

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 11, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11th 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 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:

Reverend Stella Burkhalter of the Kyle 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 made public comment against the Hays County disbursements. Sharon O'Neil made public comment against holding indigent jail detainees. Sam Brannon made public comment regarding elections. Christine Terrell made public comment in favor of a Public Defender's office. Lauren Hubele made public comment in favor of the Criminal Justice – Public Defender's office. Rodrigo Amaya made public comment regarding accountability of Hays County elected officials. Herman Fabela made public comment regarding the budget item for Precinct 5 staff positions. James Reece made public comment against the Hays County Courthouse closures, County Clerk office closure, and against the Cite and Divert Program. Jordan Buckley made public comment regarding the human rights crisis in the Hays County Jail. Anita Collins, Executive Assistant to the County Judge, made public comment against the Commissioners and Sheriff Cutler stating that the elected officials' disrespect and discriminate against the Judge's office.

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

Mike Jones, Director of Office of Emergency Services, gave an update to the Court. Tammy Crumley, County Wide Operations Director, spoke. Mark Kennedy, Office of General Counsel, spoke. No action was taken.

INTRODUCTION OF THE OFFICE OF EMERGENCY SERVICES (OES) STAFF BY MIKE JONES, DIRECTOR OF OES.

Mike Jones, Director of Office of Emergency Services, introduced his staff to the Court. He explained how each person contributed to Hays County. The Court thanked the staff for their work and dedication. No action was taken.

PRESENTATION AND DISCUSSION BY DAN WEGMILLER OF SPECIALIZED PUBLIC FINANCE INC. REGARDING REFUNDING OF EXISTING BONDS.

Dan Wegmiller, Specialized Public Finance Inc., presented to the Court their financial standing and options regarding refunding of existing bonds. No action was taken.

35462 APPROVE PAYMENTS OF COUNTY INVOICES.

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

**35463 APPROVE PAYMENT OF JUROR CHECKS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payment of Juror checks. All present voted "Aye." MOTION PASSED.

35464 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve payments of United Healthcare claims. All present voted "Aye." MOTION PASSED.

35465 APPROVE COMMISSIONERS COURT MINUTES OF JULY 28, 2020.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Commissioners Court Minutes of July 28, 2020. All present voted "Aye." MOTION PASSED.

35466 APPROVE THE PAYMENT OF THE AUGUST 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,995,000.00 EFFECTIVE AUGUST 14, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the payment of the August 15, 2020 payroll disbursements in an amount not to exceed \$2,995,000.00 effective August 14, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

35467 APPROVE THE SHERIFF'S OFFICE JAIL DIVISION TO UTILIZE SAVINGS OF \$3,000 FROM CONTINUING ED FUNDS TO ENTER INTO A MASTER SERVICE AGREEMENT WITH LEXIPOL FOR CORRECTIONS ONE ACADEMY AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the Sheriff's Office Jail Division to utilize savings of \$3,000 from Continuing Ed Funds to enter into a master service agreement with Lexipol for CorrectionsOne Academy and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35468 AUTHORIZE THE COUNTY CLERK'S OFFICE TO PURCHASE EIGHT (8) CREDIT CARD READERS TOTALING \$5,285.64 FROM JR'S POS DEPOT, AUTHORIZE A PURCHASING POLICY WAIVER AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to Authorize the County Clerk's Office to purchase eight (8) Credit Card Readers totaling \$5,285.64 from JR's POS Depot, authorize a purchasing policy waiver and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35469 RATIFY A TEMPORARY RIGHT OF ENTRY AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR THE HAYS COUNTY PROPERTY LOCATED AT 755 CIVIC CENTER, SAN MARCOS, TEXAS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify a Temporary Right of Entry Agreement between Hays County and the City of San Marcos for the Hays County property located at 755 Civic Center, San Marcos, Texas. All present voted "Aye." MOTION PASSED.

35470 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR NEW DRIPPING SPRINGS ELEMENTARY SCHOOL LOCATED AT 11091 DARDEN HILL ROAD, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for new Dripping Springs Elementary school located at 11091 Darden Hill Road, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.



35471 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR NEW 7-ELEVEN LOCATED AT 12212 W US 290, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for new 7-Eleven located at 12212 W US 290, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

35472 AMEND THE CONSTABLE PCT. 2 OPERATING BUDGET FOR \$341.00 FOR COSTS RELATED TO THE MOBILE RADIO EQUIPMENT APPROVED IN THE FY20 BUDGET PROCESS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to amend the Constable Pct. 2 operating budget for \$341.00 for costs related to the mobile radio equipment approved in the FY20 budget process. All present voted "Aye." MOTION PASSED.

35473 AMEND THE APPOINTMENT DATE OF NATHAN MENDENHALL TO FIRE MARSHAL FROM AUGUST 10, 2020 TO AUGUST 4, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to amend the appointment date of Nathan Mendenhall to Fire Marshal from August 10, 2020 to August 4, 2020. All present voted "Aye." MOTION PASSED.

35474 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR NEW RESTAURANT LOCATED AT 14111 WINTER'S MILL PARKWAY, WIMBERLEY, TEXAS 78676.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for new restaurant located at 14111 Winter's Mill Parkway, Wimberley, Texas 78676. All present voted "Aye." MOTION PASSED.

35475 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR THE ROSEMARY HALL DORMITORY IN THE BURKE CENTER FOR YOUTH AT 20710 W FM 150, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for the Rosemary Hall Dormitory in the Burke Center for Youth at 20710 W FM 150, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

35476 APPROVE UTILITY PERMITS.

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

35477 APPROVE THE OFFICIAL BOND OF THE NEWLY APPOINTED FIRE MARSHAL, NATHAN PAUL MENDENHALL.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the official bond of the newly appointed Fire Marshal, Nathan Paul Mendenhall. All present voted "Aye." MOTION PASSED.

35478 AUTHORIZE PAYMENT TO ELECTROTECHNICS CORPORATION (ELTEC) FOR \$1,960.83 RELATED TO REPLACING A DAMAGED SCHOOL ZONE FLASHER POST FOR SCIENCE HALL ELEMENTARY SCHOOL STEMMING FROM AN AUTO ACCIDENT THAT OCCURRED ON DACY LANE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize payment to Electrotechnics Corporation (Eltec) for \$1,960.83 related to replacing a damaged school zone flasher post for Science Hall Elementary School stemming from an auto accident that occurred on Dacy Lane in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.



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35479 APPROVE AND CONFIRM THE APPOINTMENTS OF PORTER KING FEAREY DEWAR AS DEPUTY CONSTABLE AND TIMOTHY WALKER AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE AUGUST 11, 2020.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Approve and confirm the appointments of Porter King Fearey Dewar as Deputy Constable and Timothy Walker as Reserve Deputy Constable in the Hays County Constable Precinct 1 Office, effective date August 11, 2020. All present voted "Aye." MOTION PASSED.

35480 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE COUNTY'S AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR PURPOSES OF TEXT MESSAGE AND EMAIL REMINDER NOTIFICATIONS RELATED TO COURT APPEARANCES, DIVERSION APPEARANCES, WARRANTS, AND PAYMENT COMPLIANCE AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Amendment to the County's Agreement with Tyler Technologies, Inc. for purposes of text message and email reminder notifications related to court appearances, diversion appearances, warrants, and payment compliance and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35481 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A WORK ORDER AND FIRE ALARM SYSTEM AGREEMENT WITH SECURITY ONE, INC. FOR FIRE ALARM MONITORING SERVICES FOR THE PUBLIC SAFETY BUILDING.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Work Order and Fire Alarm System Agreement with Security One, Inc. for Fire Alarm Monitoring Services for the Public Safety Building. All present voted "Aye." MOTION PASSED.

35482 APPROVE SPECIFICATIONS FOR RFP 2020-P08 ELECTION FORM PRINTING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFP 2020-P08 Election Form Printing Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

35483 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE REPLACEMENT COMPUTER EQUIPMENT FOR VARIOUS DEPARTMENTS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Department to purchase replacement computer equipment for various departments and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35484 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES DEPARTMENT TO PURCHASE ONE UPGRADED IPHONE SE128 GB VALUED AT \$123.99 IN ORDER TO LOAD APPLICATIONS FOR EMERGENCY PREPAREDNESS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Office of Emergency Services department to purchase one upgraded iPhone SE128 GB valued at \$123.99 in order to load applications for emergency preparedness. All present voted "Aye." MOTION PASSED.

35485 AUTHORIZE A WAIVER TO THE PURCHASING POLICY FOR THE ELECTION OFFICE TO PURCHASE BALLOT PAPER FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a waiver to the purchasing policy for the Election Office to purchase ballot paper for the November 3, 2020 General Election. All present voted "Aye." MOTION PASSED.

35486 APPROVE THE OFFICIAL BOND OF THE NEWLY-APPOINTED HAYS COUNTY CONSTABLE FOR PRECINCT #3, DON MONTAGUE.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the official bond of the newly appointed Hays County Constable for Precinct #3, Don Montague. All present voted "Aye." MOTION PASSED.

35487 APPROVE AND CONFIRM THE APPOINTMENTS OF DEPUTY CONSTABLES DESIGNATED BY THE NEWLY-APPOINTED CONSTABLE, DON MONTAGUE, IN THE HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE, EFFECTIVE AUGUST 10, 2020.

Don Montague spoke to the Court. Judge Becerra spoke. Mark Kennedy, Office of General Counsel spoke to the Court. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve and confirm the appointments of Deputy Constables designated by the newly appointed Constable, Don Montague, in the Hays County Constable Precinct 3 Office, effective August 10, 2020. All present voted "Aye." MOTION PASSED.

35488 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA)/CONTRACT BETWEEN HAYS COUNTY AND RPS INFRASTRUCTURE, INC. TO PROVIDE ENGINEERING DESIGN SERVICES FOR RM 12 AT RM 3237 INTERSECTION PROJECT IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROGRAM.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement (PSA)/contract between Hays County and RPS Infrastructure, Inc. to provide engineering design services for RM 12 at RM 3237 intersection project in Precinct 3 as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35489 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN HAYS COUNTY AND RPS INFRASTRUCTURE, INC. ON THE RM 12 AT RM 3237 INTERSECTION PROJECT IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROGRAM EXECUTED ON OR ABOUT APRIL 9, 2019.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Change Order No. 1 to a Contract between Hays County and RPS Infrastructure, Inc. on the RM 12 at RM 3237 Intersection project in Precinct 3 as part of the 2016 Road Bond Program executed on or about April 9, 2019. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #32 RE: DISCUSS AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA)/CONTRACT BETWEEN HAYS COUNTY AND COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN AND ROW ACQUISITION SERVICES ON THE WINTERS MILL INTERSECTION IMPROVEMENTS AT RM 12 AND RM 3237 PROJECT IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROJECT. - WAS PULLED.

35490 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT NO. 1 TO A CONTRACT BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC. FOR THE DARDEN HILL ROAD (FM1826 TO SAWYER RANCH ROAD) WIDENING AND TURN LANES PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM EXECUTED ON OR ABOUT OCTOBER 30, 2018.

Commissioner Smith noted this is part of the 2016 Road bond. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment No. 1 to a Contract between Hays County and Doucet & Associates, Inc. for the Darden Hill Road (FM1826 to Sawyer Ranch Road) widening and turn lanes project as part of the 2016 Road Bond Program executed on or about October 30, 2018. All present voted "Aye." MOTION PASSED.



35491 AWARD CONTRACTS FOR IFB 2020-B09 ROADWAY IMPROVEMENTS - HOT MIX OVERLAY TO BENNETT PAVING, INC.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to award contracts for IFB 2020-B09 Roadway Improvements - Hot Mix Overlay to Bennett Paving, Inc. All present voted "Aye." MOTION PASSED.

35492 AWARD CONTRACTS FOR IFB 2020-B16 ROADWAY IMPROVEMENTS - REMOVE & REPLACE HOT MIX TO TURNER PAVING & CONSTRUCTION INC.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to award contracts for IFB 2020-B16 Roadway Improvements - Remove & Replace Hot Mix to Turner Paving & Construction Inc. All present voted "Aye." MOTION PASSED.

35493 APPROVE THE RESULTS OF THE RETURNED BALLOTS OF THE PROPERTY OWNERS WHO VOTED ON THE PROPOSED IMPROVEMENTS OF ROADWAYS WITHIN RIVER MOUNTAIN RANCH SUBDIVISION PRECINCT 3 OF HAYS COUNTY PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE.

Elaine Cárdenas, County Clerk, presented the Court with the ballot results. She announced the majority vote came in as "Yes." Mark Kennedy, General Counsel, Spoke to the Court about the next steps. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the results of the returned ballots of the property owners who voted on the proposed improvements of roadways within River Mountain Ranch Subdivision Precinct 3 of Hays County pursuant to Chapter 253 of the Texas Transportation Code. All present voted "Aye." MOTION PASSED.

35494 GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND CHAPTER 715.3.01 (C) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, PLN-1400-PC; PENN SUBDIVISION, LOT 1A-1, REPLAT (2 LOTS).

Caitlyn Strickland, Development Services, announced the property owners request is a regular request. A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities and Chapter 715.3.01 (C) of the Hays County Development Regulations, PLN-1400-PC; Penn Subdivision, Lot 1A-1, Replat (2 Lots). All present voted "Aye." MOTION PASSED.

35495 GRANT A VARIANCE FROM SECTION 10. W. 1. OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND ALLOW ISSUANCE OF DEVELOPMENT PERMITS TO THE OWNER OF 560 DEAD MANS HOLE RD, DRIPPING SPRINGS, TX 78620.

Commissioner Smith stated this lot is over 200 acres and this request is to address some issues. Caitlyn Strickland, Development Services, clarified the situation to the Court. A motion was made by Commissioner Smith, seconded by Commissioner Shell to grant a variance from section 10. W. 1. of the Hays County Rules for On-Site Sewage Facilities and allow issuance of development permits to the owner of 560 Dead Mans Hole Rd, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

35496 REISSUE THE KINDER MORGAN PERMIAN HIGHWAY PIPELINE ROAD CROSSING PERMITS FOR PUMP STATION ROAD, MT. SHARP ROAD, AND LEDGEROCK ROAD, ALLOWING CONSTRUCTION ACTIVITIES TO CONTINUE FOR THE 42" NATURAL GAS PIPELINE CONTINGENT UPON THE CERTAIN CRITERIA.

Commissioner Shell stated these are permits to allow work for crossings. A motion was made by Commissioner Shell, seconded by Commissioner Smith to reissue the Kinder Morgan Permian Highway Pipeline road crossing permits for Pump Station Road, Mt. Sharp Road, and Ledgerock Road, allowing construction activities to continue for the 42" natural gas pipeline contingent upon the certain criteria. The issuance of these permits is contingent upon the following criteria;

1. Kinder Morgan will provide the schedule, order of the road crossing work and notify the County and HTGCD staff at least 10 calendar days in advance.

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2. Hays County and HTGCD staff will be granted access to the construction sites during and after the boring process
3. Kinder Morgan will notify HTGCD in the event a significant karst feature is encountered during the course bore construction.
4. Kinder Morgan provided HTGCD staff with access to all crossing activities including boring and camera imaging.

All present voted "Aye." MOTION PASSED.

35497 AUTHORIZE THE EXECUTION OF A \$1,000,000 LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CHRISTUS Santa Rosa HOSPITAL (CSRSM) AS BUDGETED FOR FY2020 TO INDIGENT HEALTH CARE COSTS.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a \$1,000,000 Letter of Agreement between Hays County and CHRISTUS Santa Rosa Hospital (CSRSM) as budgeted for FY2020 to Indigent health care costs. All present voted "Aye." MOTION PASSED.

35498 AUTHORIZE MIKE JONES TO ACCEPT THE AIRWORTHINESS STATEMENT (AWS) ON BEHALF OF THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize Mike Jones to accept the Airworthiness Statement (AWS) on behalf of the Hays County Office of Emergency Services. All present voted "Aye." MOTION PASSED.

35499 ACCEPT THE \$19,058.41 VISIONALITY SECOND PHASE PROPOSAL, ADDING INDIVIDUAL MONITORS WITH ACCESS TO AGENDA AND BACKUP, AS WELL AS AUTOMATED PARLIAMENTARY PROCEDURES AND RECORDING OF VOTES AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe stated that she felt this equipment would benefit the Court. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the \$19,058.41 Visionality Second Phase Proposal, adding individual monitors with access to agenda and backup, as well as automated parliamentary procedures and recording of votes and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35500 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH BRIZO CONSTRUCTION, LLC FOR PROJECTS LISTED ON THE ATTACHED BID TABULATION FOR RFP 2020-P05 BUILDER SERVICES RELATED TO THE CDBG-DR HOUSING PROGRAM.

Commissioner Jones announced this is a grant fund. Tammy Crumley, County Wide Operations Director, stated these are two of the rehab projects. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a contract with Brizo Construction, LLC for projects listed on the attached bid tabulation for RFP 2020-P05 Builder Services related to the CDBG-DR Housing Program. All present voted "Aye." MOTION PASSED.

35501 ORDER A GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to order a General Election to be held on November 3, 2020. All present voted "Aye." MOTION PASSED.

35502 APPROVE ELECTION DAY VOTE CENTER LOCATIONS FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.

Mary Clarkson made public comment against Precinct 4 building as a voting location. Brandon James made public comment in favor of voting. Lexy Garcia of Texas Rising, made public comment for an additional voting location for the Texas State University. Roland Saucedo made public comment in favor of the vote center locations. Jennifer Anderson, Elections Administrator spoke to the Court. The Court had questions regarding the voting locations for Jennifer Anderson, Elections Administrator. Judge Becerra spoke to the Court about his participation in a meeting with Texas State University. Commissioner Ingalsbe spoke about voting locations. A motion was made by Commissioner Smith, seconded by Commissioner Shell to adopt the recommended list as recommended by the Citizens Advisory Committee and as indorsed by the Texas



State University, Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.

35503 APPROVE EARLY VOTING LOCATIONS AND SCHEDULE FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.

Mary Clarkson made public comment against Precinct 4 building as a voting location. Catherine Wicker of Texas Rising made public comment regarding a voter friendly campus at Texas State University. Isabella Briseno of Texas Rising made public comment in favor of voting locations on the Texas State University campus. Judge Becerra stated that he had a meeting with the leadership at Texas State University regarding moving the voting locations. He stated that he toured the Performing Art Center. He announces that he negotiated using the Recreation Center on the Texas State University campus for Election Day. Jennifer Anderson, Elections Administrator spoke to the Court. Rolando Saucedo, Chair of the Citizens Election Committee, spoke to the Court. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Early Voting locations and schedule for the November 3, 2020 General Election. All present voted "Aye."** MOTION PASSED.

DISCUSSION RELATED TO THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY COMMISSION (POSAC) RECOMMENDATIONS AND RECEIPT OF THE PUBLIC OUTREACH REPORT FROM KAREN FORD, CONSULTANT FOR THE COMMISSION.

Kathryn Chandler and MaryJane Hetrick, gave public comment in favor of the Parks and Open Space Advisory Commission recommendations particularly regarding Patriot's Hall. Karen Ford presented the recommendations of the Parks and Open Space Advisory Commission. The Court members discussed if they should move forward with this decision or wait. Judge Becerra called up the remaining public comment speakers who opted to speak after the recommendations were made. Dan Lyon made public comment against the recommendations. Sam Brannon made public comment against the recommendations. Lori Olson made public comment for the recommendations. George Cofer, member of the Hill Country Conservancy, made public comment for the recommendations. The following public comments were read to the Court by Elaine Cárdenas, Hays County Clerk. David Hixon made public comment for the recommendations. Emily Magee made public comment for the recommendations. Joan Harrison made public comment against the recommendations. Kathryn Williams made public comment for the recommendation but against the city center. Lynn Morris made public comment against the recommendations. Jonathan Lustri made public comment for the recommendations. Madonna Kimball made public comment against the recommendations at this time. Chana Temple made public comment for the recommendations. Representative Erin Zwiener made public comment for the recommendations. Veronica Hawk made public comment for the recommendations. Kathleen Ochoa made public comment to make parks and trails wheelchair accessible. Rachel Porter made public comment for the recommendations. Robin Gary made public comment for the recommendations. Lindsay Loftin made public comment for the recommendations. Nina Powers made public comment for the recommendations. Scott Way made public comment in favor of the recommendations. Lauren Haygood made public comment in favor of the recommendations. Andy Witkowski made public comment in support of the recommendations. Scott Price made public comment in support of the recommendations. Martin McConahay made public comment against the recommendations. Cristin Hearne made public comment against the recommendations. David Baker, Wimberley Valley Watershed Association, made public comment in favor of the recommendations. Ray Don Tilley made public comment in favor of the recommendations. No action was taken.

35504 APPROVE AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS CALLING A BOND ELECTION TO BE HELD ON NOVEMBER 3, 2020 IN HAYS COUNTY, TEXAS; DESIGNATING VOTER POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION WITH VARIOUS POLITICAL SUBDIVISIONS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

Dan Lyon made public comment against the recommended bond. Sam Brannon made public comment against the bond. Kathrine Romans, Executive Director of the Hill Country Alliance, gave public comment in favor of the bond. Commissioner Shell stated he can see the value of investing into the County's future. He noted that the County tax rates have been lowered over that past ten years. He stated the Court has worked hard to try to keep taxes lowered. He stated he did not foresee the debt rate lowering this year. He explained his reasons for supporting the bond on the November ballot as he feels this November election will have a high turnout. Commissioner Ingalsbe stated she supports the Parks and Open Space projects; however, it is hard for her to move forward on this item at this time. She stated should this bond pass that she would watch very closely for the issuance. Commissioner Jones stated that he has heard from several people in his precinct who support the Parks and Open Space projects. Commissioner Jones echoed Commissioner Shell in favor of a November ballot. Commissioner Smith stated the overall cost for these projects is astronomical. He stated using the County money as seed money. He agreed that we are in hard economic times but also believes that the County needs to capitalize on some of the projects now. Judge Becerra stated this item is calling for a bond election to let the voters decide. He listed options that are available to the Court such as releasing bonds slowly, not selling

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bonds and issuance of the bonds. Mark Kennedy, General Counsel, reviewed with the Court the next steps should they move forward. Julie Houston, Orrick Bond Counsel, advised the Court on their options. Commissioner Ingalsbe thanked Karen Ford for her work. Commissioner Shell listed the following under this item; The four general categories found in the bond proposition language will consist of Open Spaces Conservation Connectivity, Multilevel Improvements for alternative Transportation, Urban Parks, and Flood Mitigation repairing and health. The bond order to be followed with information on how the Court will invest in specific projects that will become part of the contract with the voters. Commissioner Shell requested the documentation that Julie Houston mentioned in section 10 be changed per language. The total value of the bond be set at \$75million. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve an Order by the Commissioners Court of Hays County, Texas calling a Bond Election to be held on November 3, 2020 in Hays County, Texas; designating voter polling places; providing for early voting and election day voting; providing for performance that required administrative duties; making provision for the conduct of the election, making provision for the conduct of a joint election with various political subdivisions; resolving other matters incident and related to such election. Commissioner Jones, Commissioner Shell, Commissioner Smith, and Judge Becerra present voted "Aye." Commissioner Ingalsbe voted "No." MOTION PASSED.**

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2021 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW.

Christine Terrell made public comment regarding the approval of line items. Caitlyn Strickland, Director of Development Services requested from the Court to include two leased vehicles, new personnel, and a salary increase for an Administrative Assistant III. Jerry Borcharding, Director of Transportation Department, requested the Court include new personnel in the budget for his department. Kyle Hayungs, Founder and CEO of MRG Medical Group spoke to the Court regarding the meeting from April 14, 2020. Sheriff Gary Cutler and Captain Julie Villalpando of the Sheriff's Office requested the Court include Personnel for the Jail and Contract Detention for Jail Division. No action was taken.

35505 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 Shell, seconded by Commissioner Jones to authorize a purchase agreement between Hays County and Danny and Sandra Acosta A.K.A. Sandra and Troy Ray Acosta, totaling \$40,000 which includes the costs of moving a septic system, and acquisition of 0.080 acres of Right of Way along Dacy Lane, in Precinct 1. All present voted "Aye." MOTION PASSED.

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 TRANSPORTATION DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE PARKS AND OPEN SPACE ADVISORY COMMISSION PROPOSALS AND THE PROSPECTIVE PARK AND OPEN SPACE PROGRAM; AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY REGARDING PARKS AND OPEN SPACE WITHIN HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

35506 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 HUMAN RESOURCES DEPARTMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



AUGUST 11, 2020

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the Risk Management Specialist position to be double filled by the Human Resource Specialist slot 1 effective 7/1/2020 – 8/14/2020 and by the Risk Management slot effective 7/16/2020-9/15/2020 at their current hourly rates funded through Salary Savings and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #54 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.

No action taken.

Clerk's Note Agenda Item #56 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. – WAS PULLED*

Clerk's Note Agenda Item #57 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.*

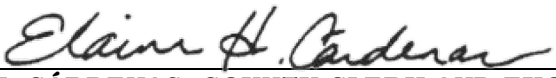
Clerk's Note Agenda Item #58 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.*

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 6:05 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 11, 2020.





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

