

HAYS COUNTY COMMISSIONERS' COURT MINUTES



APRIL 14, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14th DAY OF APRIL 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.

WITH ELAINE H. CÁRDENAS, COUNTY CLERK, BEING PRESENT THROUGH VIDEO CONFERENCE THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Reverend Javier Maldonado, 7th Day Adventist Church, 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

Rodrigo Amaya, Hays County resident, gave a public comment regarding the unavailability of the Judge's office and other County office closures. He also stated that regarding Covid-19 there is miscommunication from the court. Dan Lyon, Hays County resident, gave public comments, regarding his displeasure with the Hays County Appraisal District (CAD) and the Tax-Assessors office. He also read the Hays County disbursements.

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19.

Judge Becerra spoke on this item, stating his goal are public health and getting people back to work. He stated he is continuing to work on bringing test to Hays County. He noted Hays County is just under 100 positive cases and one death has occurred. Shane Stevens, CEO/Founder of AnyPlace MD and the owner of several other businesses, presented to the court about their partnership with MD Box along with the test and products available to Hays County citizens. Amy Altman, Ph.D. and CEO of Reliant Immune Diagnostics, presented information and answered questions for the court regarding the MDBox product. The Commissioners, Judge Becerra, and Alex Villalobos, Emergency Management Coordinator, had discussions about confusion over in home monitoring and in home testing, as well as the time line as to which information was release through press conferences to the public about the availability and cost of the products. The Commissioners also discussed having the recordings of the elected officials meeting emailed to each of them throughout the week. Alex Villalobos, Emergency Management Coordinator, update the court on the current plan of action as well as possible actions for future phasing. He asked to meet with each Commissioner for input for future phasing. Eric Schneider, Med, Epidemiologist, stated the he gives a referral to the first responders to get testing done through Premier. The Health Department does not conduct any test. He stated that in his opinion he would want to follow CDC guidelines and use molecular testing as that is currently the only count that matters at this time. **No action was taken.**

35062 ACCEPT THE PRESENTATION OF LETTER FROM HAYS CALDWELL WOMEN'S CENTER (HCWC) REGARDING CHILD ABUSE AND SEXUAL ASSAULT PREVENTION AND AWARENESS MONTH.

A motion was made by Commissioner Jones seconded by Commissioner Smith to accept the Presentation of Letter from Hays Caldwell Women's Center (HCWC) Regarding Child Abuse and Sexual Assault Prevention and Awareness Month. All present voted "Aye." **MOTION PASSED.**

35063 APPROVE PAYMENTS OF COUNTY INVOICES.

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

**35064 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

35065 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 7, 2020.

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

35066 APPROVE THE PAYMENT OF THE APRIL 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,925,000.00 EFFECTIVE APRIL 15, 2020 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 Jones to approve the payment of the April 15, 2020 payroll disbursements in an amount not to exceed \$2,925,000.00 effective April 15, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

35067 AUTHORIZE BUILDING MAINTENANCE TO REPLACE A FAILED AIR HANDLER UNIT (AHU) VALUED AT \$3,765.00 FOR THE SHERIFF'S PCT. 3 SATELLITE OFFICE AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Smith seconded by Commissioner Jones to authorize Building Maintenance to replace a failed Air Handler Unit (AHU) valued at \$3,765.00 for the Sheriff's Pct. 3 Satellite Office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35068 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT NO. 1 TO DSHS CONTRACT NO. HHS000371500030 GRANTING A NO COST EXTENSION WITH A REVISED TERMINATION DATE OF JUNE 30, 2021.

A motion was made by Commissioner Smith seconded by Commissioner Jones to authorize the County Judge to execute Amendment No. 1 to DSHS Contract No. HHS000371500030 granting a no cost extension with a revised termination date of June 30, 2021. All present voted "Aye." MOTION PASSED.

35069 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL AGREEMENT BETWEEN HAYS COUNTY AND STAR ASSET SECURITY IN THE AMOUNT OF \$17,190.00 FOR THE ANNUAL INSPECTIONS AND MAINTENANCE OF ALL HAYS COUNTY FIRE SYSTEMS, EXTINGUISHERS, AND ALARMS.

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the County Judge to execute an annual agreement between Hays County and Star Asset Security in the amount of \$17,190.00 for the annual inspections and maintenance of all Hays County fire systems, extinguishers, and alarms. All present voted "Aye." MOTION PASSED.

35070 RATIFY THE ACCEPTANCE OF 80 WHATABURGER GIFT CARDS FROM MR. WILLIAM HOWARD, VALUED AT \$800.00, AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe thanked Mr. William Howard for his donation. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to ratify the acceptance of 80 Whataburger gift cards from Mr. William Howard, valued at \$800.00, and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



35071 RATIFY THE DONATION OF HAND SANITIZER FROM THE FRATERNAL ORDER OF POLICE VALUED AT \$85.00 FOR THE SHERIFF'S OFFICE PATROL UNIT AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Smith thanked the Deep Eddy Distillery for their donation of the hand sanitizer to the Fraternal Order of Police who then donated to Hays County. He also noted an agenda item for next week that will also include a donation of hand sanitizer from another distillery. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to ratify the donation of hand sanitizer from The Fraternal Order of Police valued at \$85.00 for the Sheriff's Office patrol unit and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35072 APPROVE PAYMENT OF INVOICES TO WALDRIP INSURANCE AGENCY FOR ANNUAL TAX ASSESSOR COLLECTOR BONDS, WHERE NO PURCHASE ORDER WAS REQUESTED, PER HAYS COUNTY PURCHASING POLICY.

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to approve payment of invoices to Waldrup Insurance Agency for annual Tax Assessor Collector bonds, where no purchase order was requested, per Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.

35073 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROPOSAL WITH CONFERENCE TECHNOLOGIES, INC. RELATED TO AN AUDIO VISUAL (A/V) SYSTEM FOR THE NEW JAIL ADDITION AND TRAINING BUILDING AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Proposal with Conference Technologies, Inc. related to an Audio Visual (A/V) System for the New Jail Addition and Training Building and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35074 RATIFY THE DONATION OF BLEACH (SODIUM HYPOCHLORITE) FROM FORMOSA PLASTICS CORPORATION TEXAS COUNTY WIDE SANITATION RELATED TO THE COVID-19 PANDEMIC AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe and Tammy Crumley, Director of County Wide Operations, thanked Formosa Plastics Corporation for their donation. Tammy Crumley noted she will send the itemization of the donation which is just under 300 gallons and approximately worth \$1200 to the Auditor. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to ratify the donation of bleach (sodium hypochlorite) from Formosa Plastics Corporation Texas County Wide sanitation related to the COVID-19 Pandemic and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35075 AUTHORIZE PAYMENT TO AUTOMATION DESIGN FOR \$1,461.50 FOR THE JUSTICE OF THE PEACE PCT. 5 OFFICE RELATED TO COURTROOM SECURITY CAMERA REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize payment to Automation Design for \$1,461.50 for the Justice of the Peace Pct. 5 Office related to courtroom security camera repairs in which no purchase order was issued as required per County Purchasing Policy and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35076 AUTHORIZE PAYMENT TO POGUE CONSULTING FOR \$5,599.50 FOR COVID-19 PPE SUPPLIES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY.

A motion was made by Shell seconded by Commissioner Jones to authorize payment to Pogue Consulting for \$5,599.50 for COVID-19 PPE supplies in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.



35077 AUTHORIZE THE EXECUTION OF A GRANT CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) IN THE AMOUNT OF \$150,839.00 FOR ACTIVITIES IN RELATION TO THE CORONAVIRUS 2019 (COVID-19) RESPONSE AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to authorize the execution of a grant contract with the Department of State Health Services (DSHS) in the amount of \$150,839.00 for activities in relation to the Coronavirus 2019 (COVID-19) response and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

PURCHASE AND DISTRIBUTE COVID-19 TESTS AND OTHER PRODUCTS AND SERVICES RELATED TO COVID-19.

Judge Becerra spoke on this item, stating that he would like to expand testing throughout Hays County through legal and vetted processes. He is requesting the court come up with a dollar amount to purchase tests. He called on Mike Jones, Emergency Preparedness Coordination, to speak to the court in greater detail. Mike Jones stated for the vulnerable population per the CDC guidelines people will be triaged, then given further instruction for testing if needed. The General population per CDC guidelines if they feel sick or have symptoms of the virus should self-quarantine. The Commissioners followed up with several questions about the plan to purchase, distribute, and administer the test. Tammy Crumley, Director of County Wide Operations, spoke to the court on the initial phase the Health Department is currently using, that is to test first responders using Premier and CPL. She stated she would bring an agenda item to court for a contract with these providers, and suggested possibly expanding the plan to administer more testing. She also noted there are grant funds available, however the grants would only cover molecular testing. The Commissioners and Judge through a lengthy discussion spoke about the difference of molecular and serology testing, the needs for the testing, and the steps to reopen businesses following the Governor's Order. **No action was taken.**

35078 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH BRIZO CONSTRUCTION, LLC FOR ALL PROJECTS UNDER RFP 2020-P05 BUILDER SERVICES RELATED TO THE CDBG-DR HOUSING PROGRAM AND APPROVE THE NOTICE TO PROCEED FOR EXECUTION AT EACH PRE-CONSTRUCTION MEETING.

Mark Kennedy, General Counsel, spoke on this item noting edits that were made to the back up and reviewing those changes with the court. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with Brizo Construction, LLC for all projects under RFP 2020-P05 Builder Services related to the CDBG-DR Housing Program and approve the Notice to Proceed for execution at each pre-construction meeting. All present voted "Aye." MOTION PASSED.**

Clerk's Note Agenda Item #20 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - 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. The approximate cost of outsourcing for the week of April 5th through April 11th was \$57,534.00. The average number of outsourced inmates for males was 142 and 0 females. **No action taken.**

Clerk's Note Agenda Item #22 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 #23 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 #24 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 Judge Becerra, seconded by Commissioner Jones to adjourn court at 1:04 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 April 14, 2020.



Elaine H. Cardenas

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

