

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 7, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 7<sup>th</sup> DAY OF AUGUST 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 SPECIAL 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:**

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

**PUBLIC COMMENTS**

Brendon Bureson, Hays County resident, made public comments not in favor of the nomination of Cody Cheatham as interim Constable for Precinct 3. He submitted a printed Facebook post to the Court. He announced he and his family will be filing a lawsuit against Cody Cheatham. Sam Brannon, Hays County resident, made comments in favor of accepting Ray Helms resignation, and he stated there is bipartisan cronyism throughout the Hays County government.

**Clerk's Note:** The following Public Comments were submitted via e-mail, and read aloud by Elaine Cárdenas, County Clerk to the Court.

Ari Axelrod, La Fayette, Colorado, made public comments against Ray Helm and asked the Court to accept his resignation. He also stated the court should have been prepared for the resignation sooner. Armando Perez, Cindy Rodriguez, Claudia Q. Perez, Debora Morris, Deborah Charnes, Gregg Sealy, Heather Carter, Heiko Stang, Jessica Bouldin, Kate Crosthwaite, Lindsey Deringer, Maureen Gibson, and Sandra Organ Solis, citizens of Wimberley Valley, made public comments in favor of appointing an existing officer in the precinct as interim Constable until a duly elected Constable can take over the position. They agreed whomever is appointed should not be on the ballot. Cynthia Millonzi, Wimberley Valley citizen, made public comments in favor of a temporary appointment until a new Constable can be duly elected. She stated the Court needs to address the issue and take action to replace this position. Jamie Pettit, Wimberley Valley citizen, made public comments in favor of an appointing a current officer until a duly elected Constable can be voted into the position. She also stated the Court has taken a long time to appoint a replacement, this is unfair to voters and taxpayers. Mindy Webber, Wimberley Valley citizen, made public comments that people have lost trust in the Precinct 3 office. She stated that Constable Ray Helm should no longer receive his salary from taxpayers, no longer have access to confidential information concerning former staff and citizens, as well as no longer receiving county benefits. She was in favor of a temporary appointment until someone is elected into the position. Nan Booth Simpson, Precinct Chair of the Hays County Democratic Chairwoman, stated she knows of at least one person who will apply for the position. She believes it is fair to have candidates from both parties and is in favor a vote in November. Tara Racine, Wimberley Valley citizen, made public comments stating her disappointment in the Commissioners for not showing up to the Special meeting this past Monday. She is in favor of appointing the deputy second in command as the interim until an election can be had. Larissa Rook, Wimberley Valley citizen, made public comments against a temporary appointment. She stated there is a process in place for an absent Constable. She is in favor of voting in a new Constable. Deborah Bowers, Wimberley Valley citizen, made public comments against a temporary appointment, but in favor of voting for the position. Ann-Tyler Konradi, Wimberley Valley citizen, made public comments against a temporary appointment, but in favor of voting for the position. Donna Haschke, Wimberley Valley citizen, made public comments in favor of a vote for the Constable Precinct 3 position.

**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 CONSTABLE PRECINCT #3 OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. BECERRA**

No action was taken.



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AUGUST 7, 2020

**35461 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE RESIGNATION OF RAY HELM, HAYS COUNTY CONSTABLE PRECINCT #3, AND APPOINT A NEW HAYS COUNTY CONSTABLE PRECINCT #3 TO FILL THE UNEXPIRED TERM (UNTIL DECEMBER 31, 2020).**

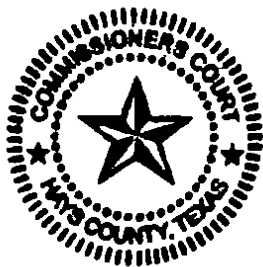
Commissioner Ingalsbe, stated that an email was received from Cody Cheatham expressing interest in the available position. She asked if Cody Cheatham met the qualifications of the position. Commissioner Shell answered that since Cody Cheatham recently ran in the March primary election that he did not believe so, since that is less than six months and he could not have dual residency. Commissioner Jones thanked the Deputies in Precinct 3 and stated that Don Montague was elected countywide not too long ago and has respect throughout all four precincts. Commissioner Smith stated he is excited about the experience and integrity Don Montague would bring to the position. Judge Becerra stated that his vote will not reflect anything negative towards Commissioner Shell's nomination. His hope is to fill the position with someone from within the organization that will not be on the ballot. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to appoint Don Montague as the Hays County Constable Precinct 3 pending his qualifications, and the acceptance of the appointment, and accept the resignation of Ray Helm. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.**

**ADJOURNMENT**

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 2:17 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 August 7, 2020.



*Elaine H. Cardenas*

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

