

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 23, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF MAY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Jim Davis, Grace Bible 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

Debbie Adams made a public comment concerning county policies and crime. Tristen Cleve made a public comment concerning county policies and crime. Dustin Inderman made a public comment concerning county policies and crime. Andre Lemke made a public comment concerning the cost of the Public Defender Office and crime. Laura Nunn made a public comment concerning county policies and crime. Mary Mitchell made a public comment concerning county policies and crime. Jim Davis made a public comment concerning county policies and crime. Emily Sierra made a public comment concerning discrepancies in paychecks and deferred compensation from the county. Chyna Bond made a public comment concerning discrepancies in deferred compensation accounts from the county. Fox Whitworth made a public comment concerning the Treasurer's Office. William Lawrence made a public comment concerning the Treasurer's Office. Dan Lyon made a public comment concerning county spending and taxes. David Wiley made a public comment promoting Community Action's Breast Cancer Screening Project and their successful outreach.

Clerk's Note: Commissioner Smith joined via Teams until 9:31 a.m.

Presentation by Hays County 4-H members regarding the achievements of their participation at the District 10 - 4-H Spring Roundup.

Sierra Murray, Hays County 4-H and Youth Programs Coordinator, recognized the following 4-H members: Marlena De La Rosa-Moore, Luke Mosser, Nolan De La Rosa-Moore, Kaitlyn Miller, Penelope Soto, Benjamin Soto, and Everly Shumway.

Recognition of Sylvia Rodriguez for 29 years of service to the Hays County Local Health Department.

Tammy Crumley, Director of Countywide Operations, recognized Sylvia Rodriguez for her service to the Health Department.

38937 Adopt a Proclamation recognizing May 2023 as Community Action, Inc of Central Texas Month.

Stacey Martinez, Health Services Director for Community Action, Inc of Central Texas, thanked Hays County for their continued support and spoke about the organization's work.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing May 2023 as Community Action, Inc of Central Texas Month.



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

5 - 0 Passed - Unanimously

38938 Adopt a Proclamation recognizing May 2023 as Foster Care Awareness Month.

Daphne Tenorio spoke about her family's experience as a foster family. Commissioner Smith recognized Foster Village in Dripping Springs for their work to support foster families.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation recognizing May 2023 as Foster Care Awareness Month.

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

5 - 0 Passed - Unanimously

38939 Adopt a Proclamation declaring May 2023 as Older Americans Month.

Judge Becerra thanked Commissioner Ingalsbe for bringing awareness to this. Commissioner Ingalsbe spoke about Capital Area Council of Governments and the services they provide. Dan Lyon made a public comment concerning taxes for residents 65 and over.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring May 2023 as Older Americans Month.

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

5 - 0 Passed - Unanimously

38940 Adopt a Proclamation declaring the week of May 21st as Search and Rescue Week in Hays County.

Shannon Smith, Director of Communications and Outreach for Texas Search and Rescue, thanked the Court for the Proclamation and spoke about the organization's new Missing Persons Unit. Todd Snyder, Director of Missing Persons Unit, spoke about the organization's work. The Court spoke about the importance of search and rescue workers and volunteers and thanked them for their work.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Proclamation declaring the week of May 21st as Search and Rescue Week in Hays County.

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

5 - 0 Passed - Unanimously

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hill Country Women's Health Collective (HCWHC).

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hill Country Women's Health Collective with ARPA funds to purchase a portable ultrasound machine.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Local Health Department Community Outreach.

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hays County Local Health Department with ARPA funds to improve public health outreach.

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Emergency Services District #1 (ESD 1).

Eric Boehning, Ardurra Project Manager, presented a plan to provide the Hays County ESD 1 with ARPA funds to purchase a new EMS ambulance.

38941 Approve payments of County invoices.

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



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

5 - 0 Passed - Unanimously

38942 Approve the payment of Juror checks.

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

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

5 - 0 Passed - Unanimously

38943 Approve the payment of United Healthcare claims.

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

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

5 - 0 Passed - Unanimously

38944 Approve Commissioners Court Minutes of May 2, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Commissioners Court Minutes of May 2, 2023.

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

5 - 0 Passed - Unanimously

38945 Approve the payment of the May 31, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the payment of the May 31, 2023 payroll disbursements in an amount not to exceed \$4,000,000.00 effective May 31, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

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

5 - 0 Passed - Unanimously

38946 Adopt a Resolution of support for the City of Kyle's application to Texas Department of Transportation (TxDOT) for funding of a shared use path along FM 150.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution of support for the City of Kyle's application to Texas Department of Transportation (TxDOT) for funding of a shared use path along FM 150.

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

5 - 0 Passed - Unanimously

38947 Authorize the County Judge to execute a service agreement with Smiths Detection, Inc. in the amount of \$17,898.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a service agreement with Smiths Detection, Inc. in the amount of \$17,898.00 for the general maintenance, inspections, and repairs of the industrial X-Ray security scanners located at the Hays County Government Center; and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7) (D).

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

5 - 0 Passed - Unanimously



38948 Authorize Building Maintenance to install a new 9,000 BTU Mitsubishi mini-split AC system in the Thermon building in the amount of \$4,862.92 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to install a new 9,000 BTU Mitsubishi mini-split AC system in the Thermon building in the amount of \$4,862.92 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38949 Authorize the execution of a resolution for the Office of Governor, Homeland Security Grant Program associated with the Hays County Ready Central Texas Campaign Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of Governor, Homeland Security Grant Program associated with the Hays County Ready Central Texas Campaign Grant.

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

5 - 0 Passed - Unanimously

38950 Authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with the Hays County CERT (Community Emergency Response Team) Enhancement Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with the Hays County CERT (Community Emergency Response Team) Enhancement Grant.

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

5 - 0 Passed - Unanimously

38951 Authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with HazMat Team Monitor Maintenance Grant.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution for the Office of the Governor, Homeland Security Grant Program associated with HazMat Team Monitor Maintenance Grant.

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

5 - 0 Passed - Unanimously

38952 Authorize Building Maintenance to replace the existing split system located at the Precinct 3 Constables Office with a new 3-ton Johnson Controls heat pump mini split system in the amount of \$6,826.89 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace the existing split system located at the Precinct 3 Constables Office with a new 3-ton Johnson Controls heat pump mini split system in the amount of \$6,826.89 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38953 Amend the Commissioner Pct. 1 operating budget for continuing education expenses related to the South Texas County Judge and Commissioners Association Conference.

Vickie Dorsett, Hays County Budget Officer, stated the potential funding source for this is Countywide Contingencies.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend the Commissioner Pct. 1 operating budget for continuing education expenses related to the South Texas County Judge and Commissioners Association Conference.



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

5 - 0 Passed - Unanimously

38954 Authorize the Commissioner Pct. 1 Office to utilize county funds to purchase a replacement refrigerator for the Pct. 1 Office not to exceed \$175.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Commissioner Pct. 1 Office to utilize county funds to purchase a replacement refrigerator for the Pct. 1 Office not to exceed \$175.00.

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

5 - 0 Passed - Unanimously

38955 Authorize Building Maintenance to replace one Packaged Terminal Air Conditioner (PTAC) unit valued at \$2,558.56 at the Thermon building with a new 12,000 BTU PTAC unit and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize Building Maintenance to replace one Packaged Terminal Air Conditioner (PTAC) unit valued at \$2,558.56 at the Thermon building with a new 12,000 BTU PTAC unit and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38956 Approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, June 1, 2023 - November 30, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve extension of the Public Improvement District (PID) Bond Underwriting Services pool related to RFQ 2019-P04 Bond Underwriting Services for six (6) months, June 1, 2023 - November 30, 2023.

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

5 - 0 Passed - Unanimously

38957 Approve the transfer of fee simple interests in Right of Way associated with FM110 (South and Middle Segments) from Hays County to Texas Department of Transportation (TxDOT).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the transfer of fee simple interests in Right of Way associated with FM110 (South and Middle Segments) from Hays County to Texas Department of Transportation (TxDOT).

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

5 - 0 Passed - Unanimously

38958 Approve the sidewalk demolition and repair project at the Historic Courthouse and authorize Myers Concrete to provide labor services pursuant to IFB 2021-B05 Concrete Contractor, total project cost is \$168,890.48.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the sidewalk demolition and repair project at the Historic Courthouse and authorize Myers Concrete to provide labor services pursuant to IFB 2021-B05 Concrete Contractor, total project cost is \$168,890.48.

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

5 - 0 Passed - Unanimously

38959 Authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24/25 Regional and Local Services System/Local Public Health Services (RLSS/LPHS) program in the amount of \$102,926.00.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services (DSHS), FY24/25 Regional and Local Services System/Local Public Health Services (RLSS/LPHS) program in the amount of \$102,926.00.

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

5 - 0 Passed - Unanimously

38960 Accept the delivery of the Internal Examination report for the Fiscal Year 2022 Hays County Sheriffs Office Chapter 59 Asset Forfeiture Account, and the Exit Internal Examination Report for Commissioner Precinct 2 Office.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the delivery of the Internal Examination report for the Fiscal Year 2022 Hays County Sheriffs Office Chapter 59 Asset Forfeiture Account, and the Exit Internal Examination Report for Commissioner Precinct 2 Office.

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

5 - 0 Passed - Unanimously

38961 Accept the Fiscal Year 2022 Hays County Emergency Services District #4 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Emergency Services District #4 Audit Report per Texas Health and Safety Code 775.082.

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

5 - 0 Passed - Unanimously

38962 Accept the Fiscal Year 2022 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the Fiscal Year 2022 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082.

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

5 - 0 Passed - Unanimously

38963 Approve a 30-day extension for Hays County Emergency Services District #3 for the filing of their Fiscal Year 2022 audit report.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve a 30-day extension for Hays County Emergency Services District #3 for the filing of their Fiscal Year 2022 audit report.

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

5 - 0 Passed - Unanimously

38964 Authorize a purchasing waiver and approve \$384.00 in additional funding for consumable items related to the Mental Health First Aid Course held on May 16, 2023.

Vickie Dorsett, Hays County Budget Officer, stated the potential funding source for this is Countywide Contingencies.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a purchasing waiver and approve \$384.00 in additional funding for consumable items related to the Mental Health First Aid Course held on May 16, 2023.

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

5 - 0 Passed - Unanimously



38965 Amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 mid-year financial reporting.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2023 mid-year financial reporting.

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

5 - 0 Passed - Unanimously

38966 Authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the four (4) Stanley Automatic doors at the Public Safety Building; authorize a waiver to the purchasing policy.

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

5 - 0 Passed - Unanimously

38967 Authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an agreement between Hays County Building Maintenance and Stanley Allegion Access Technologies LLC for the preventative maintenance and repairs of the nine (9) Stanley Automatic doors at the Government Center; authorize a waiver to the purchasing policy.

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

5 - 0 Passed - Unanimously

38968 Authorize the execution of a resolution of support for participation in the City of Austin's grant application to the Environmental Protection Agency, Climate Pollution Reduction Grant Program.

Commissioner Smith stated this will also qualify the county to potentially receive additional funding in the future.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a resolution of support for participation in the City of Austin's grant application to the Environmental Protection Agency, Climate Pollution Reduction Grant Program.

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

5 - 0 Passed - Unanimously

38969 Approve out-of-state travel for Detective Nelson Wray to attend Advanced Mobile Device Examiner on August 21-September 1, 2023, in Hoover, Alabama.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out-of-state travel for Detective Nelson Wray to attend Advanced Mobile Device Examiner on August 21-September 1, 2023, in Hoover, Alabama.

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

5 - 0 Passed - Unanimously

38970 Approve out-of-state travel for Detective Nelson Wray to attend Advanced Forensics Training on September 18-29, 2023, in Hoover, Alabama.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve out-of-state travel for Detective Nelson Wray to attend Advanced Forensics Training on September 18-29, 2023, in Hoover, Alabama.

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

5 - 0 Passed - Unanimously

38971 Approve Utility Permits.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Utility Permits.

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

5 - 0 Passed - Unanimously

38972 Approval to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a)(1) and authorize Purchasing to advertise. Purchasing is also seeking approval to properly dispose of items that are placed in the online auction but do not sell.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve Purchasing to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a)(1) and authorize Purchasing to advertise, and to properly dispose of items that are placed in the online auction but do not sell.

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

5 - 0 Passed - Unanimously

38973 Ratify the submission of a grant application to the Department of Justice, School Violence Prevention Program Grant Program in the amount of \$499,520.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to ratify the submission of a grant application to the Department of Justice, School Violence Prevention Program Grant Program in the amount of \$499,520.00.

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

5 - 0 Passed - Unanimously

38974 Authorize the Local Health Department to accept a \$50.00 donation in the form of two (2) \$25.00 gift cards from Casa Garcia's Mexican Restaurant and Cantina for the Summer Health Fair that the Health Department will be hosting on June 10, 2023 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Local Health Department to accept a \$50.00 donation in the form of two (2) \$25.00 gift cards from Casa Garcia's Mexican Restaurant and Cantina for the Summer Health Fair that the Health Department will be hosting on June 10, 2023 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38975 Accept the delivery of the Quarterly Auditor Reports for Constable Precinct 1, Constable Precinct 5, Justice of the Peace Precinct 2, Justice of the Peace Precinct 3, Parks Department, and Health Department for the audit period October 2022 through December 2022.

Marisol Villarreal-Alonzo, Hays County Auditor, pulled the Parks Department report.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the delivery of the Quarterly Auditor Reports for Constable Precinct 1, Constable Precinct 5, Justice of the Peace Precinct 2, Justice of the Peace Precinct 3, and Health Department for the audit period October 2022 through December 2022.

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

5 - 0 Passed - Unanimously



38976 Authorize the Sheriff's Office to accept a proposal from Cornerstone Detention related to cell padding repair pursuant to GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Sheriff's Office to accept a proposal from Cornerstone Detention related to cell padding repair pursuant to GSA Contract GA-07F-269AA, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) for all open market items.

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

5 - 0 Passed - Unanimously

38977 Approve specifications for RFP 2023-P09 Delinquent Tax Collection Services and authorize Purchasing to solicit for proposals and advertise.

The Court discussed with Jenifer O'Kane, Hays County Tax Assessor-Collector, the evaluation criteria and who to include in the evaluation committee for the proposals. Judge Becerra spoke against including individuals from municipals on the evaluation committee, and in favor of changing the evaluation criteria. O'Kane spoke about the process of creating the RFP and the need to make any changes in open court. Commissioner Smith spoke in favor of including a commissioner and general counsel in the evaluation committee, as well as those who are directly involved in the collection of delinquent taxes.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for RFP 2023-P09 Delinquent Tax Collection Services and authorize Purchasing to solicit for proposals and advertise, and to add Commissioner Cohen to the evaluation committee.

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

5 - 0 Passed - Unanimously

38978 Authorize a budget amendment for the transfer of \$1,700.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize a budget amendment for the transfer of \$1,700.00 to continuing education funds within the Development Services operating budget and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38979 Authorize the Justice of the Peace Pct. 5 Office to purchase one new Executive Desk for the Elected Official; accept proposal from Sullivan Contracting for Courtroom bench platform improvements; authorize a purchasing waiver to utilize Total Security Solutions to add bulletproof glass for the Administration Area and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Justice of the Peace Pct. 5 Office to purchase one new Executive Desk for the Elected Official; accept proposal from Sullivan Contracting for Courtroom bench platform improvements; authorize a purchasing waiver to utilize Total Security Solutions to add bulletproof glass for the Administration Area and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38980 Authorize the acceptance of a grant award from the Department of State Health Services FY24 Immunizations-Locals (IMM/LOCALS) Grant Program in the amount of \$192,341.00.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Department of State Health Services FY24 Immunizations-Locals (IMM/LOCALS) Grant Program in the amount of \$192,341.00.



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

38981 Authorize the County Judge to execute Contract Amendment 2 with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, in the amount of \$7,648.59.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment 2 with CML Security, LLC. related to Electronic Security Upgrades pursuant to RFP 2022-P07, in the amount of \$7,648.59.

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

38982 Discussion and possible action to authorize the County Judge to execute a contract between Hays County and E-Z Bell Construction, LLC for the annual maintenance of the traffic signal on Nutty Brown Road several hundred feet south of its intersection with Hwy. 290 in Precinct 4 and amend the budget accordingly.

Commissioner Smith explained this is the contractual obligation for the company to fund maintenance for the traffic signal.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a contract between Hays County and E-Z Bell Construction, LLC for the annual maintenance of the traffic signal on Nutty Brown Road several hundred feet south of its intersection with Hwy. 290 in Precinct 4 and amend the budget accordingly.

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

38983 Discussion and possible action to authorize the County Judge to execute Amendment #1 to the Advanced Funding Agreement with TXDOT for the design and installation of roadway safety lighting, profile edge line markings, and profile centerline markings on Winters Mill Parkway in Precinct 3.

Commissioner Shell explained this amendment scales back the project to better align with the Wimberley Valley Dark Sky Committee's goals.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Amendment #1 to the Advanced Funding Agreement with TXDOT for the design and installation of roadway safety lighting, profile edge line markings, and profile centerline markings on Winters Mill Parkway in Precinct 3.

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

38984 Discussion and possible action to accept Rolling Meadows Lane, located in Precinct 1, into the County maintenance system.

Commissioner Ingalsbe explained Rolling Meadows Lane was constructed to County standards in 2003 and this corrects an oversight.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept Rolling Meadows Lane, located in Precinct 1, into the County maintenance system.

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

38985 Discussion and possible action to accept the maintenance bond rider extensions from DNT Construction until October 26, 2023 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00; and until April 26, 2024 for: Sunfield subdivision Phase 2, Section 12 - bond #PB03016800417M in the amount of \$90,377.95.



A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extensions from DNT Construction until October 26, 2023 for: Sunfield subdivision: Phase 2, Section 8 - bond #1060750 in the amount of \$188,961.00, Phase 2, Section 11 - bond #1060751 in the amount of \$231,755.60, Phase 3, Section 2 - bond #PB03016800273M in the amount of \$32,600.00, Phase 3, Section 4 - bond #PB03016800240M in the amount of \$22,000.00, Phase 3 "Roadway Extension" - bond #PB03016800210 in the amount of \$30,350.00; and until April 26, 2024 for: Sunfield subdivision Phase 2, Section 12 - bond #PB03016800417M in the amount of \$90,377.95.

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

5 - 0 Passed - Unanimously

38986 Discussion and possible action to approve the selection of Cobb Fendley & Associates Inc. to perform a corridor study of Fitzhugh Road in Precinct 4 from its intersection with RM 12 east to the Travis County line; and authorize staff and counsel to negotiate a contract.

Commissioner Smith spoke about work being done on this road in Travis County and how it may affect the Hays County portion of the road, and explained how this will help address needs for safety improvements.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the selection of Cobb Fendley & Associates Inc. to perform a corridor study of Fitzhugh Road in Precinct 4 from its intersection with RM 12 east to the Travis County line; and authorize staff and counsel to negotiate a contract.

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

5 - 0 Passed - Unanimously

38987 Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,752,914.10 for the Hymeadow, Phase 3, Section 2 Subdivision (Bond #47SUR300214010611).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,752,914.10 for the Hymeadow, Phase 3, Section 2 Subdivision (Bond #47SUR300214010611).

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

5 - 0 Passed - Unanimously

38988 Discussion and possible action to call for a public hearing on June 6, 2023 regarding setting a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on June 6, 2023 regarding setting a 25 MPH speed limit throughout the Circle N Ranch Subdivision.

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

5 - 0 Passed - Unanimously

38989 Discussion and possible action to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Sundown Avenue and Pine Arbol.

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

5 - 0 Passed - Unanimously

38990 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$50,000.00 to the Professional Services Agreement with BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond Program; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.



A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 3 in the amount of \$50,000.00 to the Professional Services Agreement with BGE, Inc. for the RM 967 project from UPRR to IH-35 in Precinct 4, as part of the 2016 Road Bond 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 Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

38991 Discussion and possible action to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to call for a public hearing on June 6, 2023, to establish a 3-way stop at the intersection of Crosscreek Drive and Bear Creek Pass.

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

5 - 0 Passed - Unanimously

38992 PLN-1956-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the 3-G Ranch Addition, Section 3, Lot 5, Replat.

Judge Becerra opened the Public Hearing at 2:31 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:31 p.m. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends disapproval due to deficiencies in the back-up. He asked the Court to designate Development Services to make the final determination of approval or disapproval should the applicant address the deficiencies.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to disapprove the 3-G Ranch Addition, Section 3, Lot 5, Replat (PLN-1956-PC), and to designate Marcus Pacheco, Director of Development Services, to make the final determination of approval or disapproval of the plat application pursuant to Texas Local Government Code Chapter 232.0028.

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

5 - 0 Passed - Unanimously

Discussion and possible action to authorize the County Judge to execute a Development Agreement for Mission Oaks Condominiums between Hays County, Davy Crockett Estates, LLC, and Lang Family Ranches L.P.

William Wagner made a public comment concerning the Development Agreement and the development's effect on roads and water. Dawn Brady Morris made a public comment concerning the Development Agreement and the development's effect on traffic. Lauren Ice made a public comment concerning the Development Agreement and asking to postpone its execution. Quincy DeSpain made a public comment concerning the development's effect on roads. Thomas Migl made a public comment concerning the Development Agreement. Commissioner Smith spoke about the Development Agreement and clarified it does not exempt the developer from any rules or regulations from the Cities of Austin or Bear Creek. He addressed residents' concerns about roads, fire code compliance, and water, and explained the County's limited authority over land use and development. Mark Kennedy, General Counsel, spoke about the need for new rules for condominium regimes. Jon Thompson, representative for the developer, gave a presentation on the development process. Commissioner Shell discussed with Mark Kennedy and Marcus Pacheco, Director of Development Services, the Development Agreement and its specifications. The Court decided to delay any action until the next meeting on June 6, 2023. No action taken.

Clerk's Note: Judge Becerra called for a recess that began at 11:52 a.m. and resumed back into open court at 12:02 p.m.

38993 Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Patriots' Hall of Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.



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 Patriots' Hall of Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38994 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 Service District #2 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Hays County Emergency Service District #2 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38995 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 #4 (ESD 4) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Shell, 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 #4 (ESD 4) regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

38996 Discussion and possible action to authorize the execution of the Financial Renewal and Terms Amendment between Hays County and United Healthcare Insurance Company.

Shari Miller, Director of Human Resources, clarified what is covered by this contract.

A motion was made by Commissioner Shell, seconded by Commissioner Cohen to authorize the execution of the Financial Renewal and Terms Amendment between Hays County and United Healthcare Insurance Company.

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

5 - 0 Passed - Unanimously

38997 Discussion and possible action to authorize the Human Resources Department to utilize salary savings to hire a temporary Communications Intern effective June 1st through September 30, 2023.

Shari Miller, Director of Human Resources, spoke about the intern's duties.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the Human Resources Department to utilize salary savings to hire a temporary Communications Intern effective June 1st through September 30, 2023.

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

5 - 0 Passed - Unanimously

38998 Authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Services with Otis Elevator Company with a 7% proposed price increase.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Services with Otis Elevator Company with a 7% proposed price increase.

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

5 - 0 Passed - Unanimously

38999 Discussion and possible action to award a contract for IFB 2023-B14 Courthouse Grounds Renovation to Diamondback Landscaping and Lawn Care, Inc. in the amount \$196,399.75.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to award a contract for IFB 2023-B14 Courthouse Grounds Renovation to Diamondback Landscaping and Lawn Care, Inc. in the amount \$196,399.75.

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

5 - 0 Passed - Unanimously

39000 Discussion and possible action to authorize the execution of a Resolution Supporting the Great Springs Project's application to the Texas Department of Transportation's (TxDOT) 2023 Transportation Alternatives Set-Aside Program Call for Projects for the development of plans for building and linking 100-miles of existing and planned trails from San Antonio to Austin.

Commissioner Shell stated the County has no financial involvement for this item.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution Supporting the Great Springs Project's application to the Texas Department of Transportation's (TxDOT) 2023 Transportation Alternatives Set-Aside Program Call for Projects for the development of plans for building and linking 100-miles of existing and planned trails from San Antonio to Austin.

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

5 - 0 Passed - Unanimously

39001 Discussion and possible action to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections from the Founders Ridge Subdivision to the Dripping Springs ISD Elementary School, Dripping Springs Ranch Park, and Surrounding Area.

Commissioner Smith spoke about the trail and park connections this project would create.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections from the Founders Ridge Subdivision to the Dripping Springs ISD Elementary School, Dripping Springs Ranch Park, and Surrounding Area.

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

5 - 0 Passed - Unanimously

39002 Discussion and possible action to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections on Old Fitzhugh Road from Mercer Street to Ranch Road 12 and Surrounding Areas.

Commissioner Smith spoke about the trail and park connections this project would create.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution in support of the City of Dripping Springs' application to the Texas Department of Transportation (TxDOT) Transportation Alternatives Set-Aside Program for the creation of pedestrian and cyclist trail connections on Old Fitzhugh Road from Mercer Street to Ranch Road 12 and Surrounding Areas.



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

5 - 0 Passed - Unanimously

39003 Discussion and possible action to authorize the execution of a Resolution and submission of a detailed grant application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the Hays County Sawyer Ranch Road Shared Use Path Extension.

Commissioner Smith explained this will extend the path to the newly constructed school.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Resolution and submission of a detailed grant application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the Hays County Sawyer Ranch Road Shared Use Path Extension.

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

5 - 0 Passed - Unanimously

39004 Discussion and possible action to authorize the County Judge to execute a Work-Based Learning Program Agreement for the County Clerk's Office to participate in an internship program with Gary Job Corps Center and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a Work-Based Learning Program Agreement for the County Clerk's Office to participate in an internship program with Gary Job Corps Center and amend the budget accordingly.

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

5 - 0 Passed - Unanimously

Hold a public hearing; Followed by discussion and possible action regarding changes to the Hays County Food Establishment Regulations.

Judge Becerra opened the Public Hearing at 2:46 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:46 p.m. Marcus Pacheco, Director of Development Services, explained the Court passed the revised Hays County Food Establishment Regulations on April 25, 2023, but the required Public Hearing was not held. Judge Becerra reopened the Public Hearing at 2:47 p.m. No comments were made. Judge Becerra closed the Public Hearing at 2:47 p.m. Pacheco stated there are no changes to the regulations that were approved. No action taken.

39005 Discussion and possible action regarding all positions and duties within the Hays County Treasurer's Office, including the potential reassignment of positions and duties to other offices within the County; and to amend the budget accordingly.

Commissioner Shell spoke about moving the payroll process from the Treasurer's Office to the Auditor's Office. The Court discussed with Mark Kennedy, General Counsel, if this item could be moved to Executive Session.

Clerk's Note: Judge Becerra called for a recess that began at 1:40 p.m. and resumed back into open court at 1:48 p.m.

Clerk's Note: Item K-14 was reopened at 3:31 p.m.

Daphne Tenorio, Hays County Treasurer, asked for the payroll process and 3 positions to be moved from the Treasurer's Office to the Auditor's Office. Commissioner Shell suggested moving payroll to the Budget Office and asked for clarification on the statutorily defined duties of the Treasurer's Office. Tenorio reviewed the positions in her office and their duties. Vickie Dorsett, Hays County Budget Officer, spoke about her familiarity with the payroll process and asked for a Payroll Administrator position in addition to a restructuring of the 3 positions from the Treasurer's Office. Commissioner Shell asked Jeff McGill, Director of Information Technology, to find potential space in his suite that could be used to relocate payroll immediately, and stated any individual currently in those positions will need to reapply with Dorsett to be retained and accepted under her office. Commissioner Shell requested that Dorsett communicate with the existing employees of those positions as soon as possible. Dorsett asked for the ability to work with Human Resources to retitle the positions.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to transfer the payroll responsibilities from the Treasurer's Office to the Budget Office, including 2 Payroll Managers at grade 124, a Treasury Associate at grade 113, and the creation of a new position of Payroll Administrator at grade 126, effective today, May 23, 2023, and amend the budget accordingly. This transition will include facilities and all files, equipment, and items associated with the positions.

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

5 - 0 Passed - Unanimously

Discussion and possible action to receive information from the Hays County Auditor regarding payroll and disbursement deficiencies by the Hays County Treasurer's Office.

Marisol Villarreal-Alonzo, Hays County Auditor, presented to the Court various errors and deficiencies made in the payroll system by the Treasurer's Office since January 2023 and requested a review of the payroll process. The Court members expressed concern over the amount of errors and spoke about the need to resolve them in a timely manner. Villarreal-Alonzo asked for assistance from the Court in receiving access to shared documents. Judge Becerra spoke about updating the County timekeeping system to reduce errors. Daphne Tenorio, Hays County Treasurer, addressed the concerns and spoke about challenges her office has experienced due to manual timekeeping and a lack of policies or procedures. Commissioner Ingalsbe spoke about the need for the Auditor and Treasurer to work together and for a resolution. Commissioner Cohen spoke about a previously held meeting regarding these issues. Commissioner Smith expressed concerns over the errors and spoke about the office's fiduciary duty. The Court further discussed their questions and concerns with Tenorio. Stephanie Hunt, Assistant County Auditor, spoke about assisting the Treasurer's Office with their duties. No action taken.

Clerk's Note: Executive Session began at 2:50 p.m. and resumed back into open court at 3:31 p.m.

Clerk's Note Agenda Item #L-1 RE: *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. - WAS PULLED.*

Clerk's Note Agenda Item #L-2 RE: *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 Lion King and Project Radiata. Possible discussion and/or action may follow in open Court. - WAS PULLED.*

39006 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 Shady Bluff Drive in Pct. 3. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by J.D. Jamieson; and approve payment to the owner's attorney The Law Office of Kathleen A Mendoza, PLLC as presented in Executive Session.

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

5 - 0 Passed - Unanimously

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by Carlos Balam-Kuk Solis, as presented in Executive Session.

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

5 - 0 Passed - Unanimously



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution and recording of a Public Access Easement for the Shady Bluff Drive Road Improvement Project located in Precinct 3, owned by Donald & Sharon Wild, as presented in Executive Session.

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

5 - 0 Passed - Unanimously

39007 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 FM 2001 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept landowner's counteroffer and authorize execution of a Purchase Agreement for Parcel 91/91DE of the FM 2001 Project, owned by Geraldine Fogle McCormick, Individually and as Trustee of the Family Trust created under the Last Will and Testament of Thaddeus Charles McCormick, Jr., as presented in Executive Session.

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

5 - 0 Passed - Unanimously

39008 Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel regarding pending and/or contemplated litigation involving Hays County. Possible action may follow in open court.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to ratify the County Judge's execution of Subdivision Participation and Release Forms with CVS, Walgreens, Allergen and Walmart as part of the Opioid Settlement Agreement; and to authorize the execution of a Resolution to support the adoption and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet in its entirety regarding the Opioid Settlement proceeds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, 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 554 for the week of May 14, 2023, with a peak of 564 inmates on May 18, 2023. The estimated cost for outsourcing inmates this week was \$144,040. The average number of outsourced males is 226 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick.

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.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071. - **WAS PULLED.**

Clerk's Note Agenda Item #M-7 RE: Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken. - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:54 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on MAY 23, 2023.



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

