

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 3, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3rd DAY OF JANUARY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Abundant Life Christian 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

Harvey Jenkins made a public comment concerning high taxes. Gilbert Arizmendez made a public comment promoting The Wall That Heals event in Kyle and asking for support and volunteers. Beverly Wright made a public comment concerning the death of her son, Joshua Wright, and asking for the release of the body camera footage. Chris Clark made a public comment concerning the death of his brother, Joshua Wright, and asking for the release of the body camera footage. Angela Villescaz made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Natalie Freeman made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Rodrigo Amaya made a public comment concerning the death of Joshua Wright and transparency within the County. Christina Colbert made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Ramika Adams made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Eunice Giles made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Dan Lyon made a public comment in support of the release of the body camera footage, and concerning taxes for those over 65. Nancy Heintz made a public comment reminding the Court and the public of the annual Point-In-Time Count for the homeless population in Hays County. Amy Kamp made a public comment concerning the death of Joshua Wright and complaints against the officer involved. Cyrus Gray made a public comment concerning the officer involved in the Death of Joshua Wright and asking for the release of the body camera footage. Karen Munoz made a public comment concerning the death of Joshua Wright and officer accountability. Sam Benavides made a public comment concerning the death of Joshua Wright, inequality within the criminal justice system, and asking for the release of the body camera footage. Carol Pennington made a public comment concerning increased development over the Edwards Aquifer Recharge Zone and resource conservation. Hillary Lockhart made a public comment concerning the death of Joshua Wright and asking for the release of the body camera footage. Latreese Cooke made a public comment concerning the death of Joshua Wright and inequality within the criminal justice system.

Clerk's Note: Judge Becerra called for a recess that began at 9:56 a.m. and resumed back into open court at 10:08 a.m.

Recognition of Kate Johnson for her distinguished years of service to the Hays County Historical Commission.

Commissioner Shell thanked Kate Johnson and her family for their work in preserving the history of Hays County. Commissioner Ingalsbe thanked Johnson for her leadership in the Hays County Historical Commission. Commissioner Smith spoke about Johnson's generosity and work in the County. Kate Johnson thanked the Court for their support and spoke about her work with the Historical Commission.

38439 Adopt a Proclamation declaring January 16, 2023 as Dr. Martin Luther King, Jr. Day.

Commissioner Ingalsbe spoke about the importance of this day. Commissioner Cohen spoke about the King family's continued leadership within the community. Commissioner Shell encouraged the public to attend the march to the Courthouse on Monday. Commissioner Smith encouraged the public to look into events in their area. Judge Becerra spoke about the meaning of this day. Pastor Jonafa Banbury thanked the Court for the proclamation and spoke about this year's theme, Black Resistance, and various events held by the Dunbar Heritage Association.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a Proclamation declaring January 16, 2023 as Dr. Martin Luther King, Jr. Day.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38440 Ceremonial Swearing In of all newly and re-elected officials to Hays County offices; and approval and acceptance of official bonds for each office.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve and accept official bonds for each office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38441 Approve payments of County invoices.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Approve the payment of Juror checks.

Marisol Villarreal-Alonzo, County Auditor, stated there are no juror checks right now due to the transition. No action taken.

38442 Approve the payment of United Healthcare claims.

Marisol Villarreal-Alonzo, County Auditor, clarified the total for this item is \$630,771.32.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38443 Approve Commissioners Court minutes of November 22, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court minutes of November 22, 2022.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38444 Approve the payment of the January 15, 2023 payroll disbursements in an amount not to exceed \$3,345,000 effective January 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the payment of the January 15, 2023 payroll disbursements in an amount not to exceed \$3,345,000 effective January 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38445 Approve and confirm the appointment of Stephen Hrcir as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date January 3, 2023.

Rodrigo Amaya made a public comment against the item and expressed concerns about the Constable Precinct 1 Office. Dan Lyon made a public comment against the item and expressed concerns about the Constable Precinct 1 Office. Commissioner Ingalsbe stated this is for a bailiff position in the County Court at Law. Constable Peterson spoke about his staffing needs, the duties of the office, and the qualifications of Deputy Hrcir. Vickie Dorsett, Hays County Budget Officer, clarified this is for a vacant position that was already budgeted. Commissioner Smith and Constable Peterson spoke about the qualifications of the deputies. Commissioner Shell clarified that this is an existing position, but state statute requires Commissioners Court approval for the appointment of deputy constables.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve and confirm the appointment of Stephen Hrcir as Deputy Constable Bailiff in the Hays County Constable Precinct 1 Office, effective date January 3, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38446 Authorize the execution of documents related to the BRIC (Building Resilient Infrastructure and Communities) grant application.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of documents related to the BRIC (Building Resilient Infrastructure and Communities) grant application.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38447 Approve Utility Permits.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38448 Authorize the County Judge to execute a Contract Amendment with AMG Printing related to Election Form Printing Services pursuant to RFP 2020-P08.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Contract Amendment with AMG Printing related to Election Form Printing Services pursuant to RFP 2020-P08.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38449 Approve the nomination of County Judge Becerra to serve on the Texas Conference of Urban Counties' Policy Committee for the 2022-2023 biennium.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the nomination of County Judge Becerra to serve on the Texas Conference of Urban Counties' Policy Committee for the 2022-2023 biennium.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38450 Approve renewal of RFP 2020-P01 HVAC - Maintenance and Repair Services with JM Engineering, LLC. with a proposed 5% price increase.

Rodrigo Amaya made a public comment against the item and the price increase. Dan Lyon made a public comment concerning equipment quality and the price increase. Marisol Villarreal-Alonzo, County Auditor, explained the contract extension and stated the department head recommends it. Tammy Crumley, Director of Countywide Operations, confirmed the price increase is due to inflation and the rate for services provided by the company is competitive. Commissioner Shell further explained the process for choosing bids. Crumley stated the company works in a timely manner and has very knowledgeable employees.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve renewal of RFP 2020-P01 HVAC - Maintenance and Repair Services with JM Engineering, LLC. with a proposed 5% price increase.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38451 Approve specifications for IFB 2023-B12 RM 12 @ RM 3237 and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for IFB 2023-B12 RM 12 @ RM 3237 and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38452 Approve specifications for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise.

Dan Lyon made a public comment against the construction of a roundabout due to necessity and price. Commissioner Smith stated residents have been supportive of other roundabouts in the area and spoke about the timeline needed for this project to be complete by the start of the next school year.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve specifications for IFB 2023-B11 Darden Hill @ Sawyer Ranch Roundabout and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38453 Discussion and possible action to award a contract for IFB 2023-B02 RM 2770 Roadway Improvements with Hunter Industries, Ltd. in the amount of \$635,948.76.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to award a contract for IFB 2023-B02 RM 2770 Roadway Improvements with Hunter Industries, Ltd. in the amount of \$635,948.76.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38454 Discussion and possible to grant variances to Hays County road construction standards and to the adopted fire code for Moon Ridge subdivision in Precinct 3.

Commissioner Shell explained the item and stated the Transportation Department and Fire Marshal are working with the developer on any safety issues.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to grant variances to Hays County road construction standards and to the adopted fire code for Moon Ridge subdivision in Precinct 3.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38455 Discussion and possible action to accept the maintenance bond rider extension from DNT Construction, Inc. until June 30, 2023 for Shadow Creek subd., Phase 9, Section 2 (maintenance bond #1848963 in the amount of \$180,609.38).

Jerry Borcharding, Director of the Transportation Department, stated they are reaching out to the contractor to push for the repairs to be completed.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extension from DNT Construction, Inc. until June 30, 2023 for Shadow Creek subd., Phase 9, Section 2 (maintenance bond #1848963 in the amount of \$180,609.38).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38456 Discussion and possible action to consider the acceptance of vegetative coverage and release of the revegetation bond #PB03016800715M in the amount of \$31,129.80 for 6 Creeks subdivision, Phase 1, Section 8A.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept vegetative coverage and release the revegetation bond #PB03016800715M in the amount of \$31,129.80 for 6 Creeks subdivision, Phase 1, Section 8A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38457 PLN-2078-PC; Hold a Public Hearing followed by discussion and possible action regarding Hawk Ridge, Ph 1, Blk B, Lots, 11, 17 & 18, Replat.

Judge Becerra opened the Public Hearing at 11:44 a.m. No comments were made. Judge Becerra closed the Public Hearing at 11:44 a.m. Marcus Pacheco, Director of Development Services, gave background on the item and stated staff recommends approval once conditions are met.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to conditionally approve Hawk Ridge, Ph 1, Blk B, Lots, 11, 17 & 18, Replat (PLN-2078-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38458 PLN-2122-NP; Discussion and possible action regarding the 272 AC Fitzhugh Subdivision, Final Plat.

Marcus Pacheco, Director of Development Services, gave background on the item and stated staff recommends approval once conditions are met, including identifying a floodplain. Commissioner Smith asked which floodplain data is being used. Travis Wilson, engineer of record for the subdivision plat, spoke about the data being used for the plat. The court discussed the use of Atlas 14 data and ensuring a low risk of flooding.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to conditionally approve the 272 AC Fitzhugh Subdivision, Final Plat (PLN-2122-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Discussion and possible action to temporarily suspend the Hays County Salary Exception Policy pending finalization of the current market study.

Rodrigo Amaya made a public comment asking for clarification on the timeline of the suspension. Harvey Jenkins made a public comment asking for clarification on the suspension. Commissioner Shell introduced the item, and Sharri Miller, Director of Human Resources, spoke about issues that could arise if salary exceptions are made before the salary study is completed and implemented. The Court expressed concern over and discussed the extended timeline of the study and the difficulties departments have had with hiring. Judge Becerra directed Human Resources to submit a draft of the results within two weeks to department heads and elected officials, and to immediately provide the raw data from the study to the five Court members. No action taken.

38459 Discussion and possible action regarding setting the required bond amounts for certain newly elected County Officials to be sworn in to office January 2023.

Rodrigo Amaya made a public comment asking for clarification on the item. Vickie Dorsett, Hays County Budget Officer, explained the Court should review and approve the bond amounts for the newly elected officials. Marisol Villarreal-Alonso, County Auditor, added it is important for banking institutions to know the Court has approved the bonds so that the transition of financial records can continue. Dorsett read aloud the bond amounts for the newly elected officials.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the required bond amounts, as presented in Court, for certain newly elected County Officials to be sworn in to office January 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38460 Discussion and possible action to authorize the Criminal District Attorney's Office to hire the First Assistant District Attorney slot 0780-001 at the 25th percentile, and three Attorney V positions 0784-003, 004 & 005 at the 19.38th percentile; authorize a \$10,000.00 annual salary increase for two Court Chief Attorney V positions 0784-001 and 013; and a \$400.00 monthly salary stipend for one Attorney V position 0784-007 effective January 1, 2023.

Kelly Higgins, Hays County District Attorney, spoke about vacant positions that need to be filled as soon as possible and issues hiring due to low salaries. Commissioner Smith gave support for the item and suggested building the stipend into the salary base. Shari Miller, Director of Human Resources, asked the Court to stop approving salary exceptions until the salary study is complete. Commissioner Smith and Higgins discussed the court approval process for salary exceptions. Commissioner Shell gave support for the item and spoke about the staff turnover the office is experiencing. Commissioner Cohen gave support for the item and spoke about her own difficulties with hiring. Commissioner Ingalsbe gave support for the item.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Criminal District Attorney's Office to hire the First Assistant District Attorney slot 0780-001 at the 25th percentile, and three Attorney V positions 0784-003, 004 & 005 at the 19.38th percentile; authorize a \$10,000.00 annual salary increase for two Court Chief Attorney V positions 0784-001 and 013; and a \$400.00 monthly salary stipend for one Attorney V position 0784-007 effective January 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38461 Discussion and possible action authorizing the County Judge to execute a Texas Workforce Commission Information Release Contract for the Hays County Constable, Pct. #3 Office.

Rodrigo Amaya made a public comment asking for clarification on the language used in the back-up. Commissioner Shell explained this is a standard process. Commissioner Ingalsbe added this information is often used to locate individuals to serve civil process.

A motion was made by Commissioner Shell, seconded by Commissioner Smith authorizing the County Judge to execute a Texas Workforce Commission Information Release Contract for the Hays County Constable, Pct. #3 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38462 Discussion and possible action to authorize a salary exception at the 50th percentile for the Full Time Deputy Fire Marshal, slot 0984-002 and increase the Part Time Deputy Fire Marshal, slot 0984-001 to 24 hours a week at \$25.00 per hour and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a salary exception at the 50th percentile for the Full Time Deputy Fire Marshal, slot 0984-002 and increase the Part Time Deputy Fire Marshal, slot 0984-001 to 24 hours a week at \$25.00 per hour and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38463 Discussion and possible action to authorize a salary exception at the 50th percentile for the Bookkeeper, slot 0450-001 in the Courts Division at the Hays County Clerk's Office effective Jan 9, 2023.

Elaine Cardenas, County Clerk, stated this was previously approved for a candidate that declined the offer.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a salary exception at the 50th percentile for the Bookkeeper, slot 0450-001 in the Courts Division at the Hays County Clerk's Office effective Jan 9, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38464 Discussion and possible action to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$65,000.04 related to the 87th legislative session of the Texas Legislature and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4) and amend the budget accordingly.

Harvey Jenkins made a public comment asking for clarification on the item. Commissioner Shell explained how the law firm represents Hays County during the legislative session and spoke about their past contributions, including the protection of groundwater and property rights, and the addition of new judges. Commissioner Smith spoke about the numerous unfunded mandates that are passed during session and how the firm helps the County catch those, as well as plans to address the lack of county zoning authority. Commissioner Ingalsbe spoke about the necessity of this becoming more evident over the years, and asked for more communication from the firm during session. Commissioner Cohen stated it is common for local governments and agencies to have a liaison during session and supported exploring other options for future sessions. Rodrigo Amaya made a public comment concerning the cost of the item. Commissioner Smith spoke about all the work that is done throughout the interim. Dan Lyon made a public comment asking for public access to the firm's work. Commissioner Shell and Commissioner Smith spoke about the ways the information will be made public, including through Resolutions in Court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the execution of an engagement letter with Davis Kaufman PLLC for \$65,000.04 related to the 87th legislative session of the Texas Legislature and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

38465 Discussion and possible action authorizing the County Judge to execute a Professional Services Agreement with Dr. Brandy Miller regarding psychological evaluations for the Hays County Sheriff's Office.

Rodrigo Amaya made a public comment asking for clarification on the agreement and its cost. Vickie Dorsett, Hays County Budget Officer, explained the services have been used since 2015, and it was recommended by the Auditor's Office to obtain a contract.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell authorizing the County Judge to execute a Professional Services Agreement with Dr. Brandy Miller regarding psychological evaluations for the Hays County Sheriff's Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Clerk's Note: Executive Session began at 12:43 p.m. and resumed back into open court at 3:18 p.m.

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 associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

No action taken.

38466 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 located at 2400 N IH 35, San Marcos. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a Purchase and Sale Agreement for approximately 10.86 acres of property located at 2400 N IH-35 in San Marcos, TX, according to the terms discussed in Executive Session, with closing to occur during the month of January 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

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 located at 101 Thermon Drive, San Marcos. Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #L-4 RE: *Executive Session pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Midnight Blue. Possible discussion and/or action may follow in open Court. - **WAS PULLED.***

38467 Executive Session pursuant to sections 551.071 & 551.074 of the Texas Government Code: deliberation regarding the structure, employment, and duties of all positions within Countywide Operations, Emergency Services, Human Resources, the Budget Office, and the County Judge's Office. Possible discussion and/or action may follow in open court.

Kim Jeter made a public comment asking for the item to be moved into open court and spoke about the importance of the Communications Manager position within the Human Resources Department.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to establish a Community Liaison position within the County Judge's Office and give HR direction to work with the County Judge's Office to create a job description and grade within our current salary chart, and to move the Chief of Staff position from the Countywide Court budget to the County Judge's budget as discussed in Executive Session and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

Commissioner Smith clarified the Chief of Staff position is to be the Chief of Staff for the County Judge's Office, not for the County, and the job description will be updated to reflect this change.

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 at 401 Veterans Drive, Kyle in Pct.3. Possible discussion and/or action may follow in open court.

No action taken.

Clerk's Note Agenda Item #M-1 RE: *Discussion and possible action related to the burn ban. - 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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 611 for the week of December 25, 2022 with a peak of 620 inmates on December 26, 2022. The estimated cost for outsourcing inmates this week was \$118,279. The average number of outsourced males is 261 and females is 19. This week's inmates were housed in the following counties: Atascosa, Blanco, Burnet, Comal, Fort Bend, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 21.

Clerk's Note Agenda Item #M-3 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.*

38468 Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).

Commissioner Smith spoke about the allocation of ARPA funds to each precinct and offered to transfer a portion of his funds to Commissioner Cohen's allocation. Commissioner Shell offered to transfer a portion of his funds, and Commissioner Ingalsbe stated she should be able to contribute as well.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to amend the Hays County Resolution Regarding Precinct Allocations for the American Rescue Plan Act of 2021 Funding to transfer \$200,000 from the Precinct 4 allocation and \$200,000 from the Precinct 3 allocation to the Precinct 2 allocation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra
5 - 0 Passed - Unanimously

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 3:21 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 JANUARY 3, 2023.



Elaine H. Cardenas

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

