace Pct. 2, 4 and 5 Offices and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Department to purchase laptops and accessories for the Justice of the Peace Pct. 2, 4 and 5 Offices and amend the budget accordingly.

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

Receive Responses from the Hays County Elections Administrator related to citizen queries about elections.

Judge Becerra spoke about the need to address the public's concerns over elections. Elaine Cardenas, County Clerk, read aloud the Hays County Elections Office's responses to citizen comments regarding the 2020 election. Mark Kennedy, General Counsel, spoke about creating a public record of these responses and possibly posting them on the County website. Commissioner Ingalsbe gave support for putting the responses online. Commissioner Jones spoke about keeping an open dialogue and asked about oversight of elections. Commissioner Shell spoke about identifying issues and making changes. Commissioner Smith spoke about needing more staff to complete the information requests the Elections Office has been receiving and making that information more easily accessible. No action taken.

38167 Authorize General Counsel to execute and record a Special Warranty Deed related to the roadway(s) and easement(s) at Sentinel Peak Preserve.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize General Counsel to execute and record a Special Warranty Deed related to the roadway(s) and easement(s) at Sentinel Peak Preserve.

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

38168 Authorize the Director of Countywide Operations to work with the Sheriff's Office to identify and reserve space for use by the Hays County Brown Santa Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Director of Countywide Operations to work with the Sheriff's Office to identify and reserve space for use by the Hays County Brown Santa Program.

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

38169 Hold a public hearing with possible action to establish a 4-way stop location on Crosswinds Parkway at the intersection with Gulfstream Trail in Crosswinds subdivision.

Judge Becerra opened the public hearing at 11:40 a.m. No comments were made. Judge Becerra closed the public hearing at 11:40 a.m. Commissioner Ingalsbe stated this will improve traffic and safety.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a 4-way stop location on Crosswinds Parkway at the intersection with Gulfstream Trail in Crosswinds subdivision.

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

38170 Discussion and possible action to consider the release of the revegetation bond #PB03016800693M in the amount of \$19,781.95 for 6 Creeks subdivision, Phase 1, Section 4A.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to release the revegetation bond #PB03016800693M in the amount of \$19,781.95 for 6 Creeks subdivision, Phase 1, Section 4A.

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

38171 Discussion and possible action to authorize the County Judge to execute the 7th Letter Amendment for a time extension to a Professional Services Agreement (PSA) between Hays County and Lockwood, Andrews and Newman, Inc. executed on or about October 31, 2017 for Right of Way Service for Dacy Lane, Phase II from Amberwood Loop to Hillside Terrace, road widening and realignment project.

Commissioner Ingalsbe stated this is for a time extension and no additional funds are required.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute the 7th Letter Amendment for a time extension to a Professional Services Agreement (PSA) between Hays County and Lockwood, Andrews and Newman, Inc. executed on or about October 31, 2017 for Right of Way Service for Dacy Lane, Phase II from Amberwood Loop to Hillside Terrace, road widening and realignment project.

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

38172 Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the Letter of Credit #SBP702766 in the amount of \$1,042,313.95, acceptance of the 2-year maintenance bond #PB03016800753M in the amount of \$168,217.11, and acceptance of the 1-year revegetation bond #PB03016800753M2 in the amount of \$129,173.00 for Parten Ranch subd., Phase 4.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept road construction & surface drainage improvements, release the Letter of Credit #SBP702766 in the amount of \$1,042,313.95, accept the 2-year maintenance bond #PB03016800753M in the amount of \$168,217.11, and accept the 1-year revegetation bond #PB03016800753M2 in the amount of \$129,173.00 for Parten Ranch subd., Phase 4.

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

38173 Discussion and possible action to authorize the Court to execute a Contract Amendment No. 7 in the amount of \$200,000.00 to the Professional Service Agreement between Hays County and Johnson, Mirmiran, & Thompson, Inc. for professional design services on the FM 110 Middle project in Precinct 1, as part of the TxDOT/Hays County Partnership Program; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

Dan Lyon made a public comment concerning costs and time extensions. Commissioner Ingalsbe stated this will authorize FEMA permitting and explained unforeseen issues sometimes come up as the project progresses. Commissioner Shell clarified that there was no bid for this project, just a cost estimate.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Contract Amendment No. 7 in the amount of \$200,000.00 to the Professional Service Agreement between Hays County and Johnson, Mirmiran, & Thompson, Inc. for professional design services on the FM 110 Middle project in Precinct 1, as part of the TxDOT/Hays County Partnership Program; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

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

38174 Discussion and possible action to accept Subdivision Bond No. 7901017121 for street and drainage improvements in the amount of \$1,238,375.00 for the Crosswinds, Phase 6A subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept Subdivision Bond No. 7901017121 for street and drainage improvements in the amount of \$1,238,375.00 for the Crosswinds, Phase 6A subdivision.

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

38175 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Pape Dawson Engineering for development of Plans, Specifications, and Estimates for improvements to Beback Inn Road in Pct. 1.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement between Hays County and Pape Dawson Engineering for development of Plans, Specifications, and Estimates for improvements to Beback Inn Road in Pct. 1.

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

5 - 0 Passed - Unanimously

38176 PLN-2011-NP; Weber Estate, Lot 1; Discussion and possible action to approve the final plat.

Colby Machacek, County Planner with Development Services, provided background on the property and stated it has full staff recommendation.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the final plat of Weber Estate, Lot 1.

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

5 - 0 Passed - Unanimously

38177 PLN-1902-PC; Wimberley Campfire 2, Edgewater Section, Lots 267 and 268, Amended; Discussion and possible action to consider granting a variance to Table 10-1 of the Hays County On-Site Sewage Facility Rules.

Colby Machacek, County Planner with Development Services, provided background on the property and explained the variance request. He stated the project is also under review by the City of Wimberley. Commissioner Shell stated this reduces potential development density.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to grant a variance to Table 10-1 of the Hays County On-Site Sewage Facility Rules to Wimberley Campfire 2, Edgewater Section, Lots 267 and 268, Amended.

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

5 - 0 Passed - Unanimously

38178 PLN-2055-PC; Call for a Public Hearing on November 15th 2022, followed by discussion and possible action regarding the Indian Hills Ranch, Lot 9, Replat.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a Public Hearing on November 15th 2022, followed by discussion and possible action regarding the Indian Hills Ranch, Lot 9, Replat.

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

5 - 0 Passed - Unanimously

38179 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Court Appointed Special Advocates (CASA) of Central Texas Inc. regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

Commissioner Smith thanked Commissioner Shell for matching the \$50,000 funding from the Precinct 4 allocation with funds from the Precinct 3 allocation, and spoke about possible additional funding in the future.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and the Court Appointed Special Advocates (CASA) of Central Texas Inc. 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

Clerk's Note Agenda Item #K-2 RE: *Discussion and possible action to authorize the County Judge to execute an Amendment to the License and Services Agreement with Tyler Technologies, Inc. for the Jury Manager Software.*
- WAS PULLED.

38180 Discussion and possible action to authorize renewal of Hays County Auto Liability, Auto Physical Damage, General Liability, Law Enforcement Liability, and Public Official Liability coverage. The annual renewal premium is \$499,084.00.

Shari Miller, Director of Human Resources, spoke about the annual renewal of coverage and the addition of Auto Physical Damage coverage. Lisa McCaig, Texas Association of Counties (TAC) Risk Management Consultant, thanked Shari Miller for her and her staff's work and stated the cost savings offsets the cost in premiums. Commissioner Shell asked for details on savings and spending. Vickie Dorsett, Hays County Budget Officer, spoke about damaged vehicles in recent years and the cost of repairs.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize renewal of Hays County Auto Liability, Auto Physical Damage, General Liability, Law Enforcement Liability, and Public Official Liability coverage. The annual renewal premium is \$499,084.00.

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

Update to the Commissioners Court regarding the proposed Hays County Public Defender's Office.

Commissioner Ingalsbe stated they are close to finalizing the contract and are hopeful for action in the next month. Commissioner Shell gave background on the process of creating a Public Defender's Office (PDO), including funding, RFPs, the choice to use a non-profit, and planning how the office will operate and integrate with the courts. He spoke about the importance of indigent defense and an efficient criminal justice system. Mark Kennedy, General Counsel, spoke about what still needs to be done before finalizing the contract. The court discussed when they expect the process to be finished and making edits to the contract after it is finalized. Commissioner Smith clarified that the vote to use Neighborhood Defender Service was unanimous and the reason he did not support a PDO at the beginning of the process was due to concerns about implementation. No action taken.

Clerk's Note: Executive Session began at 12:02 p.m. and resumed back into open court at 12:10 p.m.

38181 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. 2. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Purchase Agreement for Parcel 19 on Windy Hill Road, between Hays County and Ana Posada, as 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 615 for the week of October 16, 2022 with a peak of 619 inmates on October 16, 2022. The estimated cost for outsourcing inmates this week was \$134,823. The average number of outsourced males is 218 and females is 16. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, Lee, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 34. 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 12:11 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 OCTOBER 25, 2022.



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