

HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 17, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>th</sup> DAY OF NOVEMBER 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](https://www.google.com).

**THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Reverend Lisa Straus, Buda 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**

Lucy Wiley emailed a public comment against commercial businesses moving into residential neighborhoods. The comment was read in court by Elaine Cardenas, County Clerk.

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

Tammy Crumley, Director of Countywide Operations, gave the court an update on the current number of COVID-19 cases. She noted an increase in positive cases. She announced the testing locations throughout the county. Judge Becerra encouraged the public to continue wearing masks in public and practice social distancing. No action was taken.

**35819 ADOPT A PROCLAMATION DECLARING NOVEMBER 16 - 22, 2020 AS GLOBAL ENTREPRENEURSHIP WEEK.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring November 16 - 22, 2020 as Global Entrepreneurship Week. All present voted "Aye." MOTION PASSED.

**35820 ADOPT A PROCLAMATION RECOGNIZING THE 140TH ANNIVERSARY OF THE BUDA UNITED METHODIST CHURCH IN HAYS COUNTY.**

Commissioner Jones thanked Reverend Lisa Straus. Reverend Straus thanked past and current members of the church. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing the 140th anniversary of the Buda United Methodist Church in Hays County. All present voted "Aye." MOTION PASSED.

**UPDATE ON THE NOVEMBER MEETING OF THE HILL COUNTRY MENTAL HEALTH DEVELOPMENTAL DISABILITIES BOARD BY CHARLIE CAMPISE.**

Charlie Campise gave the update to the court. He stated he was not able to make the November meeting since he was commissioned by the Commissioners Court members to be an election judge. The election was held at the same time. The board discussed a new hospital and the proposed cost of the build. Discussion was had by the board regarding the selection of a new Executive Director. The court thanked Mr. Campise for his update. No action was taken.

**35821 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.

**35822 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.

**35823 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.

**35824 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 10, 2020.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of November 10, 2020. All present voted "Aye." MOTION PASSED.

**35825 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT OFFICE/WAREHOUSE BUILDING LOCATED AT 5040 HWY 123, SUITE 100, SAN MARCOS, TEXAS 78666.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit office/warehouse building located at 5040 Hwy 123, Suite 100, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

**35826 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT OFFICE/WAREHOUSE BUILDING LOCATED AT 5040 HWY 123, SUITE 300, SAN MARCOS, TEXAS 78666.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit office/warehouse building located at 5040 Hwy 123, Suite 300, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

**35827 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT OFFICE/WAREHOUSE BUILDING LOCATED AT 5040 HWY 123, SUITE 400, SAN MARCOS, TEXAS 78666.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones authorize On-Site Sewage Facility Permit office/warehouse building located at 5040 Hwy 123, Suite 400, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

**35828 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT OFFICE/WAREHOUSE BUILDING LOCATED AT 5040 HWY 123, SUITE 700, SAN MARCOS, TEXAS 78666.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones authorize On-Site Sewage Facility Permit office/warehouse building located at 5040 Hwy 123, Suite 700, San Marcos, Texas 78666. All present voted "Aye." MOTION PASSED.

**35829 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR TWO OFFICE/WAREHOUSE BUILDINGS LOCATED AT 13617 FITZHUGH ROAD, AUSTIN, TEXAS 78737.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for two office/warehouse buildings located at 13617 Fitzhugh Road, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.



**35830 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE A REPLACEMENT TICKET WRITER PRINTER FOR \$647.00; AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(7)(D) AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase a replacement ticket writer printer for \$647.00; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35831 AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR NEEDED VEHICLE REPAIRS IN WHICH INSURANCE PROCEEDS WERE RECEIVED.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Sheriff's Office operating budget for needed vehicle repairs in which insurance proceeds were received. All present voted "Aye." MOTION PASSED.

**35832 AUTHORIZE THE SHERIFF'S OFFICE TO USE SHERIFF DRUG FORFEITURE FUNDS TOTALING \$5,876.84 TO PURCHASE LIGHTS FOR PATROL VEHICLES AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use Sheriff Drug Forfeiture Funds totaling \$5,876.84 to purchase lights for patrol vehicles and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35833 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE CONSUMABLE ITEMS RELATED TO EXTENDED CRIME SCENE INCIDENTS.**

Discussion was held among the court and the Auditor's office regarding a limit for consumable items. Commissioner Jones stated \$400.00. The Auditor's office agreed this was a reasonable amount. Marisol Villarreal-Alonzo, Auditor, stated that if the amount needed to be adjusted her office would bring it back to court. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase consumable items related to extended crime scene incidents with a limit not to exceed \$400.00. All present voted "Aye." MOTION PASSED.

**35834 AUTHORIZE THE EXECUTION OF AN EQUIPMENT CALIBRATION & MAINTENANCE AGREEMENT WITH FARRWEST ENVIRONMENTAL SUPPLY, INC. RELATED TO THE MAINTENANCE OF HAZMAT MONITORING EQUIPMENT FUNDED THROUGH THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS PROGRAM.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of an Equipment Calibration & Maintenance Agreement with FarrWest Environmental Supply, Inc. related to the maintenance of HazMat Monitoring Equipment funded through the Office of the Governor, Homeland Security grants program. All present voted "Aye." MOTION PASSED.

**35835 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE A COMPUTER SYSTEM FOR THE ACCESS CONTROL SYSTEM LOCATED AT THE PUBLIC SAFETY BUILDING AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Shell stated this system will allow the Sheriff's office access to the building but also tracks the time and date. A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase a computer system for the access control system located at the Public Safety Building and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35836 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR THREE SHORT-TERM RENTAL CABINS LOCATED AT 965 NORWOOD RD, DRIPPING SPRINGS, TX 78620.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for three short-term rental cabins located at 965 Norwood Rd, Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.



**35837 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF RESOLUTION TO THE TEXAS INDIGENT DEFENSE COMMISSION (TIDC) FOR THE FY21 FORMULA GRANT PROGRAM.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the submission of a grant application and execution of resolution to the Texas Indigent Defense Commission (TIDC) for the FY21 Formula Grant Program. All present voted "Aye." MOTION PASSED.

**35838 APPROVE SPECIFICATIONS FOR IFB 2021-B03 HAYS COUNTY MULTILAYER WELL AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2021-B03 Hays County Multilayer Well and authorize Purchasing to solicit for bids and advertise. All present voted "Aye." MOTION PASSED.

**35839 AUTHORIZE THE COUNTY JUDGE TO PURCHASE A REPLACEMENT DELL THUNDERBOLT DOCKING STATION IN THE AMOUNT OF \$202.99 TO REPLACE A NON-WORKING, OUT OF WARRANTY COMPUTER DOCKING STATION AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to purchase a replacement Dell Thunderbolt Docking Station in the amount of \$202.99 to replace a non-working, out of warranty computer docking station and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35840 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATING TO THE COUNTY'S LIME KILN ROAD (CR 225) BOND PROJECT AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Shell outlined the responsibilities of the county and the City of San Marcos. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of San Marcos relating to the County's Lime Kiln Road (CR 225) Bond Project and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35841 AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 2 TO WORK AUTHORIZATION NO. 2 WITH AMERICAN STRUCTUREPOINT, INC REGARDING THE RM 3237 AT RM 150 ROUNDABOUT PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.**

Commissioner Shell stated this project runs through 3 precincts. Discussion was had by the court regarding the benefits of roundabouts for high traffic areas. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of Supplemental No. 2 to Work Authorization No. 2 with American Structurepoint, Inc regarding the RM 3237 at RM 150 Roundabout project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

**35842 APPROVE THE FINAL PLAT CONCERNING THE REPLAT OF LOT 35, LEA ACRES SUBDIVISION; PLN-1398-PC.**

Judge Becerra opened the public hearing at 9:43a.m. Debra Charnes, made a comment concerning nonresidential use of the property. Delane Vandwaling made a comment against the replat. Judge Becerra closed the public hearing at 9:47a.m. Commissioner Shell thanked the citizens who gave public comments. He stated that if the property owners are meeting the requirements then the court is obligated to follow state rules. He noted that the actions made today are only to approve the subdivision of the property. Mark Kennedy, General Counsel, explained the legal steps that could be taken if the county does not follow the state rules. Caitlyn Strickland, Director of Development Services, explained the subdivision process. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat concerning the Replat of Lot 35, Lea Acres Subdivision; PLN-1398-PC. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.

**Clerk's Note:** Judge Becerra called for a break that began at 10:02 a.m. and resumed back into open court at 10:10 a.m.



**35843      AUTHORIZE THE COUNTY JUDGE TO EXECUTE TASK ORDER #1 TO THE MASTER INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY EXECUTED ON OR ABOUT AUGUST 18, 2020.**

Commissioner Shell stated this agreement allows studies administered by the Meadows Center at Texas State University. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Task Order #1 to the Master Interlocal Agreement between Hays County and Texas State University executed on or about August 18, 2020. All present voted "Aye." MOTION PASSED.

**35844      AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY TO BE PERFORMED BY THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT RELATED TO THE 2021 HAYS COUNTY FERAL HOG PROGRAM.**

A presentation was given by Nick Dornak, Director of Watershed Services at Texas State University. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the 2021 Hays County Feral Hog Program. All present voted "Aye." MOTION PASSED.

**35845      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL SUPPORT AGREEMENT WITH STARS INFORMATION SOLUTIONS FOR SOFTWARE AND HARDWARE MAINTENANCE OF THE SCANPRO3000 MICROSOFT SCANNER FOR \$695.00 WITH FUNDS BUDGETED FOR FY2021.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Annual Support Agreement with Stars Information Solutions for software and hardware maintenance of the ScanPro3000 Microsoft Scanner for \$695.00 with funds budgeted for FY2021. All present voted "Aye." MOTION PASSED.

**35846      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT FOR USE OF JAIL FACILITY BETWEEN HAYS COUNTY AND ATASCOSA COUNTY RELATED TO THE HOUSING AND CARE OF HAYS COUNTY INMATES.**

Commissioner Ingalsbe called on Lieutenant John Saenz to speak. Lieutenant John Saenz stated Atascosa County is a closer facility than Fort Bend County. This agreement will help with travel and cost of outsourcing inmates. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Agreement for Use of Jail Facility between Hays County and Atascosa County related to the housing and care of Hays County inmates. Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "Aye." Judge Becerra voted "No." MOTION PASSED.

**35847      AUTHORIZE THE CONSTABLE PCT. 4 OFFICE TO PURCHASE ONE NEW LCRA IN-CAR MOBILE RADIO, XG-25M, 700/800 P25 SYSTEM WITH ACCESSORIES IN THE AMOUNT OF \$3,884.19 AND AMEND THE BUDGET ACCORDINGLY.**

Constable Ron Hood stated that the vehicle was approved by the court in April, however there was an oversight in requesting the in-car radio for the vehicle. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Constable Pct. 4 Office to purchase one new LCRA in-car Mobile Radio, XG-25M, 700/800 P25 system with accessories in the amount of \$3,884.19 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35848      AUTHORIZE THE ELECTION'S OFFICE TO PAY DOWN VACATION ACCRUALS FOR THE ELECTION'S ADMINISTRATOR AND THE ADMINISTRATIVE ASSISTANT III, SLOT 0271-002 AND AMEND THE BUDGET ACCORDINGLY.**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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NOVEMBER 17, 2020

Judge Becerra stated the Elections department is doing a great job. Commissioner Jones stated this year was a historic election with record turnout. He stated the amount of money is well deserved. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Election's Office to pay down vacation accruals for the Election's Administrator and the Administrative Assistant III, slot 0271-002 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

**35849 AUTHORIZE THE SHERIFF'S OFFICE TO HIRE AN EMERGENCY COMMUNICATION OFFICER, SLOT 0515-003 AT AN MBS3 OF THE ECO SALARY PROGRESSION CHART EFFECTIVE 11/20/20.**

Captain Mark Cumberland stated the new hire is a returning employee who has five years of experience. She is trained and certified for this position. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to hire an Emergency Communication Officer, slot 0515-003 at an MBS3 of the ECO salary progression chart effective 11/20/20. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Executive Session began at 11:13 a.m. and resumed back into open court at 11:27 a.m.

**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 VETERAN SERVICES OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**35850 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY LOCATED ON WEST SAN ANTONIO STREET, SAN MARCOS IN PCT. 1. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT. INGALSBE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a real estate sales contract and deed, conveying approximately 3.89 acres of land (R136050) from Hays County to Hays County emergency services district number 3, as discussed and presented by General Counsel in Executive Session. This transfer shall be contingent upon ESD#3's arrangement to allow public trail access across the property, as well as stormwater improvements, maintained by the City of San Marcos. These conditions shall be tied to a reversionary interest in the property. All present voted "Aye." **MOTION PASSED.**

**Clerk's Note Agenda Item #36 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 estimated cost for outsourcing was \$41,450.00 for the week of November 8 – November 14, 2020. The number of outsourced males was 118 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 4, Department of Public Safety – 1, Hays County Sheriff's Department – 52, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 22, San Marcos Police Department - 33, Texas State Police Department – 2. No action taken.

**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.**



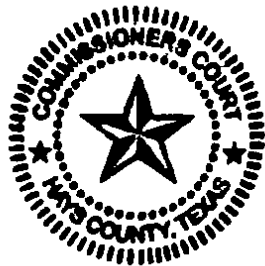
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**ADJOURNMENT**

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 12:17 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 November 17, 2020.



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

