

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MAY 30, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30th DAY OF MAY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE	Via Teams
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:

Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Frank Arredondo made a public comment concerning the calling of a special meeting and asking for an audit of the Treasurer's Office prior to the recent election of Daphne Tenorio. Dan Lyon made a public comment concerning the intent of the agenda item and in favor of Treasurer Tenorio. Elaine Cardenas, County Clerk, read emailed public comments from the following individuals: Diane McCabe emailed a public comment concerning the calling of a special meeting and asking for more time for input. Phil Ward emailed a public comment concerning the shooting of firearms across roadways. Ann Jensen emailed a public comment concerning the calling of a special meeting and asking for more time for input.

39009 Discussion and possible action regarding all positions and duties within the Hays County Treasurer's Office, the potential reassignment of positions and duties of the Treasurer's Office to other offices within the County, the designation and approval of the appropriate authority for certain County functions related to the processing of payroll, and any other transactions processed by the County, the transfer of files, resources, assets, and any other County-owned property between County offices; and to amend the budget accordingly.

John Hatch made a public comment concerning last minute placement of items on the agenda and the calling of a special meeting. Nicholas Hoover made a public comment concerning making changes to the Treasurer's Office during the adjustment period after the election. Ana Juarez made a public comment concerning a lack of transparency and communication, and asked for an audit of the Treasurer's Office prior to the election. Mark Kennedy, General Counsel, clarified the special meeting was called by three commissioners and a 72-hour notice was given as required by law. Shirley Ogletree made a public comment questioning the timing of the agenda item and the change in payroll processes. Roland Saucedo asked to make his public comment after the Court's discussion. Jeff Kaufmann made a public comment concerning the calling of a special meeting and disagreements between elected officials. Commissioner Shell clarified this is not an emergency meeting, it is a special meeting that was called in compliance with the law. He explained the reason for the meeting, which includes investigations involving employees of the Treasurer's Office and the need for an update from the Budget Office on the recent payroll processing. Vickie Dorsett, Hays County Budget Officer, updated the Court on the payroll process and asked for clarification on the transfer of duties. Shari Miller, Director of Human Resources, spoke about the sharing of personnel files between the Human Resources and Treasurer's Offices and recommended moving them to Human Resources. Daphne Tenorio, Hays County Treasurer, spoke about the transition and employee duties. The Court further discussed with Tenorio, Miller, and Dorsett the logistics of moving files and duties, including issues encountered and how to move forward. Judge Becerra spoke against the calling of this special meeting and the Court's failure to order an audit when requested by the Treasurer.



Commissioner Smith expressed concern over the amount of payroll errors and the possible impact on the County's credit rating. Judge Becerra clarified that no files have been destroyed, there has been no loss of County money, and the Treasurer is not under investigation. Commissioner Smith addressed several public comments and explained why Court members cannot discuss agenda items in private before the meeting. Dan Lyon made a public comment regarding the County's financial management. Roland Saucedo made a public comment against the calling of this meeting and the Court's actions. Judge Becerra expressed concern over whether Commissioner Ingalsbe agreed to be the third court member needed to call this meeting and its legality, and recommended no vote.

A motion was made by Commissioner Shell, seconded by Commissioner Smith for the maintenance and management of personnel files and employment verifications to be moved to Human Resources and for Human Resources to develop policies for access to those files by departments as needed to perform their core duties. The Hays County Budget Office, under the Hays County Budget Officer, shall have the authority to receive reports on timekeeping and paid leave from County offices and prepare payroll for timely disbursement by the County Treasurer. The Hays County Budget Office, under the Hays County Budget Officer, shall have the authority to prepare W-2s and 1095s as needed. The Auditor shall retain the responsibilities of preparing 1099s, auditing payroll, and other financial activities at the County, including the transfer of funds for the purpose of investment pursuant to Hays County's Investment Policy, and shall prepare any remaining investment reports from 2022. The Auditor may further define the process for her cosigning, which includes her authority to oversee the transfer of funds for investment.

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

NAY: Judge Becerra

4 - 1 Passed

ADJOURNMENT

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to adjourn court at 2:50 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 30, 2023.



Elaine H. Cardenas

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

