

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JULY 14, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14th DAY OF JULY 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
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

**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:

Reverend Stella Burkhalter, United Methodist 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

Dan Lyon, Hays County resident, made public comments regarding the County spending budget and read the County disbursements. Delayne VanDeWalle, Wimberley resident, made public comments against the development of a construction business in the middle of the neighborhood, Lea Acres Subdivision. She stated a petition has been started to stop the development. She stated the site, if allowed, would block the only entrance and exit to the neighborhood if tankers or 18-wheelers are in the roads. Dwain York, Superintendent of Wimberley ISD, made public comments against the commercialization of Carney Lane. He stated there is a safety concern for the students. He also agreed with the previous speaker about large vehicles blocking the entrances in case of emergency. Elaine Hanson Cárdenas, Hays County Clerk, made public comments as a private citizen, regarding the Carney lane development. She asked for the Court to help the citizens in whatever capacity they can, so they can keep hazmat materials from being exposed to the neighborhood. She agreed with the previous speakers, that should a catastrophic event occur, it would be very difficult to evacuate for children in the surrounding schools and the elderly and/or disabled property owners. Kara LeBlanc, Wimberley resident, made public comments against the Commercial use of Lot 35 of Lea Acres. She called on the Commissioners Court to uphold public health and welfare under the Texas Laws for County officials. Shirley Schultz, Hays County resident, made public comments against the variance of Lot 35 of Lea Acres. She stated Hays County Development Services verified the sub-divided lot would be used for heavy construction and as a fueling station. However, the replat notes state the replat will follow the deed restrictions. Jerome Michael McLaughlin, Wimberley resident, made public comments against the approval of variance of Lot 35 of Acres Lane, he noted a recycling center that already exist within the neighborhood. He noted the hardships that already exist with large trucks and debris from large trucks in the area. He pleaded with the Court to think of the hazards and possible safety risk. Lauren Robins, Wimberley resident, made public comments against the development of Carney Lane development. She stated the development will disturb the peaceful neighborhood. Leslie E. Navarro, Wimberley resident, made public comments against the variance of Lot 35 of Lea Acres, echoing her neighbors concerns about the disturbance and safety issues should the development continue. Rita C. Duke, Wimberley resident, gave public comments against the variance for Lot 35 of Lea Acres for commercial use. She stated she would be in support of the property for use as residential. Susan Raybuck Wimberley resident gave public comments against the variance of Lot 35 of Lea Acres. She stated the traffic would affect her. Her main concern, as she recalled a major fire from the past, is that the neighborhood is a single entrance and exist neighborhood. Alina Acevedo, San Marcos resident, is in support of a dignified legal system. She shared the affects the system has on her students. Lauren Hubele, San Marcos resident, made public comments for the immediate establishment of a Public Defenders office. She stated many of the inmates in the County jail are there because they cannot make bail. Christine Terrell, San Marcos resident, made public comments regarding the criminal legal system. She noted the almost \$100 million dollars of the county's budget is dedicated to law enforcement, while only 3 percent is dedicated to health and human services. No action was taken.



UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Alex Villalobos, Chief of Staff and Emergency Management Coordinator, spoke to the Court, giving updates about the testing and planning for COVID-19 County procedures. There is ongoing communication with the Texas State University in preparation for returning students to get tests. He stated a first responder isolation plan has been finalized with rooms available at the Texas State University campus. Commissioner Smith requested a final date of July 21, 2020 for testing locations, so the Court can have enough time to notify citizens of the testing locations. He talked about getting a group together to work on outreach for the 20-29 years old group to notify them of testing locations. Tammy Crumley, County Wide Operations Director, also noted that messaging and flyers are being posted at apartment complexes to reach the 20-29 age group. She stated the San Marcos High School is currently hosting cheek swab testing for the County. She noted the County now has two additional epidemiologists. Judge Becerra spoke about the testing at the San Marcos High School. He noted the efficiency of the test site as there are not long lines. Chief Deputy Mike Davenport presented the Court with an update of the inmate jail population for positive COVID-19 cases. He stated most inmates are not wearing masks. 85 inmates tested positive as of July 13, 2020 at 3PM. 20 of those inmates are being housed in other county jails. There are currently 18 pending tests. No inmates have had to be hospitalized due to COVID-19. Judge Becerra encouraged the use of the disinfect machine at least three times per week since the positive cases have increased. Commissioner Ingalsbe had questions about inmate release procedures. Commissioner Shell had questions about which inmates are tested and how often the testing is offered. Sheriff Cutler stated the he communicates, to the Sheriffs of the county jails where Hays county inmates are outsourced, about the inmates whom are positive for COVID-19. No action was taken.

PRESENTATION BY SHERIFF GARY CUTLER REGARDING THE SHERIFF'S MOBILE APP, THESHERIFFAPP.COM.

Sheriff Cutler presented new Sheriff Mobile App to the Court. He stated the app is free and available in English and Spanish language. He noted that tax dollars were not used to fund this app. The app will include current updates, list of most wanted criminals in the area, and criminal record search. Captain David Burns, Sheriff's Office, presented to the Court regarding the app. He noted when downloading the app to search the app by name using Hays County Sheriff's Office. The app will allow the Sheriff's office to send push notifications during emergencies. Citizen can submit reports to the Sheriff's office. The Court members stated the app was easy to download and thanked Sheriff Cutler and Captain Burns for their time. No action was taken.

Clerk's Note: Judge Becerra called for a break that began at 10:50 a.m. and resumed back into open court at 10:55 a.m.

35367 APPROVE PAYMENTS OF COUNTY INVOICES.

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

35368 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. All present voted "Aye." MOTION PASSED.

35369 APPROVE COMMISSIONERS COURT MINUTES OF JULY 7, 2020.

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

35370 APPROVE THE PAYMENT OF THE JULY 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,995,000.00 EFFECTIVE JULY 15, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the July 15, 2020 payroll disbursements in an amount not to exceed \$2,995,000.00 effective July 15, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.



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- 35371 AUTHORIZE THE PURCHASE THREE (3) ELECTROSTATIC 360 HAND SPRAYERS THAT WILL BE USED BY THE BUILDING MAINTENANCE DEPARTMENT TO SANITIZE HAYS COUNTY BUILDINGS UTILIZING THE CORONAVIRUS RELIEF FUNDING (CRF) AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the purchase three (3) Electrostatic 360 Hand Sprayers that will be used by the Building Maintenance Department to sanitize Hays County buildings utilizing the Coronavirus Relief Funding (CRF) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 35372 AUTHORIZE BUILDING MAINTENANCE TO PURCHASE AND INSTALL BOTH GLASS AND PLEXIGLASS SNEEZE GUARDS IN EIGHT (8) DIFFERENT OFFICES THROUGHOUT THE COUNTY UTILIZING CORONAVIRUS RELIEF FUNDING (CRF) AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize Building Maintenance to purchase and install both glass and plexiglass sneeze guards in eight (8) different offices throughout the County utilizing Coronavirus Relief Funding (CRF) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 35373 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A CONVENIENCE STORE LOCATED AT 2300 WINDY HILL ROAD, KYLE, TEXAS 78640.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for a convenience store located at 2300 Windy Hill Road, Kyle, Texas 78640. All present voted "Aye." MOTION PASSED.

- 35374 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A SMALL ANIMAL VETERINARY CLINIC LOCATED AT 20640 W RR 150, DRIFTWOOD, TEXAS 78619.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for a small animal veterinary clinic located at 20640 W RR 150, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

- 35375 AUTHORIZE THE REPLACEMENT OF ONE (1) FAILED 3-TON HVAC SYSTEM LOCATED AT THE HAYS COUNTY PCT. 5 BUILDING AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon, Hays County resident, made public comments against this item. He stated the County is being overcharged for the purchase and install of the HVAC system. He stated the company told him they have a 25 percent mark-up on the parts needed. Commissioner Ingalsbe had a question about mark ups. Vickie Dorsett, Auditor's office, stated that is the general industry standard. Discussion was had among the Court about parts and labor expenses and profits. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the replacement of one (1) failed 3-Ton HVAC system located at the Hays County Pct. 5 building and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 35376 APPROVE SPECIFICATIONS FOR IFB 2020-B09 ROAD IMPROVEMENTS: HOT MIX OVERLAY AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

Commissioner Jones noted there is staff approval for this item. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for IFB 2020-B09 Road Improvements: Hot Mix Overlay and authorize Purchasing to solicit for bids and advertise All present voted "Aye." MOTION PASSED.

- 35377 APPROVE SPECIFICATIONS FOR IFB 2020-B16 ROAD IMPROVEMENTS - REMOVE & REPLACE HOT MIX AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

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A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for IFB 2020-B16 Road Improvements - Remove & Replace Hot Mix and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

35378 ACCEPT THE FISCAL YEAR 2019 HAYS COUNTY EMERGENCY SERVICES DISTRICT #3 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the Fiscal Year 2019 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082. All present voted "Aye." MOTION PASSED.

35379 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voted "Aye." MOTION PASSED.

35380 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE BURDINE JOHNSON FOUNDATION FOR THE OLD HAYS COUNTY JAIL RESTORATION.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the submission of a grant application to the Burdine Johnson Foundation for the Old Hays County Jail Restoration. All present voted "Aye." MOTION PASSED.

35381 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE SUMMERLEE FOUNDATION FOR THE OLD HAYS COUNTY JAIL RESTORATION.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the submission of a grant application to the Summerlee Foundation for the Old Hays County Jail Restoration. All present voted "Aye." MOTION PASSED.

35382 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE AUSTIN COMMUNITY FOUNDATION FOR THE OLD HAYS COUNTY JAIL RESTORATION.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submission of a grant application to the Austin Community Foundation for the Old Hays County Jail Restoration. All present voted "Aye." MOTION PASSED.

35383 APPROVAL OF ONSITE SUPPORT FROM HART INTERCIVIC FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approval of onsite support from Hart Intercivic for the November 3, 2020 General Election. All present voted "Aye." MOTION PASSED.

35384 APPROVE THE REJECTION OF ALL PROPOSALS RELATED TO RFP 2020-P09 CDBG MITIGATION FUNDING AND AUTHORIZE THE PURCHASING MANAGER TO PUBLISH A NEW NOTICE AS AUTHORIZED PER TEXAS LOCAL GOVERNMENT CODE SEC. 262.027(2).

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the rejection of all proposals related to RFP 2020-P09 CDBG Mitigation Funding and authorize the Purchasing Manager to publish a new notice as authorized per Texas Local Government Code Sec. 262.027(2). All present voted "Aye." MOTION PASSED.



35385 CALL FOR A PUBLIC HEARING ON JULY 28, 2020 TO ESTABLISH A 25 MPH SPEED LIMIT IN SAVANNAH RIDGE SUBDIVISION.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on July 28, 2020 to establish a 25 MPH speed limit in Savannah Ridge subdivision. All present voted "Aye." MOTION PASSED.

35386 ACCEPT THE ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS, RELEASE OF BOND #20BSBHY3529 FOR \$1,119,697.49, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #61BSBID3153 IN THE AMOUNT OF \$80,548.01 FOR HEATON HOLLOW SUBD.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept the road construction & drainage improvements, release of bond #20BSBHY3529 for \$1,119,697.49, and accept the 2-year maintenance bond #61BSBID3153 in the amount of \$80,548.01 for Heaton Hollow subd. All present voted "Aye." MOTION PASSED.

35387 AWARD CONTRACTS FOR IFB 2020-B11 CULVERTS TO CONTECH ENGINEERED SOLUTIONS, FORTILINE INC. DBA FORTILINE WATERWORKS, AND TEXAS CORRUGATORS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award contracts for IFB 2020-B11 Culverts to Contech Engineered Solutions, Fortiline Inc. dba Fortiline Waterworks, and Texas Corrugators. All present voted "Aye." MOTION PASSED.

35388 HOLD A PUBLIC HEARING RELATED TO THE IMPROVEMENTS OF ROADWAYS WITHIN THE RIVER MOUNTAIN RANCH SUBDIVISION IN PRECINCT 3 PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE.

Judge Becerra opened at 11:37a.m. No comments were made. Judge Becerra closed the public hearing at 11:37a.m. Mark Kennedy, General Counsel, explained the process of Chapter 253 to the Court. He noted a meeting was held with the County Clerk's office to ensure all parties were ready to start work if the item is passed. All property owners must be provided with notice and a ballot from the County Clerk's office through certified mail. The ballots returned to the County Clerk's office will be counted and announced to the Commissioners Court. The Court discussed past experiences when dealing with this program. Commissioner Jones stated this program is beneficial for emergency services to access these subdivisions with a faster response time. Discussion was had about the process of this program regarding meetings with HOA/POA, having the Roads department access time and costs for the road improvements, the Development Services department is involved for the preparation to record a plat of the subdivision as most are private subdivisions and are not recorded. Judge Becerra noted an area that may benefit from this program and would revisit that area. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to instruct General Council to finalize ballot language and work with the County Clerk's Office implement a Special Ballot Election as provided under State Law for the proposed improvements to roads within the River Mountain Ranch subdivision, in Precinct 3 of Hays County, to cause the roadway to comply with Hays County Road standards, and to assess all or part of the costs of the improvement, pro rata, against the record owners of the real property within that subdivision, based on the finding that the proposed improvements are necessary for the health, safety, and public welfare of the residents of Hays County; and to furthermore request that the results of that Special Ballot Election be returned to Hays County Commissioners Court and announced within 30 days, pursuant to Section 253.007 of the Texas Transportation Code. All present voted "Aye." MOTION PASSED.**

35389 APPROVE A VARIANCE FROM CHAPTER 721.5.05 (B) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS. PLN-1455-NP; COVERED WAGON, PHASE 2.

Caitlyn Strickland, Development Services Director, stated Covered Wagon is a three-lot subdivision with each lot being more than 7 acres. It is located off Highway 21. The developer is requesting flag lots to improve the phasing of the project. She noted the Court is looking into this area for a bypass. Commissioner Jones stated flag lots makes sense for the detention of this project since it is an RV type park and not residential. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a variance from Chapter 721.5.05 (B) of the Hays County Development Regulations. PLN-1455-NP; Covered Wagon, Phase 2. All present voted "Aye." MOTION PASSED.**



35390 CALL FOR A PUBLIC HEARING ON JULY 28TH, 2020 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 35, BURNETT RANCH, SECTION ONE SUBDIVISION. PLN-1433-PC.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to call for a public hearing on July 28th, 2020 to discuss final plat approval of the Replat of Lot 35, Burnett Ranch, Section One Subdivision. PLN-1433-PC. All present voted "Aye." MOTION PASSED.

35391 APPROVE THE CONTINUATION OF THE LOCAL DISASTER DECLARATION ORIGINALLY PROCLAIMED BY THE COUNTY JUDGE ON OR ABOUT MARCH 15, 2020 AND CONTINUED FOR 120 DAYS BY RESOLUTION OF COMMISSIONERS COURT ON MARCH 16, 2020.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the continuation of the Local Disaster Declaration originally proclaimed by the County Judge on or about March 15, 2020 and continued for 120 days by resolution of Commissioners Court on March 16, 2020.

35392 DISCUSSION AND POSSIBLE ACTION REGARDING THE EMERGENCY CASH ASSISTANCE PROGRAM (ECAP), ALSO KNOWN AS PROJECT RECOIL, INCLUDING BUT NOT LIMITED TO, THE APPOINTMENT OF AWARD COMMITTEE MEMBERS, FUNDING OF THE PROGRAM, AND THE CONSIDERATION OF PROGRAM GUIDELINES.

Mark Kennedy, General Counsel, spoke to the Court regarding the finalization of the Committee members. He announced they will be meeting soon to review guidelines and the role of the committee. He spoke about a Memorandum of Understanding (M.O.U.) Agreement with People Fund. The People Fund group fees would cover their time on the project, provide a report, and provide a consult with business owners on disaster response and how to reopen their business. Options were presented to the Court's regarding the M.O.U. agreement. Discussion was had about online applications as well as paper application, the process to submit applications, and deadlines to submit applications. Mark Kennedy stated applications will be accepted until all the funds available have been awarded. The Court agreed they would like a recap report at the end of this project. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Memorandum of Understanding between Hays County and People Fund. All present voted "Aye." MOTION PASSED.

35393 APPROVE THE APPOINTMENT OF CLINT GARZA TO THE BOARD OF DIRECTORS OF THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY (THE "WTCPUA").

Commissioner Smith noted that Hays County is ratifying the appointment made by the City of Bee Cave. Discussion was had among the Court as to the positive work history of Clint Garza as the former Hays County Chief of Staff. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the appointment of Clint Garza to the Board of Directors of the West Travis County Public Utility Agency (the "WTCPUA"). All present voted "Aye." MOTION PASSED.

35394 ADOPT A RESOLUTION RELATED TO SCENIC ROADWAYS WITHIN HAYS COUNTY, TEXAS.

Commissioner Smith thanked the Court for their consideration of this resolution. He asked the Court for their support to make this a piece of legislation, that would eventually make scenic roadways a local matter. Commissioner Jones noted this is something that the Commissioners have tried to get passed the last two sessions. Commissioner Smith stated he would like to create a commission to preserve scenic highways around Hays County. A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt a Resolution Related to Scenic Roadways within Hays County, Texas. All present voted "Aye." MOTION PASSED.

35395 DESIGNATE FUNDING IN RELATION TO COUNSELS PRESENT AT A HAYS COUNTY CITE & DIVERT PROGRAM AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Shell explained the process for the Cite & Divert Program. He stated the Sheriff's Office has met with Police Chiefs and other County Sheriffs and are looking at a start date of September 1, 2020. This program would allow for a defense attorney to be available twice a month. Rather than make an arrest, individuals would be given an appointment to meet with a defense attorney and the District Attorney's office to possibly be placed in a program. Once the program is complete the District Attorney's office could possibly drop or reduce the

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charges, much like taking a defensive driving course for a speeding ticket. This is another tool for law enforcement to use rather than crowding the jails. The funds requested are to cover the month of September for the defense attorney and the District Attorney's office working after hours. Discussion was had to bring a presentation back to Court in a future date with details of the final process. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to designate funding in relation to counsels present at a Hays County Cite & Divert Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35396 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 INCLUDING BUT NOT LIMITED TO APPOINTMENT AND EMPLOYMENT OF THE HAYS COUNTY FIRE MARSHAL (CONTINGENT UPON AN ACCEPTABLE BACKGROUND CHECK AND ACCEPTANCE OF AN OFFER OF EMPLOYMENT) AND/OR THE HIRING OF THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES (CONTINGENT UPON AN ACCEPTABLE BACKGROUND CHECK AND ACCEPTANCE OF AN OFFER OF EMPLOYMENT).

Mark Kennedy, General Counsel, noted that this is the full-time position that includes all the Hays County benefits. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to appointment Nathan Mendenhall to the Hays County Fire Marshall, contingent upon the acceptance of an offer of employment by the Human Resources Department at \$65,000 per year. All present voted "Aye." MOTION PASSED.**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY LAW ENFORCEMENT ASSOCIATION (HCLEA); AND CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS SUBJECT TO SAID COLLECTIVE BARGAINING AGREEMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

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 DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Judge Becerra noted the Fire Marshall sends a report to his office with his recommendations. At this time there will not be a burn ban. Commissioner Shell stated KBD index is high. He is expecting the Fire Marshall to recommend a burn ban soon. He suggested that it would not be a good time to burn with the dry conditions and wind. No action taken.

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 estimated cost for outsourcing was \$64,762.00 for the week of July 5 – July 11, 2020. The number of outsourced males was 178 inmates and females were 8 inmates. The number of arrest made by agency are as follows; Buda Police Department - 5, Department of Public Safety – 7, Hays County Sheriff's Department – 48, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 13, San Marcos Police Department - 19, Texas State Police Department – 0. Hays County Jail has 85 COVID positive cases, 20 of those inmates are currently housed in other jails. No action taken.



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Clerk's Note Agenda Item #37 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. - **WAS PULLED.**

Clerk's Note Agenda Item #38 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 #39 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 4:15 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 July 14, 2020.



Elaine H. Cardenas

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

