

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 20, 2019

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF AUGUST A.D., 2019, 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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, spoke about the purchase of HART election machines instead of ES&S. Rodrigo Amaya, resident of San Marcos, commented on expenses of the General Counsel's office. Lisa Marie Coppoletta, spoke in favor of keeping voting boxes at Blanco Gardens. Harvey Jenkins, resident of San Marcos, expressed his concerns about discord at the Special Meeting held on 08/19/2019. Cindy Jackson called for reliable access to voting. Nan Booth Simpson spoke in support of voting equipment and also in support of having more voting locations. Jesse Sanchez spoke in support of having a second voting location at the LBJ Center on the Texas State University Campus. Sara Lee Underwood Myers spoke of her dissatisfaction with the elections process in Hays County. Ralph Guerrero spoke of the additional needs of support staff in the District Attorney's Office. Lacey Waller expressed concern about the planning process for voting centers. Linda Calvert commended the court on holding the Special Meeting the previous night and read a list of the parties in favor. Whitney Hicks spoke of the additional needs of the District Attorney's Office. Aimee Corbin spoke of the need for additional funds and resources for Child Protective Services and also additional attorneys and paralegals for the District Attorney's Office. Angie Roberts spoke of the need for additional attorneys and paralegals in the District Attorney's Office. Roland Saucedo, resident of San Marcos, thanked the court for the workshop the previous evening and spoke in favor of having a voting center in the Blanco Gardens area. Kelly Stone described the Special Meeting of the previous evening as a "wonderful display of democracy" and strongly recommended voting centers at Texas State University. Catherine Wicker talked about the stress for first time voters at a new polling site, and recommended keeping the locations as accessible as possible.

1. UPDATE BY CHARLIE CAMPISE ON THE AUGUST 6, 2019 HILL COUNTRY MENTAL HEALTH DEVELOPMENTAL DISABILITIES BOARD MEETING

Charlie Campise, Hays County representative on the Hill Country Mental Health Developmental Disabilities Board, seeks two new members to join the board. Mr. Campise gave an update on the mental health developmental disabilities meeting held on June 4, 2019. Commissioner Smith commented on the importance of Mental Health.

34186 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 5,372,604.59, as submitted by the County Auditor's Office. All present voting "Aye." MOTION PASSED



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Clerk's Note Agenda Item #3 RE: *APPROVE PAYMENTS OF JUROR CHECKS.* – **WAS PULLED****34187 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$26,781.97, as submitted by the County Auditor's Office. All present voting "Aye." MOTION PASSED

34188 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 6, 2019 AND AUGUST 13, 2019

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve Commissioners Court Minutes of August 6, 2019 and August 13, 2019, as presented by the County Clerk. All present voting "Aye." MOTION PASSED

34189 APPROVE OUT-OF-STATE TRAVEL FOR DEPUTY BLAINE HAMILTON TO ATTEND THE "PREVENTION OF AND RESPONSE TO SUICIDE BOMBING INCIDENTS - RESIDENTIAL COURSE", SECTION "A" IN SOCORRO, NEW MEXICO FOR SEPTEMBER 23RD - SEPTEMBER 27TH, 2019

The IRTB course provides first responders with the knowledge and skills necessary to safely respond to terrorist incidents involving explosives. The IRTB course focuses on first responder health and safety by addressing personal protection issues that arise when responding to terror incidents involving commercial and homemade explosive. Additionally, the course includes information on the recognition of Improvised Explosive Devices (IEDs); terrorist organizations, both foreign and domestic; and lessons learned from past terrorist incidents. This information better prepares first responders to safely recognize and respond to terrorist bombing threats. Out of state travel is requested for Deputy Blaine Hamilton, who has been accepted by New Mexico Tech, to attend the "Prevention of and Response to Suicide Bombing Incidents" - Residential Course, Section "A" in Socorro, NM. Funding (Training, Airfare, Hotel Accommodations, and Per-Diem) is provided by the U.S. Department of Home Land Security (DHS/Federal Emergency Management Agency (FEMA)). **A motion was made by Commissioner Jones seconded by Commissioner Shell, to approve out-of-state travel for Deputy Blaine Hamilton to attend the "Prevention of and Response to Suicide Bombing Incidents - Residential Course", Section "A" in Socorro, New Mexico for September 23rd - September 27th, 2019. All present voting "Aye." MOTION PASSED**

Clerk's Note Agenda Item #7 RE: *AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO PURCHASE AND INSTALL AN S & G VAULT LOCKING SYSTEM IN THE SAFE ROOM OF THE JUDGE'S OFFICE LOCATED AT THE HISTORICAL COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY.* – BECERRA/T.CRUMLEY - **WAS PULLED****34190 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR WEDDING VENUE AT 1000 HEIDENREICH LANE, KYLE, TX**

Raymond Perez is proposing an On-Site Sewage System to serve their 1800 sq. ft. wedding venue. The system is designed to accommodate up to 100 customers. This 6.1-acre tract of land will be served by public water supply. The system designer, Jim Conner, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 400 gallons. **A motion was made**

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by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Wedding Venue at 1000 Heidenreich Lane, Kyle, TX. All present voting "Aye." MOTION PASSED

34191 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #4 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) WITH DOUCET & ASSOCIATES RELATED TO DESIGN OF IMPROVEMENTS TO OLD SAN ANTONIO ROAD IN PRECINCT 2

Several unanticipated existing utility miss-alignments has caused Doucet to exhaust contract funds for Construction Phase consulting. Approval of this change order will allow the firm to continue to provide services related to varied construction activities. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize the County Judge to execute change order #4 to the Professional Services Agreement (PSA) with Doucet & Associates related to design of improvements to Old San Antonio Road in Precinct 2. All present voting "Aye." MOTION PASSED**

34192 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING # 3 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN MARCOS, TX

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/warehouse building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 112 gallons. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 3 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED**

34193 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING # 5 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN MARCOS, TX

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/retail building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 127 gallons. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 5 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED**

34194 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING # 6 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN MARCOS, TX

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/retail building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 70 gallons. **A motion was made by Commissioner Jones seconded by**

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Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 6 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED

**34195 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING
7 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN
MARCOS, TX**

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/warehouse building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 86 gallons. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 7 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED**

**34196 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING
8 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN
MARCOS, TX**

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/warehouse building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 86 gallons. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 8 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED**

**34197 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR RETAIL BUILDING
9 IN THE 123 BUSINESS PARK SUBDIVISION AT 16910 SH 123, SAN
MARCOS, TX**

JL SH123, LLC-Mark Smith is proposing an On-Site Sewage Facility to serve an office/warehouse building. The 123 Business Park Subdivision is a 8.201 acre business park that is located partially in Hays and partially in Guadalupe County, the development is served by public water supply. The system designer, Steve Wenzel, RS, PE, has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure dosing for a maximum daily rate of 86 gallons. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for Retail Building # 9 in the 123 Business Park Subdivision at 16910 SH 123, San Marcos, TX. All present voting "Aye." MOTION PASSED**

**34198 AMEND VARIOUS DEPARTMENTAL OPERATING, SPECIAL REVENUE AND
CAPITAL PROJECT BUDGETS IN PREPARATION FOR FISCAL YEAR 2019
THIRD QUARTER FINANCIAL REPORTING**

The attached budget amendment is needed to spread annual merit pool funds as needed, address additional fuel needs for departments, for accurate general ledger coding and address bond expenditures per updated cash flows. Attachment: Budget Amendment Form. **A motion was made by Commissioner Jones seconded**

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by Commissioner Shell to amend various departmental operating, special revenue and capital project budgets in preparation for Fiscal Year 2019 third quarter financial reporting. All present voting "Aye."
MOTION PASSED

34199 AUTHORIZE THE COUNTY WIDE OPERATIONS, GRANTS DIVISION TO PURCHASE FERAL HOG TRAPPING KITS FROM KING FEED AS A REQUIREMENT PER THE FERAL HOG ABATEMENT GRANT PROGRAM; AND ALLOW AN EXEMPTION FROM THE COUNTY PURCHASING POLICY

Under the County Feral Hog Abatement Grant, the County is required to provide up to \$4,000 worth of trapping supplies to program participants. The County must partner with a local retailer on the purchasing of these supplies. King Feed has submitted a proposal for Feral Hog Trapping Kits which includes a single door hog trap, seven (7) 6' T-posts, and four (4) 5'X20' hog panels. These kits cannot be purchased at any other retailer local to our area. Exemption from the county purchasing policy is requested. Attachment: King Feed Proposal. **A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize the County Wide Operations, Grants Division to purchase Feral Hog Trapping Kits from King Feed as a requirement per the Feral Hog Abatement Grant program; and allow an exemption from the county purchasing policy. All present voting "Aye." MOTION PASSED**

34200 RATIFY THE PURCHASE AND INSTALLATION OF A NEW HVAC UNIT THAT REPLACED A FAILED HVAC UNIT LOCATED IN THE OFFICE OF EMERGENCY SERVICES AND AMEND THE BUDGET ACCORDINGLY

The Building Maintenance department had a failed HVAC unit replaced with a new Trane Condensing Unit located in the Yarrington Road building. Funding is available in the Building Maintenance and Repair budget for this replacement equipment. * SI Mechanical Quote Attached Budget Amendment: Decrease 001-695-00.5451 Building Maintenance and Repair (\$3,779) Increase 001-695-00.5719_700 Misc. Equipment Capital Outlay \$3,779. **A motion was made by Commissioner Jones seconded by Commissioner Shell to ratify the purchase and installation of a new HVAC unit that replaced a failed HVAC unit located in the Office of Emergency Services and amend the budget accordingly. All present voting "Aye." MOTION PASSED**

34201 APPROVE AND CONFIRM THE APPOINTMENT OF LUPE CRUZ, MICHAEL HARTHCOCK AND ASHLEY JACKSON AS RESERVE DEPUTY CONSTABLES FOR HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE

Pursuant to Local Government Code Chapter 86, Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. a) An elected constable who desires to appoint a deputy must apply in writing to the commissioner's court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioner's court shall approve and confirm the appointment of the deputy only if the commissioner's court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioner's court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to approve and confirm the**

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appointment of Lupe Cruz, Michael Harthcock and Ashley Jackson as Reserve Deputy Constables for Hays County Constable Precinct 3 Office. All present voting "Aye." MOTION PASSED

34202 APPROVE THE CANCELLATION OF HAYS COUNTY COMMISSIONERS COURT ON OCTOBER 8, DECEMBER 3, DECEMBER 24, AND DECEMBER 31, 2019

Court dates have been presented for cancelation due to the County Judges and Commissioners of Texas Conference and conflict of fall and winter holidays. A motion was made by Commissioner Jones seconded by Commissioner Shell to approve the cancellation of Hays County Commissioners Court on October 8, December 3, December 24, and December 31, 2019. All present voting "Aye." MOTION PASSED

34203 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) TO PURCHASE BULLETPROOF VESTS FOR COUNTY LAW ENFORCEMENT OFFICERS

The grant application is for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. The application includes needs for both new officers and the replacement of existing bulletproof vests. Vests are replaced based on a five-year usable protective wear cycle. The amount directly allocated to Hays County is \$11,513. Submission of the application is done electronically and is due on August 23, 2019. A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase bulletproof vests for county law enforcement officers. All present voting "Aye." MOTION PASSED

34204 APPROVE THE SELECTION OF DANNENBAUM ENGINEERING TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE POSEY ROAD CORRIDOR IMPROVEMENTS PROJECT FROM I-35 TO HUNTER ROAD (CR 109); AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

The Posey Road Corridor Project from I-35 to Hunter Road has been identified as a high priority safety project for Precinct 3. The project will address widening, possible grade crossing at the Union Pacific Railroad tracks, and tie in to improvements under construction at I-35 and Posey Road. Funding for the project would come from the County's 2016 Road Bond Program Safety/Mobility/ (County & State System) Match funding category. Approval of Dannenbaum Engineer for schematic, environmental documentation and PS&E services would position this important safety and mobility project to move quickly to construction and allow the County to program construction funding in the County's Fiscal Year 2020 budget and seek additional construction funding through CAMPO. Dannenbaum Engineering has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. A motion was made by Commissioner Smith seconded by Commissioner Ingalsbe to approve the selection of Dannenbaum Engineering to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Posey Road Corridor Improvements Project from I-35 to Hunter Road (CR 109); and to authorize staff and counsel to negotiate a contract. All present voting "Aye." MOTION PASSED



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- 34205 AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA)/CONTRACT WITH RPS INFRASTRUCTURE, INC. FOR ADDITIONAL RFI'S, REVISIONS TO CONSTRUCTION PLANS, AND EVALUATION OF DESIGN ALTERNATIVES TO ACCOMMODATE THE BRIDGE CONSTRUCTION OF MUSTANG CREEK ON THE FM 1626 SOUTH PROJECT IN HAYS COUNTY AS PART OF THE PASS-THROUGH FINANCE PROGRAM**

The original fee allocated for bid and construction phase services has been depleted due to additional reviews of RFI's, revisions to construction plans per requests from TxDOT and RS&H (County's Inspection Engineer), and evaluation of design alternatives to accommodate the bridge construction of Mustang Creek. The County needs RPS to continue to assist in addressing RFI's and plan revisions (traffic control plans, culvert, driveway) and modifications needed related to the Kahlbau dam. **A motion was made by Commissioner Jones seconded by Commissioner Smith to authorize the execution of a Supplemental No. 5 to the Professional Services Agreement (PSA)/contract with RPS Infrastructure, Inc. for additional RFI's, revisions to construction plans, and evaluation of design alternatives to accommodate the bridge construction of Mustang Creek on the FM 1626 South project in Hays County as part of the Pass-Through Finance Program. All present voting "Aye." MOTION PASSED**

- 34206 ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$3,716,725.50 FOR DRIFTWOOD GOLF AND RANCH CLUB, PHASE ONE (BOND # 7000000156)**

The final plat for the Driftwood Golf and Ranch Club, Phase One subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Jones seconded by Commissioner Shell to accept fiscal surety for the construction of street and drainage improvements in the amount of \$3,716,725.50 for Driftwood Golf and Ranch Club, Phase One (Bond # 7000000156). All present voting "Aye." MOTION PASSED**

- 34207 SUB-1321; MONTGOMERY ACRES SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

Montgomery Acres is a proposed 1 lot subdivision located along Cambridge Road in Precinct 3. Water service will be provided by Individual Private Well. Wastewater service will be accomplished by Individual On-Site Sewage Facilities. **A motion was made by Commissioner Smith seconded by Commissioner Jones to approve preliminary plant of SUB-1321; Montgomery Acres Subdivision (1 Lot). All present voting "Aye." MOTION PASSED**

- 34208 SUB-1230; MALONEY ESTATES (1 LOT). ACTION TO APPROVE THE PRELIMINARY PLAN AND CONSIDER GRANTING A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES**

The Maloney Estates Subdivision is a proposed 1 lot subdivision located off Mount Sharp Road in Precinct 3. Water service will be provided by Individual Private Well. Wastewater treatment will be accomplished by Individual On-Site Sewage Facility (OSSF). The Hays County minimum lot size for a lot served by private well and conventional OSSF in the Edwards Aquifer Contributing Zone is 3 Acres. The newly created lot 1 does not meet the current minimum lot size requirements at 2.51 acres. The applicant is seeking a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. Justification is included in the backup. **A motion was made by Commissioner Shell seconded by Commissioner Jones to approve preliminary plat of SUB**



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-1230; Maloney Estates (1 Lot) and grant a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye." MOTION PASSED

34209 APPOINT JUDGES/ALTERNATE JUDGES FOR THE CONSTITUTIONAL AMENDMENT ELECTION TO BE HELD ON NOVEMBER 5, 2019 FOR A TWO YEAR TERM

Pursuant to Chapter 32 of the Texas Election Code, the county chairs of the political parties whose candidate for governor received the highest number of votes in the county in the 2018 gubernatorial election must submit a list to the commissioners court naming the person in order of preference who are eligible for appointment as an election judge or alternate judge in each county polling precinct/vote center for approval. HB 1735 amended Chapter 32 of the code to provide a methodology for the selection of Judges for the Countywide Polling Place program as follows: An example election: Precinct 5 has: 10 county election precincts. 5 countywide polling places. In the preceding gubernatorial election... Party A won 6 election precincts. Party B won 4 election precincts. 60% of 5 polling places = 3 presiding judges will be affiliated with Party A. 40% of 5 polling places = 2 presiding judges will be affiliated with Party B. A list with the recommendations for appointees for the next (2) years from each party chair will be held in back up. **A motion was made by Commissioner Smith, seconded by Commissioner Jones, to appoint Judges/Alternate Judges for the Constitutional Amendment election to be held on November 5, 2019 for a two year term. All present voted "Aye." MOTION PASSED**

34210 APPROVE ELECTION VOTE CENTER LOCATIONS FOR THE NOVEMBER 2019 CONSTITUTIONAL AMENDMENT ELECTION AND EARLY VOTING LOCATIONS

Harvey Jenkins, Linda Calvert, Samuel Trevor Newman and Esther Garcia spoke in favor of at least one vote center on the Texas State University campus, as well as centers at other locations including Chapa and east of I-35. Speaking on behalf of the League of Women Voters, Linda Chavez called for the establishment of a permanent citizen's election committee on which the League of Women Voters would have representation. Dorothy Knight spoke in support of the position statement prepared by the League of Women Voters. Mary Skillman and Mindy Webber also spoke in support of the League of Women Voters and offered petitions with names of Hays County residents who support the League of Women Voters' position.

Hays County Commissioners Court in conjunction with approval from the Office of Secretary of State has given the Hays County Election office the green light to move ahead with the Countywide Polling Place Program for November 2019. A Polling Place Study group was formed with the following individuals serving: Alicia Ramirez - City of Buda Jennifer Vetrano - City of Kyle Jamie Case - City of San Marcos Mayor Jane Hughson - City of San Marcos Laura Calcote - City of Wimberley Andrea Cunningham - City of Dripping Springs Sheila Lamb - Dripping Springs ISD Dottie Busby - Wimberley ISD Karen Griffin - San Marcos CISD Tim Savoy - Hays CISD Sandra Tenorio - Texas Rural Communities The group met several times to discuss potential polling places throughout the county. They established criteria based on literature of prescribed criteria for vote center voting, as well as, individualized criteria for Hays County demographics and submitted lists of recommended locations. The list of Early Voting and Election Day vote center locations was finalized in Commissioners Court and will be published on the website, in newspapers and at public meetings. The final lists are provided in the back-up. In addition, the Elections Administration will send out notices to registered voters, and post notices on Election Day at the sites no longer in use. These lists will also be included in all jurisdictions' election notices. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the amended list of election vote center locations for the November 2019 Constitutional Amendment election. All present voted "Aye." MOTION PASSED**

34211 ACTION TO CALL AN ELECTION TO BE HELD ON NOVEMBER 5, 2019 TO VOTE FOR 10 CONSTITUTIONAL AMENDMENTS

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A motion was made by Commissioner Smith, seconded by Commissioner Jones, to call an election to be held on November 5, 2019 to vote for 10 Constitutional Amendments. All present voted "Aye." MOTION PASSED

Clerk's Note Agenda Item #30 RE: *DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH AUTOMATED MERCHANT SYSTEMS (AMS) FOR THE COUNTY CLERK'S OFFICE. – WAS PULLED*

34212 VOTE ON A PROPOSED BUDGET AND TAX RATE FOR FISCAL YEAR 2020 AND SCHEDULE PUBLIC HEARINGS

Vickie Dorsett, Auditor office, reviewed the changes to the tax rate. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Judge Becerra all spoke on this item. Public hearing for the Tax Rate are set for September 3, 2019 at 10 a.m., and September 10, 2019 at 10 a.m. Public hearing for the Budget will be held September 17, 2019 at 10 a.m., that will include setting salaries, adopting a budget, levy taxes, and setting the tax rate.

A motion was made by Commissioner Jones seconded by Commissioner Shell to accept the changes as presented to the proposed budget for Fiscal Year 2020. All present voting "Aye." MOTION PASSED

A motion was made by Commissioner Jones seconded by Commissioner Shell to propose a tax rate of 42.37 consisting of 26.53 from General Maintenance and Operations, 12.46 from debt, and 3.38 from Roads, Bridge Maintenance, and Operations, for Fiscal Year 2020. All present voting "Aye." MOTION PASSED

32. 10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2020 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW ACTION

Jeff Thompson, Steven C. Jackobs, Krizia Arreola Rosas, Jake Akers and Eva Rios-Lleverino all spoke in support of funding the Corridor Alliance Interfaith Alliance for Families, Capital IDEA Program.

Representatives of Hays County departments and local organizations presented requests to the Commissioners Court for Funding, as follows.

Alliance for Families: Capital IDEA Program
District Court: Bailiff Salary Increases
Greater San Marcos Partnership: Annual Membership Contribution
Transportation: New Positions and Re-grades

33. RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Becerra gave the update. Burn Ban will remain in effect.

34. DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS

Judge Becerra gave the update. The estimated amount of cost to outsource inmates \$77,447.00.

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Clerk's Note Agenda Item #35 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. INGALSBE/CUTLER – **WAS PULLED**

Clerk's Note Agenda Item #36 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, WADE BENTON, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. BECERRA – **WAS PULLED**


Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. SHELL – **WAS PULLED**

ADJOURNMENT

A motion was made by Commissioner Jones at 6:18 p.m.

I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on August 20, 2019.




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