

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 14, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 14<sup>TH</sup> DAY OF JANUARY A.D., 2020, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, 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
MARK JONES	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:**

Chaplain Javier Maldonado 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 and Jordan Buckley gave public comments.

**34739 ADOPT A PROCLAMATION DECLARING THE MONTH OF JANUARY 2020 CRIME STOPPERS MONTH IN HAYS COUNTY**

Commissioner Ingalsbe spoke on this item. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to adopt a proclamation declaring the month of January 2020 Crime Stoppers Month in Hays County. All present voted "Aye." MOTION PASSED.

**34740 APPROVE PAYMENTS OF COUNTY INVOICES.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve payments of county invoices. All present voted "Aye." MOTION PASSED.

**34741 APPROVE PAYMENTS OF JUROR CHECKS.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve payments of juror checks. All present voted "Aye." MOTION PASSED.

**34742 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the payment of United Healthcare Claims. All present voted "Aye." MOTION PASSED.

**34743 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 7, 2020.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve Commissioners Court minutes of January 7, 2020. All present voted "Aye." MOTION PASSED.

**34744 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 2 LONG-TERM RENTAL HOUSES AT 13265 SILVER CREEK ROAD, AUSTIN, TEXAS 78736.**

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A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 2 long-term rental houses at 13265 Silver Creek Road, Austin, Texas 78736. All present voted "Aye." MOTION PASSED.

**34745 APPROVE THE REAPPOINTMENT OF PAUL TERRY TO SERVE ON EMERGENCY SERVICES DISTRICT #5 FOR A TWO YEAR TERM, ENDING DECEMBER 31, 2021.**

Commissioner Jones thanked Paul Terry for his service. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the reappointment of Paul Terry to serve on Emergency Services District #5 for a two year term, ending December 31, 2021. All present voted "Aye." MOTION PASSED.

**34746 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL OF THE TEXAS WORKFORCE COMMISSION INFORMATION RELEASE CONTRACT FOR \$1,500.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the County Judge to execute a renewal of the Texas Workforce Commission Information Release Contract for \$1,500. All present voted "Aye." MOTION PASSED.

**34747 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO REPLACE A BUDGETED COUNTY ISSUED PHONE WITH A \$45 MONTHLY TELEPHONE ALLOWANCE EFFECTIVE JANUARY 16, 2020 FOR THE SENIOR JUVENILE PROBATION OFFICER, SLOT NUMBER 0957-001 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Juvenile Probation Department to replace a budgeted County issued phone with a \$45 monthly telephone allowance effective January 16, 2020 for the Senior Juvenile Probation Officer, slot number 0957-001 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**34748 ACCEPT \$25,500 IN GRANT CONTRIBUTIONS ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to accept \$25,500 in grant contributions on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**34749 AUTHORIZE THE HAYS COUNTY CONSTABLE PCT. 4 OFFICE TO ACCEPT A \$339.98 DONATION FROM MRS. KIMBERLEY AND MR. MARK NEARBURG, FOR THE PURCHASE OF SAFETY AND PROTECTIVE EQUIPMENT, SPECIFICALLY, MOTORCYCLE BOOTS FOR THE HAYS COUNTY DEPUTY CONSTABLE, PCT. 4 MOTOR OFFICER AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon, Hays County resident, made public comments. Constable Hood spoke on this item and thanked Mr. and Mrs. Nearburg for their donation. Marisol Villarreal-Alonzo, Auditor's office, Commissioner Smith, Commissioner Jones, and Judge Becerra spoke on this item. A motion was made by Commissioner Smith seconded by Commissioner Shell to authorize the Hays County Constable Pct. 4 Office to accept a \$339.98 donation from Mrs. Kimberley and Mr. Mark Nearburg, for the purchase of safety and protective equipment, specifically, motorcycle boots for the Hays County Deputy Constable, Pct. 4 motor officer and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**34750 APPROVE THE APPOINTMENT OF ANITA COLLINS TO REPLACE CAITLYN STRICKLAND ON THE SAN MARCOS MAIN STREET ADVISORY BOARD, A THREE-YEAR TERM ENDING FEBRUARY 28, 2023.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the appointment of Anita Collins to replace Caitlyn Strickland on the San Marcos Main Street Advisory Board, a three-year term ending February 28, 2023. All present voted "Aye." MOTION PASSED.



**34751                    AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PURCHASE, SALE AND SERVICE AGREEMENT WITH PACESETTER K-9 FOR A CANINE APPROVED IN THE FY 2020 BUDGET.**

Marisol Villarreal-Alonzo, Auditor's office, noted an amendment to the motion. Commissioner Ingalsbe spoke on this item. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the County Judge to execute a purchase, sale and service agreement with Pacesetter K-9 for a canine approved in the FY 2020 budget. All present voted "Aye." MOTION PASSED.**

**34752                    AUTHORIZE THE SUBMISSION OF A RENEWAL INTERLOCAL APPLICATION WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE IMMUNIZATION/LOCALS PROGRAM FY21 IN THE AMOUNT OF \$192,341.00.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the submission of a renewal Interlocal application with the Texas Department of State Health Services (DSHS) for the Immunization/Locals Program FY21 in the amount of \$192,341.00. All present voted "Aye." MOTION PASSED.

**Clerk's Note Agenda Item #15 RE: APPROVE SPECIFICATIONS FOR IFB 2020-B05 US 290 TEMPORARY SIGNAL AT TRAUTWEIN ROAD AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE. – WAS PULLED.**

**34753                    SELECT BINKLEY & BARFIELD ENGINEERING TO PERFORM DETAILED DESIGN ENGINEERING SERVICES FOR IMPROVEMENTS TO WINDY HILL ROAD FROM KYLE CITY LIMITS TO FM 2001; AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

Jerry Borcharding, Director of Transportation, gave staff recommendation. Commissioner Jones spoke on this item. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to select Binkley & Barfield Engineering to perform detailed design engineering services for improvements to Windy Hill Road from Kyle City limits to FM 2001; and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.**

**34754                    ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION/PERFORMANCE BOND #PB03010404555 IN THE AMOUNT OF \$2,487,195.15, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #PB03016800230M IN THE AMOUNT OF \$121,243.00 FOR CAMPO DEL SOL PARKWAY.**

Jerry Borcharding, Director of Transportation, gave staff recommendation. Commissioner Jones spoke on this item. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to accept of road construction and drainage improvements, release of the subdivision/performance bond #PB03010404555 in the amount of \$2,487,195.15, and acceptance of the 2-year Maintenance Bond #PB03016800230M in the amount of \$121,243.00 for Campo Del Sol Parkway. All present voted "Aye." MOTION PASSED.**

**34755                    ADOPT THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE MARCH 3, 2020 PRIMARY ELECTIONS.**

Jennifer Anderson, Election Administrator, Commissioner Jones, Commissioner Smith, Commissioner Shell, and Commissioner Ingalsbe spoke on this item. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to adopt the Early Voting Schedule (Dates & Times) for the March 3, 2020 Primary Elections with Early Voting beginning February 18, 2020 through February 28, 2020. Removing Sinai Pentecostal Church and Chapa Middle School from the location list and adding the Yarrington site location. All present voted "Aye." MOTION PASSED.**

**34756                    AUTHORIZE THE INFORMATION TECHNOLOGY (IT) DEPARTMENT TO HAVE THEIR TEMPORARY OFFICE SPACE RECONFIGURED IN THE AMOUNT OF \$4,500 AND AMEND THE BUDGET ACCORDINGLY.**



Tammy Crumley, County Wide Operations, gave the court details on planned changes to the office space used by the Information Technology (IT) Department. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Information Technology (IT) Department to have their temporary office space reconfigured in the amount of \$4,500 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

**34757                    AUTHORIZE THE HAYS COUNTY CONSTABLE, PCT. 4 TO PURCHASE TWO (2) RIFLE MOUNTS VALUED AT \$1,900 FOR THE CONSTABLE'S MOTORS UNIT.**

Commissioner Smith, Commissioner Jones, and Judge Becerra spoke on this item. **A motion was made by Commissioner Smith seconded by Commissioner Shell to authorize the Hays County Constable, Pct. 4 to purchase two (2) rifle mounts valued at \$1,900 for the Constable's Motors Unit. All present voted "Aye." MOTION PASSED.**

**34758                    AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STATEMENT OF WORK AND PARTICIPATING ADDENDUM WITH SECURUS TECHNOLOGIES, INC. UTILIZING THE NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) VALUEPOINT MASTER AGREEMENT RELATED TO INMATE KIOSKS AND COMMUNICATIONS AT THE JAIL FACILITY.**

Sheriff Cutler and Captain Villalpando presented to the court contract details for Securus Technologies. They explained the benefit to the inmates by using this kiosks. Marisol Villarreal-Alonzo, Auditor's Office, Mark Kennedy, General Counsel, Commissioner Smith, Commissioner Shell, Commissioner Ingalsbe, Commissioner Jones, and Judge Becerra spoke on this item. Commissioner Ingalsbe asked the Auditor's office to conduct a more in-depth audit. **A motion was made by Commissioner Smith seconded by Commissioner Shell to authorize the County Judge to execute a Statement of Work and Participating Addendum with Securus Technologies, Inc. utilizing the National Association of State Procurement Officials (NASPO) ValuePoint Master Agreement related to Inmate Kiosks and Communications at the Jail Facility and require the Auditor's office to include a more detailed audit, as she feels appropriate. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.**

**34759                    AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MASTER SERVICES AGREEMENT BETWEEN HAYS COUNTY AND SECURUS TECHNOLOGIES, LLC, RELATED TO TABLET SERVICES AND APPLICATION IN THE JAIL FACILITY, AND TO AUTHORIZE AN EXEMPTION UNDER SECTION 262.024(A)(7) OF THE TEXAS LOCAL GOVERNMENT CODE.**

Mark Kennedy, General Counsel, noted a letter on file from Jeff McGill, Director of Information Technology, stating the tablets are a component part to the application. **A motion was made by Commissioner Smith seconded by Commissioner Jones to authorize the County Judge to execute a Master Services Agreement between Hays County and Securus Technologies, LLC, related to tablet services and application in the jail facility, and to authorize an exemption under Section 262.024(a)(7) of the Texas Local Government Code. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.**

Court convened into Executive Session 11:22 a.m. Then reconvened into open court at 1:55 p.m.

**23                        EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action was taken.

**24                        EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION**



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**INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action was taken.

**34760 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG DACY LANE IN PCT 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the County Judge to execute a purchase of sale agreement between Hays County and Yolanda Garza related to the acquisition of 0.299 acres of Right of Way along Dacy Lane, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

**Clerk's Note Agenda Item #26 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.*

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

Judge Becerra gave update on inmate population and outsourcing.

**Clerk's Note Agenda Item #28 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 #29 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 - WAS PULLED.*

**Clerk's Note Agenda Item #30 RE:** *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW - WAS PULLED.*

## **ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 1:57 p.m.

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I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on January 14, 2020.



*Elaine H. Cardenas*

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

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