

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 23, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23RD DAY OF MARCH A.D., 2021, 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:

Chaplin Javier Maldonado, Christus Hospice Central Texas, 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 comments regarding Hays County Appraisal District, county disbursements, and the Amazon expansion. Rodrigo Amaya made public comments regarding law enforcement, the Commissioners and county staff. Lloyd O'Leary made a public comment regarding Judge Becerra.

36179 ADOPT A PROCLAMATION DECLARING MARCH 24, 2021 AS WORLD TB DAY FOR HAYS COUNTY.

Amy Wolf, RN and Anna Martinez, NCMA, Hays County Tuberculosis (TB) Case Managers spoke to the court. Amy Wolf stated people should be aware of their TB status. She gave a special thanks to the Dripping Springs I.S.D. for their assistance in treating a patient. Amy Wolf stated that they are small, and they are dedicated to the health of Hays County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring March 24, 2021 as World TB Day for Hays County. All present voted "Aye." MOTION PASSED.**

PRESENTATION FROM REPRESENTATIVES OF THE WIMBERLEY VILLAGE LIBRARY REGARDING A PLANNED EXPANSION AND FUNDING METHODS.

Dan Lyon made a public comment regarding his concerns about the funds for this project. Del Hood, President of the Board of Trustee of the Wimberley Village Library, spoke to the court regarding previous expansion projects and the status of this current project. Commissioner Shell announced that the Library has been working with the county bond counsel and Mark Kennedy, General Counsel. Mark Kennedy, General Counsel, stated there are draft changes that need to be made to the agreement before the Library brings the item back to court for a decision. Commissioner Ingalsbe has questions regarding the cost of the expansion. Commissioner Jones and Commissioner Smith asked questions regarding polling places. 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.

Mike Jones, Emergency Services Director, gave an update to the court regarding the number of vaccines distributed and the partnership with Texas State University. The Commissioners had concerns about the delays of distributions due to the previous winter storm, the waitlist for the vaccines, and the hospitalization rates. No action was taken.

PRESENTATION OF THE COUNTY JUDGE'S MENTAL HEALTH HOSPITAL TASK FORCE.

Anita Collins, Executive Assistant to the County Judge, spoke to the court regarding the Mental Health Hospital Task Force that has been formed. Their first meeting took place March 11, 2021. No action was taken.

**36180 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

36181 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

36182 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 2, 2021 AND MARCH 9, 2021.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of March 2, 2021 and March 9, 2021. All present voted "Aye." MOTION PASSED.

36183 AUTHORIZE THE EXECUTION OF AMENDMENT 3 TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), IMMUNIZATIONS/LOCALS GRANT PROGRAM - COVID-19 FUNDING, CONTRACT NO HHS000104800001

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Amendment 3 to the Texas Department of State Health Services (DSHS), Immunizations/Locals Grant Program - COVID-19 Funding, Contract No HHS000104800001 All present voted "Aye." MOTION PASSED.

36184 APPROVE THE FILING OF TAX ASSESSOR-COLLECTOR JENIFER O'KANE'S CONTINUING EDUCATION TRANSCRIPT AS REQUIRED BY SECTION 6.231 (D) OF THE TEXAS PROPERTY TAX CODE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the filing of Tax Assessor-Collector Jenifer O'Kane's Continuing Education Transcript as required by Section 6.231 (d) of the Texas Property Tax Code. All present voted "Aye." MOTION PASSED.

36185 AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

Clerk's Note: Judge Becerra called for a break that began at 10:32 a.m. and resumed back into open court at 10:40 a.m.

36186 APPROVE OUT OF STATE TRAVEL, UTILIZING THE SHERIFF'S OFFICE CONTINUING EDUCATION FUNDS, FOR DEPUTY HERMAN ADAIR TO ATTEND THE INTERNATIONAL ASSOCIATION OF AUTO THEFT INVESTIGATORS CONFERENCE ON AUGUST 8-13, 2021 IN BROOMFIELD, COLORADO.

Rodrigo Amaya made a public comment against this item. Commissioner Ingalsbe stated this item in for training and this officer is the only one covering this type of investigation. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state travel, utilizing the Sheriff's Office Continuing Education Funds, for Deputy Herman Adair to attend the International Association of Auto Theft Investigators Conference on August 8-13, 2021 in Broomfield, Colorado. All present voted "Aye." MOTION PASSED.



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- 36187 AUTHORIZE PAYMENT TO NORTHSTAR FIRE PROTECTION OF TEXAS IN THE AMOUNT OF \$810.00 FOR THE JAIL DIVISION RELATED TO EMERGENCY SPRINKLER REPAIRS WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED BY THE HAYS COUNTY PURCHASING POLICY.**

Rodrigo Amaya made a public comment against this item. Commissioner Ingalsbe stated the backup for this item was very clear. Commissioner Smith stated when maintaining a facility sometimes maintenance issues arise, and it is better to address those issues sooner than later to avoid further expenses. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Northstar Fire Protection of Texas in the amount of \$810.00 for the Jail Division related to emergency sprinkler repairs where no purchase order was issued as required by the Hays County Purchasing Policy. All present voted "Aye." MOTION PASSED.**

- 36188 AUTHORIZE THE EXECUTION OF AMENDMENT 2 TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), CPS/COVID-19 CONTRACT NO HHS000771500001.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Amendment 2 to the Texas Department of State Health Services (DSHS), CPS/COVID-19 Contract No HHS000771500001. All present voted "Aye." MOTION PASSED.

- 36189 AMEND THE TRANSPORTATION DEPARTMENT'S BUDGET FOR ROAD-BUILDING MATERIALS VALUED AT \$33,736.60 TO RECEIVE APPROXIMATELY 470 TONS OF LIMESTONE ROCK ASPHALT, TYPE II, GRADE DS MATERIAL FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE 2021 TXDOT SURPLUS PROGRAM AND ADD TO THE DEPARTMENT'S INVENTORY.**

Commissioner Ingalsbe requested clarification on this item. It was confirmed that this is a contribution from TXDOT valued at \$33,736.60. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to amend the Transportation Department's budget for road-building materials valued at \$33,736.60 to receive approximately 470 tons of Limestone Rock Asphalt, Type II, Grade DS material from the Texas Department of Transportation through the 2021 TxDOT Surplus Program and add to the department's inventory. All present voted "Aye." MOTION PASSED.**

- 36190 RECEIVE EXEMPTION STATEMENT FROM THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES/FIRE MARSHAL'S OFFICE PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 2.133.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to receive exemption statement from the Hays County Office of Emergency Services/Fire Marshal's Office pursuant to Texas Code of Criminal Procedure, Article 2.133. All present voted "Aye." MOTION PASSED.

- 36191 ACCEPT THE 2020 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PRECINCT 5.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 5. All present voted "Aye." MOTION PASSED.

- 36192 AUTHORIZE THE JUSTICE OF THE PRECINCT 2 OFFICE TO INSTALL GLASS PARTITIONS VALUED AT \$2,160.00 FOR THE MAIN OFFICE AREA UTILIZING THE JUSTICE COURT BUILDING SECURITY FUNDS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Justice of the Precinct 2 Office to install glass partitions valued at \$2,160.00 for the main office area utilizing the Justice Court Building Security Funds and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

- 36193 AUTHORIZE PAYMENT TO WALDRIP INSURANCE AGENCY IN THE AMOUNT OF \$1,425.00 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY.**



Commissioner Ingalsbe stated this action is to correct an oversight. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Waldrip Insurance Agency in the amount of \$1,425.00 in which no purchase order was issued as required per the County Purchasing Policy. All present voted "Aye." MOTION PASSED.

36194 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE ONE REPLACEMENT (1) BRAZOS TICKET WRITER PRINTER VALUED AT \$945.00 FROM TYLER TECHNOLOGIES, INC.

Commissioner Ingalsbe stated this item is to replace a ticket writer that was damaged in the field. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Sheriff's Office to purchase one replacement (1) Brazos Ticket Writer Printer valued at \$945.00 from Tyler Technologies, Inc. All present voted "Aye." MOTION PASSED.

36195 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE NEW AND REPLACEMENT COMPUTER EQUIPMENT VALUED AT \$19,983.00 UTILIZING THE SHERIFF'S DRUG FORFEITURE FUND AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Ingalsbe stated this item is to replace damaged equipment and the restructure of some departments due to the storm. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to purchase new and replacement computer equipment valued at \$19,983.00 utilizing the Sheriff's Drug Forfeiture Fund and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36196 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) FOR THE FY2021 EMERGENCY MANAGEMENT PERFORMANCE GRANTS (EMPG).

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Texas Division of Emergency Management (TDEM) for the FY2021 Emergency Management Performance Grants (EMPG). All present voted "Aye." MOTION PASSED.

36197 APPROVE RENEWAL OF RFP 2018-P10 COUNTY WIDE ELECTRICAL SERVICES WITH CT ELECTRIC AND TED BREIHAN ELECTRIC FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve renewal of RFP 2018-P10 County Wide Electrical Services with CT Electric and Ted Breihan Electric for one (1) additional year as stated in the original bid. All present voted "Aye." MOTION PASSED.

36198 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADDENDUM TO THE MASTER SERVICE AGREEMENT AND LEASE PRODUCT SCHEDULE WITH RICOH USA, INC. TO ADD A FAX OPTION IN THE AMOUNT OF \$51.69 (\$12.92 EACH) FOR COPIERS LOCATED IN VETERANS ADMINISTRATION, TAX OFFICE, SHERIFF: MAINTENANCE, AND TRANSPORTATION DEPARTMENT AND TO SWITCH OUT THE BLACK & WHITE COPIER TO A COLOR COPIER FOR THE SHERIFF: PATROL AND COMMUNITY OUTREACH AND EXTENSION OFFICE IN THE AMOUNT OF \$46.40 (\$23.20 EACH).

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an addendum to the Master Service Agreement and Lease Product Schedule with Ricoh USA, Inc. to add a fax option in the amount of \$51.69 (\$12.92 each) for copiers located in Veterans Administration, Tax Office, Sheriff: Maintenance, and Transportation Department and to switch out the black & white copier to a color copier for the Sheriff: Patrol and Community Outreach and Extension Office in the amount of \$46.40 (\$23.20 each). All present voted "Aye." MOTION PASSED.

36199 APPROVE RENEWAL OF IFB 2019-B02 ROAD BUILDING MATERIALS - GENERAL ROAD CONSTRUCTION WITH BRAUNTEX MATERIALS, LLC., COLORADO MATERIALS, LTD., AND INDUSTRIAL ASPHALT, LLC.



A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve renewal of IFB 2019-B02 Road Building Materials - General Road Construction with Brauntex Materials, LLC., Colorado Materials, Ltd., and Industrial Asphalt, LLC. All present voted "Aye." MOTION PASSED.

36200 APPROVE SPECIFICATIONS FOR RFQ 2021-Q05 BOND UNDERWRITING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for RFQ 2021-Q05 Bond Underwriting Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

36201 APPROVE SPECIFICATIONS FOR RFQ 2021-Q07 GENERAL ENGINEERING CONSULTANT - ROAD BOND AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for RFQ 2021-Q07 General Engineering Consultant - Road Bond and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

36202 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FIRST LETTER AMENDMENT FOR A TIME EXTENSION TO AN ADVANCE FUNDING COMMITMENT AGREEMENT BETWEEN HAYS COUNTY AND FLINT HILLS RESOURCES CENTRAL TEXAS, LLC RELATED TO A LEFT TURN LANE TO BE LOCATED AT THE ENTRANCE OF 2361 JACK C. HAYS TRAIL, BUDA, TEXAS 78610.

Commissioner Jones stated this is for the turn lanes that are in front of ethanol plant that is needing more extension than the original agreement. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the First Letter Amendment for a time extension to an Advance Funding Commitment Agreement between Hays County and Flint Hills Resources Central Texas, LLC related to a left turn lane to be located at the entrance of 2361 Jack C. Hays Trail, Buda, Texas 78610. All present voted "Aye." MOTION PASSED.

36203 ACCEPT THE ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS, ACCEPT THE 2-YEAR MAINTENANCE BOND #PB03016800689 IN THE AMOUNT OF \$66,811.47, AND ACCEPT THE 1-YEAR REVEGETATION BOND #PB03016800692 IN THE AMOUNT OF \$22,738.32 FOR GREAT HILLS SUBDIVISION, SECTION 7.

Commissioner Jones stated the transportation department has inspected and approved the revegetation. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the road construction & drainage improvements, accept the 2-year maintenance bond #PB03016800689 in the amount of \$66,811.47, and accept the 1-year revegetation bond #PB03016800692 in the amount of \$22,738.32 for Great Hills subdivision, Section 7. All present voted "Aye." MOTION PASSED.

36204 APPROVE THE RELEASE OF THE MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$93,899.85 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR CALITERRA SUBDIVISION, PHASE 2, SECTION 7.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the release of the maintenance bond #1048985 in the amount of \$93,899.85 and the acceptance of roads into the county road maintenance system for Caliterra subdivision, Phase 2, Section 7. All present voted "Aye." MOTION PASSED.

36205 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LJA ENGINEERING, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (I-35 TO FM 2001) PROJECT IN PRECINCT 2.



A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and LJA Engineering, Inc. to provide right-of-way acquisition services for the Hillside Terrace Safety Improvements (I-35 to FM 2001) project in Precinct 2. All present voted "Aye." MOTION PASSED.

36206 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL #4 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND LJA ENGINEERING, INC. FOR FM 110 NORTH (YARRINGTON ROAD TO SH 80) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental #4 to the Professional Services Agreement (PSA) between Hays County and LJA Engineering, Inc. for FM 110 North (Yarrington Road to SH 80) project as part of the Hays County/TxDOT Partnership Program and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

36207 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE HILLSIDE TERRACE SAFETY IMPROVEMENTS (I-35 TO FM 2001) PROJECT IN PRECINCT 2.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and Cobb, Fendley & Associates, Inc. to provide utility coordination services for the Hillside Terrace Safety Improvements (I-35 to FM 2001) project in Precinct 2. All present voted "Aye." MOTION PASSED.

36208 APPROVE THE HEB NUTTY BROWN PLAT; PLN-1479-NP.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the HEB Nutty Brown Plat; PLN-1479-NP. All present voted "Aye." MOTION PASSED.

36209 APPROVE THE FINAL PLAT FOR CACTUS HILL SUBDIVISION; PLN-1588-NP.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat for Cactus Hill Subdivision; PLN-1588-NP. All present voted "Aye." MOTION PASSED.

36210 DISCUSSION AND POSSIBLE ACTION TO RELATED TO THE DISBURSEMENT SPECIFICATIONS OF 2021 COST OF LIVING ALLOCATION.

Britney Richey, Treasurer, stated that she is needing clarification from the court regarding the cost of living allocation. The court discussed paying the allocations using current salary, employees hired after September 30th will not qualify for allocations, employees at the maximum for their pay grade will receive a lump sum payment, employees on a progressive plan will be included, but not the collective bargaining, and elected officials, temporary employees, and interns will not be included in the allocation. **A motion was made by Judge Becerra, seconded by Commissioner Smith to provide articulated detail to our Treasurer, Ms. Richey. The 2% was to be applied at current salary; do not include new employees or collective bargaining; do include progressive. Lump sum for employees at the top of their pay scale. No pay increase for elected officials, temporary (employees), and interns. All present voted "Aye." MOTION PASSED.**

36211 AUTHORIZE THE VETERAN'S ADMINISTRATION OFFICE TO ADD A TEMPORARY PART-TIME ADMINISTRATIVE ASSISTANT I EFFECTIVE 4/1/21 THROUGH 9/30/21 UTILIZING AVAILABLE FUNDING FROM THE VETERAN'S TRANSPORTATION PROGRAM.

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Jude Prather, Veterans Services Officer, spoke to the court regarding the temporary position for his office. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Veteran's Administration Office to add a temporary part-time Administrative Assistant I effective 4/1/21 through 9/30/21 utilizing available funding from the Veteran's Transportation Program. All present voted "Aye." MOTION PASSED.

36212 AWARD RFQ 2021-Q04 GENERAL CONSULTANT FOR PROGRAM MANAGEMENT SERVICE - PARK BOND TO HALFF ASSOCIATES, INC. AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to award RFQ 2021-Q04 General Consultant for Program Management Service - Park Bond to HALFF Associates, Inc. and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

36213 AUTHORIZE THE ELECTIONS ADMINISTRATION OFFICE TO HIRE A TEMPORARY PART-TIME ELECTIONS WORKER FOR A FOUR-DAY PERIOD (3/29/21 THROUGH 4/1/21) UTILIZING AVAILABLE FUNDING WITHIN THEIR OPERATING BUDGET.

Jennifer Anderson, Elections Administrator, stated that Mary Salinas covers this position in order to help the office keep the doors open for the public. Commissioner Ingalsbe and Commissioner Jones thanked Mary Salinas for her continued support. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Elections Administration Office to hire a temporary part-time Elections Worker for a four-day period (3/29/21 through 4/1/21) utilizing available funding within their operating budget. present voted "Aye." MOTION PASSED.

36214 ACCEPT DONATED PROPERTY, A 2.8572-ACRE PARCEL LOCATED OFF LOIS LANE IN HAYS COUNTY AND RECORD DONATION VALUE PER COMPARATIVE MARKET ANALYSIS.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept donated property, a 2.8572-acre parcel located off Lois Lane in Hays County and record donation value per Comparative Market Analysis. All present voted "Aye." MOTION PASSED.

36215 CONSIDER MODIFICATION OF JOB DESCRIPTION FOR THE COURT REPORTER SERVING HAYS COUNTY COURT AT LAW #3, IN ACCORDANCE WITH CHAPTER 52 OF THE TEXAS GOVERNMENT CODE. THE COURT MAY OPT TO CONVENE IN EXECUTIVE SESSION TO CONSULT LEGAL COUNSEL UNDER TEXAS GOVERNMENT CODE SEC.551.071.

Mark Kennedy, General Counsel, stated the backup information that was given to the court was provided by Judge Thompson and labeled by agenda item. Shari Miller, Human Resources Director, stated the job description given to the court is an amended job description specific to County Court at Law Court #3. Judge Mille Thompson spoke to the court regarding the modifications that were made to the job descriptions. The Commissioners discussed consistency for the other County Court at Law Judges, concerns regarding employee benefits for an appointed position such as compensation time and work at will. Shari Miller, Human Resources Director, and Britney Richey, Treasurer, discussed with the court the differences of a hired court reporter and an appointed court reporter. A motion was made by Commissioner Judge Becerra, seconded by Commissioner Ingalsbe to allow Judge Thompson and Mrs. Miller to develop the articulated language for consensus with the other two county court positions for uniformity, to modify their description and update it, and to bring back the final job description as a consent item. All present voted "Aye." MOTION PASSED.

CONSIDER APPROVAL OF FUNDING FOR THE APPOINTMENT OF A COURT COORDINATOR TO SERVE HAYS COUNTY COURT AT LAW #3, PURSUANT TO CHAPTER 74, SUBCHAPTER E OF THE TEXAS GOVERNMENT CODE. THE COURT MAY CONVENE IN EXECUTIVE SESSION TO CONSULT LEGAL COUNSEL UNDER TEXAS GOVERNMENT CODE SEC.551.071.

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Commissioner Ingalsbe asked if the Judges of County Court at Law held a meeting. Judge Millie Thompson stated she requested a meeting, and one was not had. Commissioner Shell stated he spoke to Judge Johnson about the meeting, and he stated they had not had one at this time but he was planning on meeting soon. Commissioner Smith stated he was disappointed a meeting has not taken place. Judge Millie Thompson stated that her court will come to a halt without this position filled. She stated the court could set the pay at the lowest level. She would make up the difference in pay with her own compensation. Discussion was had among the court, Mark Kennedy, General Counsel, and Britney Richey, Treasurer, regarding designations or donations of pay to a specific person. Mark Kennedy, General Counsel, spoke to the court regarding the court coordinator systems specific to Chapter 74. Shari Miller, Human Resources Director, stated this job title is not a current role, therefore she would need clarification from Judge Thomson about the job duties and identifies the position. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to relocate the still vacant position of court coordinator to report directly under county court at law #3 and to have the articulated job description worked out with Mrs. Miller, so that Judge Thompson can get to work. Judge Becerra and Commissioner Ingalsbe voted "Aye." Commissioner Jones, Commissioner Shell, and Commissioner Smith voted "No." MOTION FAILED.**

36216 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND DEEP EAST TEXAS SELF INSURANCE FUND, RELATED TO WORKERS' COMPENSATION COVERAGE FOR HAYS COUNTY, EFFECTIVE JANUARY 1, 2021; AND TO ACCEPT A QUOTE FOR PREMIUMS COVERING CALENDAR YEARS 2021-2026.

Commissioner Ingalsbe stated this item is for worker's compensation coverage. Mark Kennedy, General Counsel, stated the quote was modified recently and the agreement needed to come back retroactively. Shari Miller, Human Resources Director, stated the county switched companies in 2015 for coverage. She explained the difference in premiums and the additional benefits the county receives. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Agreement between Hays County and Deep East Texas Self Insurance Fund, related to Workers' Compensation coverage for Hays County, effective January 1, 2021; and to accept a quote for premiums covering calendar years 2021-2026. All present voted "Aye." MOTION PASSED.**

36217 EXECUTE AN ORDER AMENDING PART 6, SECTION 6.3 OF THE HAYS COUNTY FIRE CODE.

Nathan Mendenhall, Fire Marshall, stated this proposal is to repair this section allowing the Fire Marshall to work with people and come to an agreement on the modification without having to create an appeals board and return the variance to Commissioner's court. He stated he worked with Mark Kennedy, General Counsel, on the order and the implementation of the order. Commissioner Smith and Judge Becerra expressed concerns regarding the western part of the county which water resources are limited. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute an Order amending Part 6, Section 6.3 of the Hays County Fire Code. All present voted "Aye." MOTION PASSED.**

36218 ESTABLISH THREE (3) TEMPORARY POSITIONS WITH RELATED EQUIPMENT EFFECTIVE 4/1/21 TO ASSIST WITH THE HAYS COUNTY COVID-19 EMERGENCY RENTAL ASSISTANCE (ERA) PROGRAM AUTHORIZED BY THE U.S. DEPARTMENT OF THE TREASURY ESTABLISHED BY SECTION 501 OF DIVISION N OF THE CONSOLIDATED APPROPRIATIONS ACT AND AMEND THE BUDGET ACCORDINGLY.

Marisol Villarreal- Alonzo, Auditor, stated that her staff has been meeting with departments to determine the staffing needs for the emergency rental assistance program. She stated the funding for the positions will come out of the treasury funds. Commissioner Ingalsbe stated she is in support of this. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish three (3) temporary positions with related equipment effective 4/1/21 to assist with the Hays County Covid-19 Emergency Rental Assistance (ERA) Program authorized by the U.S. Department of the Treasury established by section 501 of Division N of the Consolidated Appropriations Act and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

DISCUSSION AND POSSIBLE ACTION TO AMEND THE CONTRACT FOR THE SWAGIT PROPOSAL. ADDING AGENDA QUICK SOFTWARE, ALLOWING ACCESS TO AGENDA AND BACKUP SOFTWARE, AS WELL AS AUTOMATED PARLIAMENTARY PROCEDURES AND RECORDING OF VOTES AND AMEND THE BUDGET ACCORDINGLY.



Elaine H. Cardenas, County Clerk, stated the Swagit proposal was approved, and the funds are already in the budget. She stated the software would help efficiencies within her office and other offices when creating the agenda and the Commissioners voting. She stated the software will allow the court to take full advantage of the monitor system in the court room. Commissioner Shell stated that he was not able to view the demonstration. He requested to bring the item back to court after he has had a chance to review the software. No action was taken.

WORKSHOP REGARDING MARKET STUDY EMPLOYEE COMPENSATION AND BENEFITS FOR HAYS COUNTY.

Shari Miller, Human Resource Director, requested direction from the court regarding a future compensation study. She explained to the court the current process for obtaining a benchmark for comparison. Jerry Borchering, Director of Transportation, stated that he believed the pay comparison should be closer to Chambers County and Williamson County to have a fair comparison for his department. Nathan Mendenhall, Fire Marshall, stated that due to the growth in the county he would like to be compared to other counties that employ a Fire Marshal's office. Tammy Crumley, Director of Countywide Operations, stated that the recycling and parks departments have generally had the lowest pay and it is hard to find employees. Britney Richey, Treasurer, stated that she is also having difficulty hiring employees with the skill set needed due to the low pay. Marisol Villarreal-Alonzo, Auditor, stated that she agrees with the other departments. She has had experience hiring employees that leave after a year or two for higher pay in surrounding areas. Marcus Pacheco, Interim Director of Development Services, stated that he echoes the previous mentioned statements. He stated the Geographical Information Systems (GIS) are being recruited or finding better opportunities elsewhere. Mike Jones, Director of Emergency Services, stated that the GIS department and dispatch positions are difficult to fill due to low pay. No action was taken.

Clerk's Note: Executive Session began at 11:55 a.m. and resumed back into open court at 2:52 p.m.

36219 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 FM 621 IN PCT 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize execution of a Purchase and Sale Agreement between Hays County and 2 Rivers Interest, L.P. related to the purchase of 23,226 sq. ft. of right of way along FM 621, as presented in Executive Session. 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 EMPLOYMENT AND DUTIES OF ALL INDIVIDUAL POSITIONS THAT REPORT DIRECTLY TO THE COMMISSIONERS COURT INCLUDING DEPARTMENT HEADS. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

36220 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 ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute a right of way easement and a second amendment to the Declaration of covenants conditions and restrictions for Double H Ranches regarding settlement of disputes related to development of property in and near the River Oaks Ranch Subdivision and the establishment of point of emergency ingress/egress within Double H Ranches. 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 EMPLOYMENT AND DUTIES OF THE ADMINISTRATIVE ASSISTANT POSITION IN THE OFFICE OF THE HAYS COUNTY JUDGE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.



MARCH 23, 2021

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE AUDITOR’S OFFICE RELATED TO THE U.S. DEPARTMENT OF TREASURY FUNDS PURSUANT TO SECTION 501 (A) OF DIVISION N OF THE CONSOLIDATED APPROPRIATIONS ACT AND THE COVID-19 LOCAL DISASTER DECLARATION. POSSIBLE DISCUSSION AND/OR ACTION TO FOLLOW IN OPEN COURT.

No action was taken.

Clerk’s Note Agenda Item #52 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.

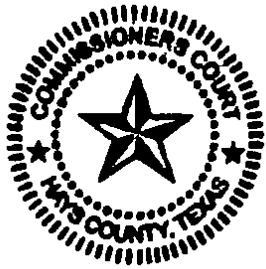
Judge Becerra read the Sheriff’s update of the inmate population. The estimated cost for outsourcing was \$50,745.00 for the week of March 14, 2021 – March 20, 2021. The number of outsourced males was 128 inmates and females were 0 inmates. The number of arrests made by agency are as follows; Buda Police Department - 9, Hays County Sheriff’s Department – 51, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 32, San Marcos Police Department - 52, Texas State Police Department – 3. No action was taken.

Clerk’s Note Agenda Item #54 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.*

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 3:00 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 March 23, 2021.



Elaine H. Cardenas

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

