

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 5, 2023

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 5th DAY OF SEPTEMBER 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
ANNE MEDINA	DEPUTY 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, Hays County Chaplain, 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

Lauren Foye, President of Prevent a Litter (PALS) of Central Texas, made a public comment requesting funding for operations and community outreach. Anne Medina, Deputy County Clerk, read an emailed public comment from Rebecca Prince in support of allocating American Rescue Plan Act (ARPA) funds to TruChoice Pregnancy Resource Center.

39361 Adopt a proclamation recognizing September 2023 as National Suicide Prevention and Action Month.

Kathy Rivera, Cenikor Foundation, spoke about the Mental Health Coalition's and the Core Four Partnership's purpose. The Court thanked the organizations for their work and spoke about the importance of suicide prevention. Commissioner Smith encouraged collaboration with the Hays County Behavioral Advisory Team. Judge Becerra spoke about the importance of mental health.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to adopt a proclamation recognizing September 2023 as National Suicide Prevention and Action Month.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39362 Approve payments of County invoices.

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

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39363 Approve the payment of Juror checks.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39364** Approve the payment of United Healthcare claims.

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

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39365 Approve Commissioners Court Minutes of August 22, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of August 22, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39366 Authorize the Commissioner Precinct 1 Office to support Mendez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with interest-based activities and opportunities for Mendez students.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioner Precinct 1 Office to support Mendez Elementary in the San Marcos Consolidated Independent School District (SMCISD) with interest-based activities and opportunities for Mendez students.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39367 Authorize payment to 4-Way Auto, LLC. in the amount of \$898.46 related to Constable Pct. 2 vehicle repairs in which no purchase order was issued as required per the County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize payment to 4-Way Auto, LLC. in the amount of \$898.46 related to Constable Pct. 2 vehicle repairs in which no purchase order was issued as required per the County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39368 Authorize additional funding for the Treasurer's Office for continuing education training and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize additional funding for the Treasurer's Office for continuing education training and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39369 Authorize the Sheriff's Office to convert a vacant Transportation Deputy slot 0550-075 to a Transportation Corrections Officer position effective 9/5/2023 and move the budgeted position to the Jail Division operating budget and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to convert a vacant Transportation Deputy slot 0550-075 to a Transportation Corrections Officer position effective 9/5/2023 and move the budgeted position to the Jail Division operating budget and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39370 Authorize reimbursement in the amount of \$24,050.00 for high fencing to be constructed along the perimeter of Hays County's 1,068.45 acre conservation easement located in Precinct 3, south of the La Cima subdivision.

Dan Lyon made a public comment concerning the cost of the fence and installation. Commissioner Shell explained the county agreed to share the cost of the fence with the landowner, and it is important for the security of the preserve. Commissioner Smith stated this is a fair price.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize reimbursement in the amount of \$24,050.00 for high fencing to be constructed along the perimeter of Hays County's 1,068.45 acre conservation easement located in Precinct 3, south of the La Cima subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39371 Authorize the Justice of the Peace, Precinct 1-2 Office to purchase one Dell OptiPlex 7010 utilizing the Justice Court Technology Fund and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Justice of the Peace, Precinct 1-2 Office to purchase one Dell OptiPlex 7010 utilizing the Justice Court Technology Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39372 Authorize payment to Carol Bedrich for the purchase of consumable items for the Behavioral Advisory Team (BAT) meeting in the amount of \$271.26.

Commissioner Smith stated he anticipates a similar request at the next meeting, and it will most likely be paid for from the Community Outreach fund.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize payment to Carol Bedrich for the purchase of consumable items for the Behavioral Advisory Team (BAT) meeting in the amount of \$271.26.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39373 Approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve renewal of RFP 2020-P08 Election Form Printing Services with AMG Printing.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39374 Approve renewal of RFP 2019-P05 Employee Assistance Program for one (1) additional year as stated in the original proposal, effective August 1, 2023.

Dan Lyon made a public comment concerning the cost of the program and the timeline of approving the contract. Stephanie Hunt, First Assistant County Auditor, explained the renewal was overlooked and this is asking the Court to ratify the contract back to August 1st so there is no lapse in coverage. Shari Miller, Director of Human Resources, stated the annual cost of this program is \$12,075, which is reimbursed by United Healthcare, and spoke about the services it provides Hays County employees.

A motion was made by Commissioner Cohen, seconded by Commissioner Shell to approve renewal of RFP 2019-P05 Employee Assistance Program for one (1) additional year as stated in the original proposal, effective August 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39375 Accept the delivery of the Internal Examination reports for the Fiscal Year 2022 District Attorney Chapter 59, Justice of the Peace Precinct 2 Office, Constable Precinct 4 Office, and the Constable Precinct 5 Office.

Dan Lyon made a public comment concerning inconsistencies with Vehicle Identification Numbers in the reports. Marisol Villarreal-Alonzo, Hays County Auditor, explained there were errors in the reports that have been corrected and spoke about her recommendations for segregation of duties and improving accuracy. Commissioner Shell thanked the Auditor's Office for their thoroughness.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept the delivery of the Internal Examination reports for the Fiscal Year 2022 District Attorney Chapter 59, Justice of the Peace Precinct 2 Office, Constable Precinct 4 Office, and the Constable Precinct 5 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39376 Authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County SOC 1 Audit.

Marisol Villarreal-Alonzo, Hays County Auditor, explained the SOC 1 Audit is an audit of the internal controls of the Tax Office, which is useful for both the county and the agencies the office collects funds for. The Court discussed with Villarreal-Alonzo, Tucker Furlow, Assistant Criminal District Attorney - Civil Division, and Stephanie Hunt, First Assistant County Auditor, the possibility of conducting an external audit of the Treasurer's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of an Engagement Letter with ABIP, PC for services related to the Fiscal Year 2023 Hays County SOC 1 Audit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$1,430.00.

Commissioner Smith explained this grant is for training ammunition for the Sheriff's Office. Judge Becerra stated law enforcement are fully funded without this grant. Commissioner Ingalsbe stated she is unable to support this item. Commissioner Smith, Commissioner Ingalsbe, and Judge Becerra spoke about their views regarding this item.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the submission of a grant application to the National Rifle Association (NRA), NRA Foundation Grant in the amount of \$1,430.00.

AYE: Commissioner Shell, Commissioner Smith

NAY: Commissioner Ingalsbe, Commissioner Cohen, Judge Becerra

2 - 3 Failed

39377 Authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$140,544.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Department of Justice, Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) in the amount of \$140,544.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39378 Authorize the acceptance of a grant award from the Office of the Attorney General (OAG), Statewide Automated Victim Notification Service (SAVNS) grant program in the amount of \$30,285.26.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the acceptance of a grant award from the Office of the Attorney General (OAG), Statewide Automated Victim Notification Service (SAVNS) grant program in the amount of \$30,285.26.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39379 Approve the amended Property Use Policy.

Commissioner Shell recommended changing language regarding park locations due to the possibility of precinct changes during redistricting.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the amended Property Use Policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39380 Approve the Hart Intercivic repair estimate in the amount of \$4,000.00 for 5 Duo Touch, 2 Controller, and 1 Duo Go that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the Hart Intercivic repair estimate in the amount of \$4,000.00 for 5 Duo Touch, 2 Controller, and 1 Duo Go that are no longer under warranty, and authorize a discretionary exemption pursuant to Texas Local Government Code Chapter 262.024 (a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39381 Authorize reimbursement of travel expenses related to Animal Advisory committee member, Sharri Boyett attendance to the 2023 Best Friends National Conference in Houston, Texas related to Animal Welfare and amend the budget accordingly.

Commissioner Smith expressed concern over reimbursing a volunteer without prior approval from the Court. Commissioner Shell suggested bringing items like this to Court prior to the event, similar to out of state travel agenda items. Vickie Dorsett, Hays County Budget Officer, stated it is recommended to fund this from the Countywide fund, but there is also additional funding available in the County Judge's Community Program fund. Judge Becerra clarified that moving forward, reimbursement for volunteer travel will be brought to the Court prior to the event.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize reimbursement of travel expenses related to Animal Advisory committee member, Sharri Boyett attendance to the 2023 Best Friends National Conference in Houston, Texas related to Animal Welfare and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39382 Authorize payment to Interstate Towing in the amount of \$500.00 for the Transportation Department related to the towing of a county vehicle where no purchase order was issued as required per the Hays County purchasing policy.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize payment to Interstate Towing in the amount of \$500.00 for the Transportation Department related to the towing of a county vehicle where no purchase order was issued as required per the Hays County purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39383 Discussion and possible action to authorize the execution of Change Order No. 2 in the amount of (\$58,334.78) to the Construction Contract with Aaron Concrete Contractors, LP for the Darden Hill Roundabout (IFB2023-B11) project as part of the Hays County Road Bond Program in Precinct 4.

Commissioner Smith explained this is for changes and unanticipated costs for the Darden Hill Roundabout project in front of Cypress Springs Elementary School, and substantial completion of the project is expected before the end of the year.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 in the amount of (\$58,334.78) to the Construction Contract with Aaron Concrete Contractors, LP for the Darden Hill Roundabout (IFB2023-B11) project as part of the Hays County Road Bond Program in Precinct 4.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39384 Discussion and possible action to authorize the County Judge to execute a Contract Amendment with HDR Engineering, Inc. pursuant to the Professional Services Agreement for Robert S. Light Boulevard Signal Light Study.

Commissioner Smith stated both the City of Buda and the Texas Department of Transportation are working to expedite this project. Jerry Borcharding, Director of Transportation, stated there recently was a fatal accident at this intersection and it is important that this study is completed. Commissioner Smith stated the County is also looking into interim measures to improve safety while the study is being conducted.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Contract Amendment with HDR Engineering, Inc. pursuant to the Professional Services Agreement for Robert S. Light Boulevard Signal Light Study.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39385 Discussion and possible action to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$49,600.00 to the Professional Services Agreement for right-of-way acquisition services with LJA Engineering, Inc. for the Hillside Terrace Safety Improvements (IH 35 to FM 2001) project in Precinct 2.

Commissioner Cohen stated this increases the contract compensation for the work on the Hillside Terrace project which includes land planning, estimating, transcriber, and interpreter services.

A motion was made by Commissioner Cohen, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Contract Amendment No. 2 in the amount of \$49,600.00 to the Professional Services Agreement for right-of-way acquisition services with LJA Engineering, Inc. for the Hillside Terrace Safety Improvements (IH 35 to FM 2001) project in Precinct 2.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39386 Discussion and possible action to authorize the County Judge to execute a TIA Contribution Agreement related to Hymeadow Subdivision, Section 2, Phase 3, between Hays County and Clayton Properties Group Inc., dba Brohn Homes in the amount of \$45,424.00.

Commissioner Ingalsbe stated the traffic impact analysis outlines the per lot contribution of \$334 to be spent on traffic and transportation improvements related to the construction of Hymeadow Subdivision.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a TIA Contribution Agreement related to Hymeadow Subdivision, Section 2, Phase 3, between Hays County and Clayton Properties Group Inc., dba Brohn Homes in the amount of \$45,424.00.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39387 Discussion and possible action to approve the selection of Lockwood, Andrews and Newnam, Inc. (LAN) to provide engineering services for Old Stagecoach at Post Road Intersection project in Precinct 3; and authorize staff and counsel to negotiate a contract.

Commissioner Shell stated this was brought to his attention by a recent accident that caused a fire, and the intersection now serves a large park and subdivision and is due for improvements. Jerry Borcharding, Director of Transportation, stated a roundabout will likely be recommended.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the selection of Lockwood, Andrews and Newnam, Inc. (LAN) to provide engineering services for Old Stagecoach at Post Road Intersection project in Precinct 3; and authorize staff and counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39388 Hold a public hearing with possible action to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 4-way stop at the intersection of Hillside Terrace, Green Meadows Lane, and Heron Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39389 Hold a public hearing with possible action to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit on Great Northern and Santa Fe Run.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39390 Hold a public hearing with possible action to establish a 25 MPH speed limit on Rolling Meadows Lane.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit on Rolling Meadows Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39391 Hold a public hearing with possible action to establish a 35 MPH speed limit on Sawyer Ranch Road.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 35 MPH speed limit on Sawyer Ranch Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously



39392 Hold a public hearing with possible action to establish a 25 MPH speed limit within the Green Pastures Subdivision.

Judge Becerra opened the Public Hearing at 10:23 a.m. No comments were made. Judge Becerra closed the Public Hearing at 10:23 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to establish a 25 MPH speed limit within the Green Pastures Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39393 Discussion and possible action to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

Judge Becerra thanked the Commissioners for their work on road improvements and safety.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Green Pastures Road and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39394 Discussion and possible action to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on September 19, 2023, to establish a 3-way stop at the intersection of Bunton Lane, Heidenreich Lane, and Dairy Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39395 Discussion and possible action to consider the release of the 2-year maintenance bond #PB03016800710 in the amount of \$61,623.61, and the acceptance of roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to release the 2-year maintenance bond #PB03016800710 in the amount of \$61,623.61, and accept roads into the county road maintenance system for 6 Creeks Subdivision, Phase 1, Section 5A.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39396 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, acceptance of the maintenance bond #PB03016800910M1 in the amount of \$58,887.84, and acceptance of the revegetation bond #PB03016800910M in the amount of \$45,070.00 for Caliterra, Phase 5, Section 14.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept road construction and surface drainage improvements, accept the maintenance bond #PB03016800910M1 in the amount of \$58,887.84, and accept the revegetation bond #PB03016800910M in the amount of \$45,070.00 for Caliterra, Phase 5, Section 14.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39397 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234029 in the amount of \$69,260.00, acceptance of the maintenance bond #4461007 in the amount of \$56,682.10, and acceptance of the revegetation bond #4461010 in the amount of \$6,666.00 for 6 Creeks subdivision, Phase 1, Section 7.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234029 in the amount of \$69,260.00, accept the maintenance bond #4461007 in the amount of \$56,682.10, and accept the revegetation bond #4461010 in the amount of \$6,666.00 for 6 Creeks subdivision, Phase 1, Section 7.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39398 Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and acceptance of the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, accept the maintenance bond #4461009 in the amount of \$52,704.60, and accept the revegetation bond #4461011 in the amount of \$5,928.00 for 6 Creeks subdivision, Phase 1, Section 12.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39399 PLN-2237-NP; Discussion and possible action regarding the Sorrell Hill Subdivision, Final Plat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the Sorrell Hill Subdivision, Final Plat (PLN-2237-NP).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39400 PLN-2248-PC; Discussion and possible action regarding Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat.

Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Burnett Ranch, Sec 4, Blk 1, Lot 13, Replat (PLN-2248-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39401 Discussion and possible action to approve the order setting rates of compensation for person(s) service as Grand Jurors or Petit Jurors in Civil or Criminal cases in District Court, County Court, County Court-at-Law or Justice Court(s) effective September 1, 2023.

Daphne Tenorio, Hays County Treasurer, stated an increase in juror payment amounts went into effect on September 1st, 2023 and this will update the county's policies and processes.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the order setting rates of compensation for person(s) service as Grand Jurors or Petit Jurors in Civil or Criminal cases in District Court, County Court, County Court-at-Law or Justice Court(s) effective September 1, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39402 Discussion and possible action to approve the 2024 Sheriff & Constable Fees.



Vickie Dorsett, Hays County Budget Officer, stated she plans to recommend an increase to the vehicle usage fees. Marisol Villarreal-Alonzo, Hays County Auditor, stated she plans to change the format of the Constables' off duty vehicle reports. The Court discussed fees for off duty use of vehicles both in and out of the County and fees for use of vehicles by non-profit organizations.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to approve the 2024 Sheriff & Constable Fees, excluding the vehicle use fees.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39403 Discussion and possible action to authorize the County Clerk's Office to procure a credit card in an amount not to exceed \$3,500.00 from the County Depository Bank.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Clerk's Office to procure a credit card in an amount not to exceed \$3,500.00 from the County Depository Bank.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39404 Discussion and possible action to authorize the Human Resources Department to hire a temporary Communications Manager to finalize the website upgrade with an effective date of 9/10/23 to end on or before 12/31/23.

Commissioner Shell stated this will allow Human Resources to retain a current employee long enough to finish the county website update.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Human Resources Department to hire a temporary Communications Manager to finalize the website upgrade with an effective date of 9/10/23 to end on or before 12/31/23.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39405 Discussion and possible action to adopt the Resolution of the Hays County Commissioners Court Approving Procedures for Various Development Applications.

Marcus Pacheco, Director of Development Services, explained this coincides with changes to the Texas Local Government Code pertaining to development processes and procedures that went into effect on September 1st, 2023, and would designate plat application approval authority to Development Services. Commissioner Shell spoke about future plans to update the Hays County Development Regulations and clarifying language regarding preliminary plans, development agreements, and condominium regimes. Judge Becerra asked for the new processes to be reviewed for unnecessary redundancies. Commissioner Smith spoke about a recent legislative change that allows property owners to petition to be removed from a city's extraterritorial jurisdiction, which will create additional work for Development Services, as well as plans for an expedited inspection certification process. Mike Jones, Director of the Office of Emergency Services, spoke about timelines for Fire Marshal and Transportation Department inspections.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt the Resolution of the Hays County Commissioners Court Approving Procedures for Various Development Applications.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39406 Discussion and possible action to consider the creation of a Veterans Commission whose duties would be to collaborate with countywide, veteran-focused organizations to support and promote veterans' needs.



Jude Prather, Hays County Veteran Services Officer, spoke about his vision for the Veterans Commission and suggested formalizing a process for naming roads after veterans. The Court discussed possibilities for the commission with Prather, including collaborating with and increasing coordination between organizations across the County and appointing members to the commission.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to create a Veterans Commission whose duties would be to collaborate with countywide, veteran-focused organizations to support and promote veterans' needs.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39407 Discussion and possible action authorizing the execution of a Professional Services Agreement with WD Brown & Associates, PLLC regarding forensic financial investigation services and data analytics and amend the budget accordingly.

Tucker Furlow, Assistant Criminal District Attorney - Civil Division, stated this is for current and future financial investigations in the Sheriff's Office.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the execution of a Professional Services Agreement with WD Brown & Associates, PLLC regarding forensic financial investigation services and data analytics and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39408 Discussion and possible action to authorize the Human Resources Department to purchase two battery powered track stair chairs for safety purposes and amend the budget accordingly.

Shari Miller, Director of Human Resources, explained these chairs would be used to assist with evacuations in emergency situations. Mike Jones, Director of the Office of Emergency Services, stated these would be used for those that are not in wheelchairs, but are unable to easily go downstairs. The Court discussed the advantages and disadvantages of these chairs and other options.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the Human Resources Department to purchase two battery powered track stair chairs for safety purposes and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39409 Discussion and possible action to accept a Proposal with Vaughn Construction related to the Hays County Jail Attorney Visitation renovation.

Terry Whitman with ECM, project manager for the 2017 Public Safety Bond Program, explained this project is the expansion and renovation of the attorney visitation areas which is needed due to the creation of the Public Defender's Office. This project will double the visitation space.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a Proposal with Vaughn Construction related to the Hays County Jail Attorney Visitation renovation.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

39410 Discussion and possible action to authorize additional funding for 8/31/23 to 9/30/23 paid interns for the County Courts at Law and amend the budget accordingly.

Judge Jimmy Alan Hall, Hays County Court at Law 1, stated this will fund interns from Texas State University for the rest of this fiscal year and spoke about the value of this internship program.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize additional funding for 8/31/23 to 9/30/23 paid interns for the County Courts at Law and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

Clerk's Note: Judge Becerra called for a recess that began at 11:02 a.m. and resumed back into open court at 11:09 a.m.

11:00 a.m. - Hold a public hearing on the Fiscal Year 2024 proposed tax increase.

Judge Becerra opened the Public Hearing at 11:09 a.m. Dan Lyon spoke about his concerns with property appraisals and taxes, as well as county spending on the salary study and new positions. Judge Becerra clarified the amount spent on the salary study and spoke about why it was needed. Commissioner Shell further clarified the amount Mr. Lyon referenced was the amount set aside to implement recommendations from the study, not fund the study. Judge Becerra closed the Public Hearing at 11:14 a.m. Vickie Dorsett, Hays County Budget Officer, reviewed the proposed tax rates and stated the final Public Hearing will be on September 19th, 2023 at 1 p.m. Jenifer O'Kane, Hays County Tax Assessor-Collector, spoke about her office's role in the taxation process. Commissioner Cohen suggested holding more town halls to help residents understand county taxes.

Clerk's Note: Executive Session began at 11:52 a.m. and resumed back into open court at 11:58 a.m.

39411 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.

A motion was made by Commissioner Shell, seconded by Judge Becerra related to the County's purchase of fee title in 102.8 acres of property, commonly known as the "Elsik Tract" and located west by northwest of San Marcos, Texas, in Precinct 3, authorize the Civil Division to negotiate and finalize the extension of the grazing lease already existing on the property from the date of closing until end of February 2024.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

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 544 for the week of August 27, 2023, with a peak of 573 inmates on August 31, 2023. The estimated cost for outsourcing inmates this week was \$159,825. The average number of outsourced males is 240 and females is 6. This week's inmates were housed in the following counties: Comal, Haskell, and Maverick. The number of "paper-ready" inmates who are now wardens of the state is 46.

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.*

Clerk's Note Agenda Item #M-4 RE: *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). - WAS PULLED.*

Clerk's Note Agenda Item #M-5 RE: *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*
- WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director of Pre-Trial Services Randy Focken.* - WAS PULLED.

ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 11:59 a.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 SEPTEMBER 5, 2023.



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

