

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 2, 2021

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2nd 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:

Chaplain Javier Maldonado of 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

Maria Morrissey emailed a public comment which was read aloud in court by Elaine H. Cardenas, County Clerk. Maria Morrissey public comment was regarding Constable Hood and staff not following the mask order by the Hays County Judge. Harvey Jenkins made a public comment regarding the county debt. Dan Lyon made public comments regarding Hays County Appraisal District, and the cost to repair broken pipes. Rodrigo Amaya made several public comments regarding elected officials, hostile work environment in the county, Commissioner Court streaming service, and Constable Ron Hood.

36121 UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Mike Jones, Director of Emergency Services, gave the court members an update on the vaccination process regarding first dose and second dose administrations. The court members thanked Mike Jones and the staff for their work to make-up for the appointments missed during the recent winter storm. Marisol Villarreal-Alonzo, Auditor, stated that she has been working with Mike Jones, Director of Emergency Services, and others on the guidelines for the rental assistance program. No action was taken.

Clerk's Note: Judge Becerra called for agenda item #1 to be reopened.

Tammy Crumley, Director of Countywide Operations, stated the ancillary supplies the state sends do not include band-aids. She stated the syringes and needles are not adequate or not enough quantity. Commissioner Ingalsbe requested clarification on the dollar amount for additional supplies, as a couple different amounts were mentioned previously. Marisol Villarreal-Alonzo, Auditor, stated the \$15,000.00 would be the total amount. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to set aside \$15,000.00 from contingencies for expenses related to the vaccine programs including feeding volunteer and items such as band aids and other necessary equipment needed for the vaccine. All present voted "Aye." MOTION PASSED.**

36122 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.

36123 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.



MARCH 2, 2021

36124 APPROVE THE PAYMENT OF THE FEBRUARY 28, 2021 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,800,000.00 EFFECTIVE FEBRUARY 26, 2021 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the payment of the February 28, 2021 payroll disbursements in an amount not to exceed \$3,800,000.00 effective February 26, 2021 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #5 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ANNUAL RENEWAL AGREEMENT BETWEEN THE HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT AND JOHNSON CONTROLS IN THE AMOUNT OF \$9,515.00. – WAS PULLED.

36125 AUTHORIZE PAYMENT TO CARD SERVICES IN THE AMOUNT OF \$1,707.40 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY.

Rodrigo Amaya made a public comment on typos in the agenda summary. Marisol Villarreal-Alonzo, Auditor, stated the items listed on the agenda have "amend the budget accordingly," as the dollar amount was an estimate put in place to determine which account the funding would be drawn from. Tammy Crumley, Director of Countywide Operations, stated this purchase order is for the use of buying food for volunteers who assist with the vaccination clinics. She requested another \$12,000.00 to cover the cost for several future clinics. She noted this request not only covers food but other expenses that are not covered. Mike Jones, Director of Emergency Services, stated the volunteers are working very long hours, and the least the county can do is feed the volunteers. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to card services in the amount of \$1,707.40 in which no purchase order was issued as required per the county purchasing policy and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36126 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR AN OFFICE BUILDING LOCATED AT 102 WHITETAIL DR, SAN MARCOS, TX 78666.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for an office building located at 102 Whitetail Dr, San Marcos, TX 78666. All present voted "Aye." MOTION PASSED.

36127 APPROVE UTILITY PERMITS.

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

36128 ACCEPT THE 2020 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PRECINCT 2.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 2. All present voted "Aye." MOTION PASSED.

36129 ACCEPT THE 2020 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PRECINCT 3.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 3. All present voted "Aye." MOTION PASSED.

36130 ACCEPT THE 2020 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PRECINCT 1.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 2, 2021

Rodrigo Amaya made a public comment against the report's accuracy. Deputy Varela stated due to COVID-19 traffic stops were down since there was less traffic as well as civil processing. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept the 2020 Racial Profiling Report from Hays County Constable Office, Precinct 1. All present voted "Aye." MOTION PASSED.**

36131 ACCEPT THE 2020 RACIAL PROFILING REPORT FROM THE HAYS COUNTY SHERIFF'S OFFICE.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the 2020 Racial Profiling Report from the Hays County Sheriff's Office. All present voted "Aye." MOTION PASSED.

36132 ACCEPT \$15,500.00 IN GRANT CONTRIBUTIONS AND DONATIONS ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept \$15,500.00 in grant contributions and donations on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36133 AUTHORIZE BUILDING MAINTENANCE TO UTILIZE DONATED FUNDS FOR THE REMODEL OF THE HAYS COUNTY CHILD PROTECTIVE BOARD (HCCPB) RAINBOW ROOM LOCATED ON BROADWAY STREET IN SAN MARCOS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Building Maintenance to utilize donated funds for the remodel of the Hays County Child Protective Board (HCCPB) Rainbow Room located on Broadway Street in San Marcos and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36134 AUTHORIZE THE SUBMISSION OF A PRELIMINARY APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) PROGRAM FOR THE FM 2325 PEDESTRIAN SAFETY ACCESS IMPROVEMENT PROJECT (PROJECT).

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the submission of a preliminary application to the Texas Department of Transportation (TxDOT) for the Transportation Alternatives Set-Aside (TA) Program for the FM 2325 Pedestrian Safety Access Improvement Project (Project). All present voted "Aye." MOTION PASSED.

36135 AUTHORIZE THE CONSTABLE PRECINCT 5 OFFICE TO PURCHASE ONE REPLACEMENT OPTIPLEX 7080 COMPUTER VALUED AT \$651.59 FOR THE CONSTABLE AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Constable Precinct 5 Office to purchase one replacement OptiPlex 7080 Computer valued at \$651.59 for the Constable and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36136 APPROVE EXTENSION OF RFP 2016-P06 BANK DEPOSITORY WITH SAGE CAPITAL BANK, N.A. FOR A PERIOD NOT TO EXCEED 122 DAYS (JUNE 30, 2021) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve extension of RFP 2016-P06 Bank Depository with Sage Capital Bank, N.A. for a period not to exceed 122 days (June 30, 2021) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36137 APPROVE RENEWAL OF IFB 2017-B03 CEMETERY MAINTENANCE FOR ONE ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 2, 2021

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve renewal of IFB 2017-B03 Cemetery Maintenance for one additional year as stated in the original bid. All present voted "Aye." MOTION PASSED.

36138 AUTHORIZE THE COUNTY JUDGE TO SUPPORT THE INDIGENOUS CULTURES INSTITUTE FOR PROGRAMMING THAT INFORMS ABOUT THE NATIVE PEOPLE AND RESTORES LOST HISTORY USING \$1,500.00 OF THE COUNTY JUDGE'S AVAILABLE COMMUNITY PROGRAM FUNDS.

Rodrigo Amaya made a public comment in favor of this item. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to support the Indigenous Cultures Institute for programming that informs about the Native people and restores lost history using \$1,500.00 of the County Judge's available Community Program funds. All present voted "Aye." MOTION PASSED.

36139 AUTHORIZE PAYMENT TO WALDRIP INSURANCE AGENCY IN THE AMOUNT OF \$875.00 IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to Waldrup Insurance Agency in the amount of \$875.00 in which no purchase order was issued as required per the County Purchasing Policy and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

36140 APPROVE SPECIFICATIONS FOR RFQ 2021-Q06 CDBG ENGINEERING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for RFQ 2021-Q06 CDBG Engineering Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

Clerk's Note: Judge Becerra called for a break that began at 10:26 a.m. and resumed back into open court at 10:38 a.m.

36141 AUTHORIZE THE EXECUTION OF CONTRACT AMENDMENT NO. 1 WITH BGE, INC. TO PROVIDE CONSTRUCTION ENGINEERING, INSPECTION & TESTING (CE&I) SERVICES AS PART OF THE ON-CALL CE&I CONTRACT RELATED TO THE DACY LANE 2016 ROAD BOND PROGRAM AND AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).

Commissioner Ingalsbe stated this item is for Dacy Lane in Kyle to get this project started. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Contract Amendment No. 1 with BGE, Inc. to provide Construction Engineering, Inspection & Testing (CE&I) services as part of the On-Call CE&I contract related to the Dacy Lane 2016 Road Bond Program and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

36142 RELEASE THE MAINTENANCE BOND #EAIC088000002 IN THE AMOUNT OF \$120,448.82 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SHADOW CREEK SUBDIVISION, PHASE 5, SECTION 1.

Commissioner Jones stated this item is for the acceptance of these roads. There is staff recommendation for this item. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the maintenance bond #EAIC088000002 in the amount of \$120,448.82 and the acceptance of roads into the county road maintenance system for Shadow Creek subdivision, Phase 5, Section 1. All present voted "Aye." MOTION PASSED.



MARCH 2, 2021

36143 RELEASE THE MAINTENANCE BOND #K09232928 IN THE AMOUNT OF \$97,400.60 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SHADOW CREEK SUBDIVISION, PHASE 6, SECTION 1.

Judge Becerra stated the previous motion was for phase 5 and this item covers phase 6. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the maintenance bond #K09232928 in the amount of \$97,400.60 and the acceptance of roads into the county road maintenance system for Shadow Creek subdivision, Phase 6, Section 1. All present voted "Aye." MOTION PASSED.

36144 RELEASE OF THE MAINTENANCE BOND #714904P IN THE AMOUNT OF \$155,244.00 AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR PARTEN RANCH SUBDIVISION, PHASE 1.

Commissioner Smith stated there is full staff recommendation for this item. A motion was made by Commissioner Smith, seconded by Commissioner Shell to release of the maintenance bond #714904P in the amount of \$155,244.00 and the acceptance of roads into the county road maintenance system for Parten Ranch subdivision, Phase 1. All present voted "Aye." MOTION PASSED.

36145 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STANDARD UTILITY AGREEMENT (SUA) SUPPLEMENTAL NO. 2 BETWEEN HAYS COUNTY AND MAXWELL SUD FOR UTILITY RELOCATIONS FOR THE FM 110 NORTH PROJECT IN PRECINCT 1 AS PART OF THE PARTNERSHIP PROGRAM.

Commissioner Ingalsbe stated this is for the movement of utility lines. She stated in the backup summary there is an upgrade for a PVC pipe and casing. The county will not cover the upgrades as those costs will be deducted from the \$51,000.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Standard Utility Agreement (SUA) Supplemental No. 2 between Hays County and Maxwell SUD for utility relocations for the FM 110 North project in Precinct 1 as part of the Partnership Program. All present voted "Aye." MOTION PASSED.

36146 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT #3 TO THE TIME & MATERIALS CONTRACT WITH HNTB CORPORATION TO CONTINUE PROVIDING GENERAL ENGINEERING CONSULTANT (GEC)/PROGRAM MANAGEMENT SERVICES FOR THE HAYS COUNTY 2016 ROAD BOND PROGRAM PROJECTS AND AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(4).

Commissioner Jones stated this is an extension of the GC contract for up to six months. He noted interviews are being held and the contract can be ended before the six months if needed. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment #3 to the time & materials contract with HNTB Corporation to continue providing General Engineering Consultant (GEC)/Program Management services for the Hays County 2016 Road Bond Program projects and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(4). All present voted "Aye." MOTION PASSED.

36147 EXECUTE AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR LOCALLY FUNDED TRANSPORTATION PROJECT OFF SYSTEM (KOHLEERS CROSSING) AS PART OF THE 2016 ROAD BOND PROGRAM.

Commissioner Jones stated this is a large project for the City of Kyle. Commissioner Shell stated this is a project that he will be starting in his precinct soon. He will rely on Commissioner Jones' experience to get this project started. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payments of County invoices. All present voted "Aye." MOTION PASSED.

AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE ONE NEW FORD F250 4X4 VEHICLE AND AMEND THE BUDGET ACCORDINGLY.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 2, 2021

Rodrigo Amaya made a public comment against this item. Dan Lyon made a public comment against this item. Mike Jones, Director of Emergency Services, stated this vehicle is needed for his office but would be used for the Fire Marshall's office in an emergency capacity. Mike Jones requested the court table this item so that he can bring a price to court. Commissioner Shell stated that many county employees were using personal vehicles as well as the county vehicles during the winter storms. He stated that situation brought to light the need for this type of vehicle. He noted most items purchased for Emergency Services are not usually needed too often, until there is a major emergency. No action was taken.

Clerk's Note: Executive Session began at 10:46 a.m. and resumed back into open court at 12:54 p.m.

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.

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.

No action was taken.

36148 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 US 290 IN PCT 4. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the acceptance of a counteroffer from Daniel and Estella Garcia regarding the acquisition of 0.192 acres of right of way of US-290 on Martin road as presented in Executive Session, and to authorize the execution of a Possession of Use Agreement for that property if needed, and to otherwise authorize the execution of a Purchase and Sell Agreement, and accompanying documents incidental to the closing. All present voted "Aye." MOTION PASSED.

36149 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE AND/OR VALUE OF PROPERTY (RIGHT OF WAY) ALONG COTTON GIN ROAD IN PRECINCT 2. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO A RESOLUTION OF THE COMMISSIONERS COURT DECLARING A PUBLIC CONVENIENCE AND NECESSITY AND AUTHORIZING EMINENT DOMAIN PROCEEDINGS.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a resolution of the County Commissioners of Hays County declaring a public convenience and necessity and authorizing eminent domain proceedings, if necessary, for the acquisition of the necessary property rights over, under and across a portion of that land being 64.31 acres of land lying in and being situated out of the John Stewart Survey, Abstract 14 in Hays County, Texas; authorizing all appropriate action by the County Commissioners, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and easements and temporary construction easements and related rights of ingress and egress that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of Hays County to acquire such property interests including necessary acts for any applicable lienholders for such properties; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the resolution to be severable one from the other in the event any section of the resolution is determined to be invalid; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law. All present voted "Aye." MOTION PASSED.



MARCH 2, 2021

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a resolution of the County Commissioners of Hays County declaring a public convenience and necessity and authorizing eminent domain proceedings, if necessary, for the acquisition of the necessary property rights over, under and across a portion of that land being 20.67 acres of land lying in and being situated out of the John Stewart Survey, Abstract 14 in Hays County, Texas; authorizing all appropriate action by the County Commissioners, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and easements and temporary construction easements and related rights of ingress and egress that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of Hays County to acquire such property interests including necessary acts for any applicable lienholders for such properties; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the resolution to be severable one from the other in the event any section of the resolution is determined to be invalid; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law. All present voted "Aye." MOTION PASSED.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a resolution of the County Commissioners of Hays County declaring a public convenience and necessity and authorizing eminent domain proceedings, if necessary, for the acquisition of the necessary property rights over, under and across a portion of that land being 20.625 acres of land lying in and being situated out of the John Stewart Survey, Abstract 14 in Hays County, Texas; authorizing all appropriate action by the County Commissioners, staff, retained attorneys and engineering and technical consultants in the institution and prosecution of condemnation proceedings to acquire any such needed fee estates and easements and temporary construction easements and related rights of ingress and egress that cannot be acquired through negotiation; declaring further negotiations futile; ratifying and affirming all acts and proceedings heretofore done or initiated by employees, agents, and attorneys of Hays County to acquire such property interests including necessary acts for any applicable lienholders for such properties; authorizing all other lawful action necessary and incidental to such acquisitions or eminent domain proceedings to survey, specify, define, and secure the necessary interests in real property; declaring the sections of the resolution to be severable one from the other in the event any section of the resolution is determined to be invalid; establishing an effective date; and finding and determining that the meeting at which this resolution is passed was noticed and is open to the public as required by law. All present voted "Aye." MOTION PASSED.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Judge Becerra stated the Fire Marshall has recommended there is no burn ban at this time. No action was taken.

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 \$46,960.00 for the week of February 21 – February 27, 2021. The number of outsourced males was 127 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 2, Department of Public Safety – 6, Hays County Sheriff's Department – 61, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 27, San Marcos Police Department - 35, Texas State Police Department – 2. No action taken.

Clerk's Note Agenda Item #36 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 #37 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED.*

ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 1:01 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



MARCH 2, 2021

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 2, 2021.



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

