

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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JULY 28, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 28<sup>th</sup> DAY OF JULY A.D., 2020, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<b>RUBEN BECERRA</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>LON A. SHELL</b>	<b>COMMISSIONER, PCT. 3</b>
<b>WALT SMITH</b>	<b>COMMISSIONER, PCT. 4</b>
<b>ELAINE H. CÁRDENAS</b>	<b>COUNTY CLERK</b>

**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 7<sup>th</sup> Day Adventist 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**

Dan Lyon, Hays County resident, made public comments regarding future foreclosures for Hays County citizens. He stated the Court should spend less taxpayers' money. He then read the disbursement list for Hays County. Rodrigo Amaya, Hays County resident, made public comments regarding his opposition of two County employees' positions, one within the District Attorney's office, and the other in the Office of General Counsel. He made public comments in favor of a Public Defenders office. Lauren Hubele, San Marcos resident, made public comments in favor of the Public defender's office. She asked the Court if they are condoning or normalizing acts of injustice against citizens of Hays County. Christine Terrell, San Marcos resident, made public comments, in favor of a Public defender's office. She stated that the Court and people present have the luxury of patience while the county employees and fellow citizens being held in the jail do not, as they continue to be exposed to COVID while changes are patiently made.

**35425 UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.**

Judge Becerra made an announcement thanking several staff members whom have contributed to the past and current planning and coordination of disaster plans for Hays County. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, spoke to the Court regarding the COVID-19 updates. He stated a lease agreement for property off Highway 123 is being worked out for a future testing site. He noted a Memorandum of Understanding agreement that is in place with Communicare. His staff is currently working on fees and details with Premier ER regarding testing. He spoke about work with Texas State University regarding future testing for students and staff. He stated the complete Texas State University staff is working on details to use the Texas State University clinic and communicating with CPL labs. This is to ensure parallels between Texas State University and CPL labs. Discussions are being had for a testing site in Dripping Springs. He listed some of the available testing that is held throughout the county. There are agreements with Premier ER and Live Oak Clinic to hold first responder testing. Baylor Scott & White has testing in Buda. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, noted private medical providers are also conducting COVID-19 screenings for their patients. He stated that the testing processes have changed as there is no screening process, but there are registration processes for each additional site to allow for efficient and quick work. They are working on quick access to the testing results through CPL labs using an online patient portal. However, they still need to be considerate of people who do not have emails or social media by collecting contact information. Commissioner Ingalsbe asked about molecular testing and how long will those tests be available? Alex Villalobos, Chief of Staff and Emergency Management Coordinator, responded that the county has about six months of tests that are available through CPL labs. He said they are working on finding other sources for tests and labs. Judge Becerra noted the regional hospital for overflow has been turned on for the use of 10 counties. This will be used as flex space for less critical patients. This facility includes 100 additional beds. He noted the public can look this information up under CAPCOG. He included that the County has not been in jeopardy of running out of hospital beds and thanked the public for their help. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, noted the personal protective equipment inventory that is on hand. Tammy Crumley, Director of Countywide Operations, noted the Live Oak Clinic numbers have tapered off, but the countywide testing numbers have not. She wanted to recognize some of the staff members who were present in Court for their ongoing work during the COVID-19 disaster. Margie Rodriguez, Manager of the Health

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Department, Amelia Flores, Eric Schneider, Medical Epidemiologist, Gregory Drew, State Medical Epidemiologist, and the entire Building Maintenance crew, that pick up and deliver the personal protective equipment. The Court thanked all the mentioned staff members. Commissioner Jones asked Eric Schneider, Medical Epidemiologist for Hays County Health Department, about the communication between the County and the Independent School Boards in the county. Eric Schneider, Medical Epidemiologist for Hays County Health Department, stated that he has been in contact with the School Boards and Superintendents about the options that are available along with following the Governors Orders and TEA suggestions, as well as trends throughout the I-35 Corridor. Commissioner Jones asked what the numbers of positive cases are for school aged children. Eric Schneider, Medical Epidemiologist for Hays County Health Department, stated there has been an influx over the last week of case between the ages of 10 - 20 years of age. He noted the tests numbers for children 10 years and younger stay consistent, and pediatricians do not really test that age group. The danger with that age group is they are generally asymptomatic, and it is hard to tell if they are positive. Judge Becerra noted he is working with the Office of General Counsel to create a document to support the school districts without restricting the individual districts. Commissioner Smith asked if discussions are being had with Texas State University. Eric Schneider, Medical Epidemiologist for Hays County Health Department, stated he has a scheduled conference call with Texas State University. He stated that Texas State University has their own emergency preparedness plan in place to address students contracting COVID-19, regarding different scenarios. They have also discussed conducting contact tracing for the students. Commissioner Smith stated with citizens and school aged children, the county has an idea of where they are and where they have been, versus the unknown communities and travel that approximately 38,000 to 39,000 Texas State University students will be coming from. He stated there are approximately 3,300 full time staff members returning to Texas State University that are a part of this community that will be exposed to that environment. He noted the last influx took place within that population of university students' age group. Commissioner Smith requested when discussions are taking place between the county and the university to include some type of system for that rate of exposure, or an agreement for the County to have participation in those types of conversations. Commissioner Smith asked Alex Villalobos, Chief of Staff and Emergency Management Coordinator, if he could put together a standard operating procedure to address a County office exposure other than shutting down the entire office. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, stated possibly appointing a management system, updating the website, and setting up the County website as an online business. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, spoke about his meetings with department heads and elected officials to find out the needs of the offices so that they may open to the public. He noted disinfect sprays and installing plexiglass barriers. Commissioner Smith stated he would like more communication with the public for closures and instructions on how to continue conducting business.

**Clerk's Note:** Judge Becerra called to reopen this agenda item at 10:43 a.m.

Mark Kennedy, Office of General Counsel, spoke to the Court about a lease agreement for two commercial spaces off Highway 123 in San Marcos. One space would be used as a testing and vaccination center and the other would be used as a call center. He reviewed the lease agreement with the Court highlighting sections that would need to be modified to meet government code before the contract is signed. Judge Becerra asked if the price per square footage is competitive. Tammy Crumley, Director of County Wide Operations, stated to the Court that the space is turnkey, and she would just need to move in furniture to be ready for staff to move in. Mike Jones, Director of Emergency Services, stated he had the realtor give him comparable pricing, and he believes the location is set at a good price. Commissioner Smith asked that given the fact the County is losing many voting locations would these building have enough space to be voting centers? Mike Jones, Director of Emergency Services, stated the buildings could be used in the future as voting locations. Tammy Crumley, Director of County Wide Operations, stated that the building was looked at with multiuse purposes in mind, and there is room for voting and voting equipment in the buildings. Commissioner Ingalsbe asked for the address of the two locations. Mark Kennedy, Office of General Counsel, stated the locations are 1224 Highway 123 and 1236 Highway 123. Judge Becerra added his support for the locations. **A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to approve two commercial leases between Elmer C. Niece Testamentary Trust and Hays County and noting the modifications that were verbalized in court. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called to reopen this agenda item at 12:44p.m.

Mark Kennedy, Office of General Counsel, stated he presented a COVID-19 Return to Work Requirement Sheet. He stated this document was a culmination of discussions between County Wide Operations, Personal Health, Emergency Management, Human Resources Department and Office of General Counsel. Currently the County is using a testing approach. The CDC has since put out a time approach in addition the testing approach. The presented sheet has some additional measures. In order to return to work the employee must have the following; Employee has a physician's clearance to return to work, they have been asymptomatic for at least 10 days, and no member of their household that they are living with has COVID related symptoms. He requested the Court apply these requirements countywide. Shari Miller, Human Resource Director, stated to the Court that every COVID related absence has been different. This would give guidance to the department heads. She noted Hays County is still paying 2/3-time paid leave for COVID related absences. She believes with school beginning soon there will be new challenges for employees that are parents with school aged children. Judge Becerra asked since there is a countywide mask order and a Governor's mask order, if the County has given direction for employees regarding wearing masks when dealing with the public. Shari Miller, Human Resource Director, stated the County has not required or directed employees to wear a mask. Mark Kennedy, Office of General Counsel, stated the Court could recommend a policy for employees, however the elected official can act autonomously. He stated Court members could always call specific offices to inquire about masking wearing. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt the COVID Return to Work Requirement as a countywide policy. All present voted "Aye." MOTION PASSED.**

**35426 ADOPT A PROCLAMATION DECLARING AUGUST 2020 AS NATIONAL IMMUNIZATION AWARENESS MONTH IN HAYS COUNTY.**

Eric Schneider, Medical Epidemiologist for Hays County Health Department, stated although COVID-19 is on most people's minds, there are still other diseases that still afflict Hays County residents. He stated that the United States effective immunizations have worked so well that some people question the necessity of vaccines. In 2000, the CDC declared measles were eliminated from the United States, however 1282 cases of measles occurred in 2019, due to increased international travel and refusal to vaccinate. The largest outbreak since the vaccines was invented. He stated, as everyone has seen over the last five months it takes a community effort to make a public health program work effectively. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a proclamation declaring August 2020 as National Immunization Awareness Month in Hays County. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra called for a break that began at 12:50 p.m. and resumed back into open court at 1:00 p.m.

**PRESENTATION BY THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY COMMISSION RELATED TO PROSPECTIVE PROJECTS WITHIN HAYS COUNTY.**

George Cofer, Chief Executive Officer Hill Country Conservancy, public comments were read in Court by the County Clerk. He urged the Court to accept the recommendation put forth by Parks and Open Space Advisory Commission and thanked the Court. Katherine Romans, Executive Director, Hill Country Alliance, public comments were read in Court by the County Clerk. She was in support of the recommendation by Parks and Open Space Advisory Commission. She thanked Hays County for their proactive approach for parks and open spaces. Commissioner Shell stated he was excited to hear the recommendation from the committee. Scott Wade, Chair of the Parks and Open Space Advisory Commission, presented the final recommendation of the commission to the Court. Dianne Wassenich, Hays County resident, made public comments in favor of the Parks and Open Space Advisory Commission's recommendations. She commended the committee and its leaders. She stated she was in full support of the Capes Pond project. Commissioner Ingalsbe thanked the committee for their work in these difficult times. She noted funding for the tier one projects and asked for clarification on the second tier. She thanked the committee for including the Cape Pond project for the eastside of San Marcos. She believes this would provide connectivity throughout the trail systems. Mark Kennedy, Office of General Counsel, stated that the committee would make the recommendation and hand over the information to county staff to complete negotiations and meet policies. Commissioner Smith thanked the committee for their work and dedication. He noted that the urban projects could also be considered as polling locations. He stated there are a number of conservation efforts that are not tied to municipalities and moving forward with flexibility with the bonds. Commissioner Shell thanked the committee and staff members that contributed to this recommendation. Commissioner Jones thanked the committee and especially his appointees for answering all his questions. Mark Kennedy, Office of General Counsel, noted August 17, 2020 is the last day to vote and approve. Judge Becerra stated he campaigned on Hays County becoming the Central Park of Central Texas. He stated he was grateful for the work of the Committee. He would want more information to address the flood mitigation. He noted Hays County has a huge debt and will personally wrestle with the list of projects. He thanked Karen Ford for her work on the committee. Again, he stated he was grateful for the recommendations but is reluctant. He stated more public comments will be slated in an open house. Scott Wade, Chair of the Parks and Open Space Advisory Commission, stated that they could look for more information on the flood mitigation impacts of the projects. He noted a divide between the flood impacts on the east and west of I-35. Commissioner Jones asked if this smaller working group was an advantage. Jim Camp stated there was 20 people on the Parks and Open Space Advisory Commission after the 2007 bond. He said he felt 10 members was a good number. Laura Depont, member of the Parks and Open Space Advisory Commission stated she felt it was a good process. She also commented that this opportunity will last for generations. Lisa Pruitt thanked Mark Kennedy for his assistance. She also commented that these improvements will add to the quality of life. Katherine Nichols, member of the Parks and Open Space Advisory Commission, commented on the need for water and river access and the ability to recharge. Commissioner Smith thanked Commissioner Shell and former Commissioner Karen Ford for their foresight to create this board. No action was taken.

**35427 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**35428 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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

**35429 APPROVE COMMISSIONERS COURT MINUTES OF JULY 14, 2020 AND JULY 21, 2020.**



A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of July 14, 2020 and July 21, 2020. All present voted "Aye." MOTION PASSED.

**35430 APPROVE THE PAYMENT OF THE JULY 31, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,850,000.00 EFFECTIVE JULY 31, 2020 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 Shell to approve the payment of the July 31, 2020 payroll disbursements in an amount not to exceed \$3,850,000.00 effective July 31, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**35431 AUTHORIZE THE REPLACEMENT OF ONE (1) 3.5 TON HVAC SYSTEM LOCATED AT THE HAYS COUNTY PCT. 5 LION'S CLUB BUILDING AND AMEND THE BUDGET ACCORDINGLY.**

Dan Lyon, Hays County resident, made public comment against the purchase of the HVAC system. He stated the equipment is likely marked up 25% and asked about the financial responsibility the County owes the Lion's Club. Tammy Crumley, Director of County Wide Operations, stated the County owns the building and the AC is over 20 years old. She stated the County would maintain the building. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the replacement of one (1) 3.5 Ton HVAC system located at the Hays County Pct. 5 Lion's Club building and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35432 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 24 RV SPACES LOCATED AT 710 HENLY LOOP, DRIPPING SPRINGS, TEXAS 78620.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for 24 RV spaces located at 710 Henly Loop, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.

**35433 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR LONE MAN MOUNTAIN BREWERY LOCATED AT 2825 LONE MAN MOUNTAIN ROAD, WIMBERLEY, TEXAS 78619.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to Authorize On-Site Sewage Facility Permit for Lone Man Mountain Brewery located at 2825 Lone Man Mountain Road, Wimberley, Texas 78619. All present voted "Aye." MOTION PASSED.

**Clerk's Note:** Judge Becerra called for a break that began at 10:50 a.m. and resumed back into open court at 11:00 a.m.

**AUTHORIZE A WAIVER TO THE PURCHASING POLICY FOR THE PURCHASE OF SPECIALTY LOBBY FURNITURE FROM ARCONAS CORPORATION FOR THE PUBLIC SAFETY BUILDING BOND PROJECT.**

Dan Lyon, Hays County resident, made public comment against the purchase of the furniture. He stated the purchase of the furniture has nothing to do with safety. He also commented that the furniture is not from a local company. Commissioner Ingalsbe noted the approved Bond did include funds for furniture and fixtures. She did have a question about this bid compared to other bids that were received. She noted that the Arconas bid was at a 50% discount. Discussion was had among the Court members and Mark Kennedy, Office of General Counsel, as to whom would have information about the additional bids. After a short recess, Judge Becerra announced there was not enough information for this agenda item and it would be pulled. He announced it would be revisited with more supporting information. He thanked Dan Lyon for his comments. No action was taken.

**35434 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICE ORDER WITH GRANDE COMMUNICATIONS BUSINESS FOR MONTHLY FIBER INTERNET SERVICES FOR THE PUBLIC SAFETY BUILDING AND AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(7)(D).**



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the County Judge to execute a Service Order with Grande Communications Business for monthly Fiber Internet Services for the Public Safety Building and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.

**35435            RATIFY THE ACCEPTANCE OF A DONATION OF \$100.00 TO THE SHERIFF'S OFFICE AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to ratify the acceptance of a donation of \$100.00 to the Sheriff's Office and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35436            AUTHORIZE THE PURCHASE OF ONE REPLACEMENT DELL OPTIPLEX 7070 FOR THE DPS LICENSE & WEIGHT DIVISION ADMINISTRATIVE STAFF AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the purchase of one replacement Dell OptiPlex 7070 for the DPS License & Weight Division administrative staff and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35437            AUTHORIZE AN AMENDMENT TO THE TEXAS OFFICE OF THE GOVERNOR (OOG) - CRIMINAL JUSTICE DIVISION (CJD) RELATED TO A GRANT EXTENSION FOR THE MENTAL HEALTH CRISIS INTERVENTION PROJECT.**

Sheriff Cutler introduced Erin Barker. Erin Barker spoke to the Court regarding her assistance to the patrols when dealing with mental health crisis situations. She helps with the evaluation of the person, providing safety plans, coordinating with local mental health services, and at times when required placing a person under an emergency detention order. She stated her role is to help provide services as quickly as possible. Judge Becerra asked how many calls they receive in a day or week. Erin Barker stated they get several calls a week, but most of her time is spent following up with individuals. She stated that her division also provides Crisis Intervention training to all the deputies in the Sheriff's office. Commissioner Ingalsbe thanked the Sheriff and Erin Barker. She also noted this is an extension. Commissioner Smith also thanked the Sheriff and commended the Sheriff's office for moving forward with this program. He stated he would like to see an expansion of this program in the next budget. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize an amendment to the Texas Office of the Governor (OOG) - Criminal Justice Division (CJD) related to a grant extension for the Mental Health Crisis Intervention project. All present voted "Aye." MOTION PASSED.**

**35438            AUTHORIZE THE EXECUTION OF THE FY 2021 INTERLOCAL CONTRACT FOR THE NEXT GENERATION 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR EMERGENCY COMMUNICATIONS GEOGRAPHIC INFORMATION SYSTEMS (GIS) SERVICES TO BE PROVIDED BY THE COUNTY WITH NO COUNTY MATCHING FUNDS REQUIRED.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of the FY 2021 Interlocal Contract for the Next Generation 9-1-1 Database Program with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information Systems (GIS) services to be provided by the County with no County matching funds required. All present voted "Aye." MOTION PASSED.

**35439            AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE COVID-19 GRANT PROGRAM IN THE AMOUNT OF \$103,777.00 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a contract with the Texas Department of State Health Services (DSHS) for the COVID-19 Grant Program in the amount of \$103,777.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35440 APPROVE UTILITY PERMITS.**

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

**35441 AUTHORIZE THE VETERAN'S ADMINISTRATION OFFICE TO PURCHASE CASE MANAGEMENT SOFTWARE FROM ADVANTEC INFORMATION SYSTEMS, LLC AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Veteran's Administration Office to purchase Case Management Software from Advantec Information Systems, LLC and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35442 AUTHORIZE THE COUNTY JUDGE TO EXECUTE PROPOSALS WITH MICROCEPTION, INC. FOR VIDEO OVERSIGHT TOTALING \$12,499.00 AND AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(7)(D).**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Proposals with Microception, Inc. for Video Oversight totaling \$12,499.00 and authorize a discretionary exemption per Texas Local Government Code Ch. 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.

**35443 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE 10 MICROSOFT SURFACE PRO 7S AND 10 CANON ALL-IN-ONE PRINTERS THAT WILL BE USED AT THE COVID-19 TESTING SITES AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to purchase 10 Microsoft Surface Pro 7s and 10 Canon All-In-One Printers that will be used at the COVID-19 testing sites and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35444 AUTHORIZE A WAIVER TO THE PURCHASING POLICY FOR MGC, INC. TO RELOCATE AND CERTIFY EVIDENCE ROOM EQUIPMENT FOR THE PUBLIC SAFETY BUILDING BOND PROJECT.**

Judge Becerra asked why the waiver is needed. Marisol Villarreal-Alonzo, Auditor, stated they wanted to use the same vendor that installed the equipment to also move the equipment. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize a waiver to the purchasing policy for MGC, Inc. to relocate and certify Evidence Room Equipment for the Public Safety Building bond project. All present voted "Aye." MOTION PASSED.

**35445 APPROVE SPECIFICATIONS FOR IFB 2020-B14 LIME KILN ROAD IMPROVEMENTS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.**

Commissioner Smith stated that he was excited to get this project completed. This project was delayed and was deferred through CAMPO. Commissioner Jones stated that after talking with CAMPO staff that once this project is added to the list that the county could be reimbursed. A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve specifications for IFB 2020-B14 Lime Kiln Road Improvements and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

**35446 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND HDR ENGINEERING, INC TO PROVIDE CONSTRUCTION ENGINEERING, INSPECTION & TESTING (CE&I) SERVICES RELATED TO HAYS COUNTY ROAD IMPROVEMENT PROJECTS ON AN AS-NEEDED BASIS.**

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Commissioner Smith noted this is one of three companies that was selected through the bidding process. A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement/Contract between Hays County and HDR Engineering, Inc to provide construction engineering, inspection & testing (CE&I) services related to Hays County Road Improvement Projects on an as-needed basis. All present voted "Aye." MOTION PASSED.

**35447 HOLD A PUBLIC HEARING TO ESTABLISH A 25 MPH SPEED LIMIT IN SAVANNAH RIDGE SUBDIVISION.**

Judge Becerra opened the public hearing at 12:36p.m. No comments were made. Judge Becerra closed the public hearing at 12:36p.m. Commissioner Jones stated this section was part of a speed study. The results showed there was excessive speeding in this area. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 25 MPH speed limit in Savannah Ridge subdivision. All present voted "Aye." MOTION PASSED.

**35448 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT/CONTRACT BETWEEN HAYS COUNTY AND BGE, INC TO PROVIDE CONSTRUCTION ENGINEERING, INSPECTION & TESTING (CE&I) SERVICES RELATED TO LIME KILN ROAD (CR 225) A HAYS COUNTY ROAD BOND PROJECT.**

Commissioner Smith requested item 23 be opened at this time as well. He stated this is part of the 2016 Road bond project. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement/Contract between Hays County and BGE, Inc to provide construction engineering, inspection & testing (CE&I) services related to Lime Kiln Road (CR 225) a Hays County Road Bond Project. All present voted "Aye." MOTION PASSED.

**35449 APPROVE AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE RM 2325 AT FISCHER STORE ROAD PROJECT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCE FUNDING AGREEMENT AMENDMENT #1 ON BEHALF OF HAYS COUNTY.**

Commissioner Shell stated this motion will allow the project to move forward. A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve amendment #1 to the Advance Funding Agreement between Hays County and the Texas Department of Transportation (TxDOT) for the RM 2325 at Fischer Store Road project and authorize the County Judge to execute the Advance Funding Agreement Amendment #1 on behalf of Hays County. All present voted "Aye." MOTION PASSED.

**35450 AWARD CONTRACT FOR IFB 2020-BB12 COTTON GIN ROAD IMPROVEMENTS - PHASE 1 TO PATIN CONSTRUCTION, LLC.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to award contract for IFB 2020-BB12 Cotton Gin Road Improvements - Phase 1 to Patin Construction, LLC. All present voted "Aye." MOTION PASSED.

**35451 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT AND RIGHT OF ENTRY AGREEMENT BETWEEN HAYS COUNTY AND THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT REGARDING THE FUNDING AND CONSTRUCTION OF A NEW DRIVEWAY ON THE SYCAMORE SPRINGS CAMPUS IN CONJUNCTION WITH THE SAWYER RANCH ROAD BOND PROJECT AND AMEND THE BUDGET ACCORDINGLY.**

Commissioner Smith stated this is an additional driveway to the Sycamore Springs School. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement and Right of Entry Agreement between Hays County and the Dripping Springs Independent School District regarding the Funding and Construction of a new driveway on the Sycamore Springs Campus in conjunction with the Sawyer Ranch Road Bond Project and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35452 APPROVE THE FINAL PLAT OF THE REPLAT OF LOT 35, BURNETT RANCH, SECTION ONE SUBDIVISION; PLN-1433-PC.**

Judge Becerra opened the public hearing at 10:30a.m. No comments were made. Judge Becerra closed the public hearing at 10:31 a.m. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the final plat of the Replat of Lot 35, Burnett Ranch, Section One Subdivision; PLN-1433-PC. All present voted "Aye." MOTION PASSED.**

**35453 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND COMMUNICARE HEALTH CENTERS RELATED TO COVID-19 TESTING.**

Tammy Crumley, Director of County Wide Operations, stated this agreement is to operate testing locations for Wednesday afternoons in Wimberley as a drive-thru and Sundays in Kyle as a clinic setting, sometime in mid-August. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and CommuniCare Health Centers related to COVID-19 Testing. All present voted "Aye." MOTION PASSED.**

**35454 ALLOW ADDITIONAL TRANSPORTATION DEPARTMENT STAFF TO TAKE WORK VEHICLES TO THEIR HOMES, REQUESTED PER THE COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY CHAPTER IN HR POLICY GUIDANCE.**

Commissioner Jones stated this motion would allow two employees to travel from their home to the job sites and help to maintain social distancing from the office setting. Commissioner Ingalsbe asked if this is temporary due to COVID-19. Commissioner Jones stated yes. Marisol Villarreal-Alonzo, Auditor, noted this is a taxable fringe benefit, so the employees will be taxed \$3 per day for commuting services. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to allow additional Transportation Department staff to take work vehicles to their homes, requested per the County Property and Employee Responsibility chapter in HR Policy guidance. All present voted "Aye." MOTION PASSED.**

**35455 NAME THE TRAINING FACILITIES AT THE HAYS COUNTY SHERIFF'S OFFICE THE "ALLEN BRIDGES TRAINING CENTER", DEDICATED IN MEMORY OF FORMER HAYS COUNTY SHERIFF, ALLEN BRIDGES (1946-2008).**

Sheriff Cutler introduced Kathy Bridges, Wife of former Hays County Sheriff Allen Bridges. Sheriff Cutler stated there were 54,000 logged training hours for 2019. He would like to name the academy after former Hays County Sheriff Allen Bridges. Mark Kennedy, Office of General Counsel, stated that when Allen Bridges was laid to rest there was a large turnout of community support. Mark Kennedy, Office of General Counsel, read a resolution for the Court. Kathy Bridges, Wife of former Hays County Sheriff Allen Bridges, stated her husband loved Hays County and loved his job. Commissioner Ingalsbe stated that she was honored to sponsor this item and spoke about former Sheriff Allen Bridges' law enforcement career. Commissioner Jones stated that Sheriff Allen Bridges was a great man to everyone. He knows Sheriff Allen Bridges would be proud of his wife and son. Commissioner Shell stated that this is a great tribute to Sheriff Allen Bridges. Commissioner Smith thanked Mrs. Bridges for her sacrifice. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to name the training facilities at the Hays County Sheriff's Office the "Allen Bridges Training Center", dedicated in memory of former Hays County Sheriff, Allen Bridges (1946-2008). All present voted "Aye." MOTION PASSED.**

**35456 AUTHORIZE THE COUNTY JUDGE TO EXECUTE TWO INFORMATION RELEASE CONTRACTS WITH THE TEXAS WORKFORCE COMMISSION FOR THE BENEFIT OF THE HAYS COUNTY SHERIFF'S OFFICE AND THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE.**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute two Information Release Contracts with the Texas Workforce Commission for the benefit of the Hays County Sheriff's Office and the Hays County Criminal District Attorney's Office. All present voted "Aye." MOTION PASSED.**

**35457 APPOINT JUDGES, ALTERNATE JUDGES AND CLERKS FOR THE NOVEMBER 3, 2020 GENERAL ELECTION FOR A TWO-YEAR TERM FROM AUGUST 1, 2020 TO JULY 31, 2022.**



HAYS COUNTY COMMISSIONERS' COURT MINUTES



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Jennifer Anderson, Elections Administrator, cited Chapter 32 of the Election Code that requires the Court to approve the appointment of Judges and Alternate Judges. She stated the location list will be presented to the Court for approval at the August 11, 2020 Commissioners Court meeting. The list of Judges and Alternate Judges was already approved by the Elections Board. Commissioner Smith thanked Ms. Anderson for her work finding locations. He stated the task for finding locations has become even more difficult due COVID-19, as several places do not want the public in their buildings during this pandemic. He noted the Governor's recent announcement to extend early voting for an additional week was less than helpful to Ms. Anderson's efforts to secure voting locations. Commissioner Ingalsbe also thanked Jennifer Anderson and her staff for their work. Jennifer Anderson, Elections Administrator, stated both party chairs worked very hard. She also noted that poll worker applications are available. Judge Becerra stated that the list can be modified at a later date. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Judges, Alternate Judges and clerks for the November 3, 2020 General Election for a two-year term from August 1, 2020 to July 31, 2022. All present voted "Aye." MOTION PASSED.**

**35458 DISCUSSION AND POSSIBLE ACTION REGARDING THE EMERGENCY CASH ASSISTANCE PROGRAM (ECAP), ALSO KNOWN AS PROJECT RECOIL, INCLUDING BUT NOT LIMITED TO, FUNDING FOR ADVERTISEMENT AND REFINEMENT OF PROCEDURE RELATED TO DISTRIBUTION OF GRANTS.**

Mark Kennedy, Office of General Counsel, presented an update to the Court. He stated the application has been finalized as of last week. The Go Live date is August 1, 2020. He noted Greater San Marcos Partnership would like to pay for marketing and advertising of the ECAP. Commissioner Ingalsbe requested a copy of the application. Mark Kennedy, Office of General Counsel, stated he would send that application to her. He stated he discussed with Brittany Richey, Hays County Treasurer, about the timeliness of the grant payments. The treasurer suggested setting up a routing form of approval signatures in order to pay the grant funds quickly. The Court discussed appointing a Court member to sign the routing form. The signatures would include the Auditor or delegee, Treasurer or delegee, and Commissioner Shell. Mark Kennedy, Office of General Counsel, stated the grant award would come to Court on the next regular agenda for ratification, however the check will proceed by a few days of the Court's consideration.

**Clerk's Note:** Judge Becerra called to reopen this agenda item at 12:41p.m.

Mark Kennedy, Office of General Counsel, stated after further discussion with Brittany Richey, Hays County Treasurer that the Court may want to make an amendment to the previous motion to include People Fund, remove the Auditor's designee, as only the Auditor can sign checks, and include a signature from the Office of General Counsel. **A motion was made by Commissioner Jones, seconded by Commissioner Smith to appoint Commissioner Lon Shell, the Auditor, and the Treasurer or her designee, Office of General Counsel designee, and People Fund to be able to sign off on any grant awards in advance of the Court's ratification of the Grants. All present voted "Aye." MOTION PASSED.**

**DISCUSSION AND POSSIBLE ACTION REGARDING THE FY 2021 BUDGET INCLUDING A PRESENTATION OF THE JUDGE'S RECOMMENDED BUDGET AND THE SELECTION OF DATES FOR BUDGET WORKSHOPS.**

Judge Becerra thanked the Auditor's office for their assistance with the Judge's recommended budget. He stated that he wants to be consistent and a good fiscal steward. The budget drops the rate slightly. He stated there were several cutbacks. He noted there were many requests for I.T. which will now need approval from I.T. and the Auditor's office. He stated \$1.5 Million dollars are allocated to collective bargaining. The new Jail has taken a large part of the budget. Modifications to minimize Transportations department requests were made. The budget for Jail outsourcing has been zeroed out due to the new jail, new departments, and new magistrate judge positions. He stated additions have been made for the District Attorney's office, the magistration positions, staffing for the Sheriff's office, medical contracts, and Tax Assessor Collector's office. He noted budget requests were reduced to current budgets, except new programs. Hays County employees will get a cost of living increase but not merit increase. Judge Becerra explained with his proposed budget an average home valued at \$270,000.00 would see an increase of \$3.08 per month for 2021. He announced the budget workshops are scheduled for August 11, 2020 at 10:00 a.m., August 18, 2020 at 10:00 a.m., and August 25, 2020 at 1:00 p.m. Vickie Dorsett, Auditor's Office, stated there was approximately \$4 Million dollars that were not annualized due to staff salaries for the District Attorney's office and the Sheriff's staffing. That amount will be added to the 2021 budget. She stated this information will be sent out to all the department heads for their budget review. Commissioner Jones asked about the public notices with the wording revenue tax rate and effective tax rate. Marisol Villarreal-Alonzo, Auditor, explained that a recent change in the statute now requires specific wording for public notices. Revenue tax rate in place of effective tax rate and roll back rate is now called voter approval tax rate. The Court thanked the Auditor's office for their work and dedication to the budget. No action was taken.

**Clerk's Note:** Executive Session began at 11:19 a.m. and resumed back into open court at 12:25 p.m.



**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Commissioner Shell stated the resignation of Constable Ray Helm from precinct 3 has been publicized but he has not received anything in writing. He stated since no official resignation has been received that he does not think an appointment will need to be made at this time. Judge Becerra stated only the Precinct chairs of that precinct can choose appointments for their parties. He stated he was not in favor of choosing either appointment selected by the party chairs. Judge Becerra stated he spoke to General Counsel and the verbal resignation is sufficient documentation to accept. Commissioner Ingalsbe asked if an appointment is made, would that person need to be a resident in that specific precinct. Mark Kennedy, Office of General Counsel, stated that the appointed person would have to be a resident in the precinct on the day of their appointment. Commissioner Jones stated he is in support of Commissioner Shell's direction on the matter. Commissioner Smith stated he also supports Commissioner Shell, however he stated that regardless of party the Court should select the best candidate for the position. He also had concerns about the possibilities of the involvement of individuals within the Constable's office and their knowledge of the current resignation of the Constable. He stated he has reservations about appointing anyone from within the office. No action was taken.

**35459 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY CONSTABLE OFFICES RELATED TO PROVIDING SERVICES FOR COVID-19 TESTING SITES. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Judge Becerra stated this motion is to ensure the deputies that helped with testing sites are properly compensated. Commissioner Jones stated these hours worked are outside of the deputies' regular work schedule. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the overtime budget date to 3/16/20 the for all Deputy Constables Offices to preform law enforcement services related to COVID-19 testing sites. All present voted "Aye." MOTION PASSED.**

**35460 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to create one part-time Plans Examiner (20 hours per week), grade 113 effective 8/1/20 as presented. Position will be funded through salary savings within the OES Department and will be added for funding determinations to the FY21 budget workshops discussions. All present voted "Aye." MOTION PASSED.

**Clerk's Note Agenda Item #41 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - WAS PULLED.**

**DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.**

Judge Becerra read the Sheriff's update of the inmate population. The estimated cost for outsourcing was \$61,287.00 for the week of July 19<sup>th</sup> – July 25<sup>th</sup>, 2020. The number of outsourced males was 172 inmates and females were 6 inmates. The number of arrest made by agency are as follows; Buda Police Department - 5, Department of Public Safety – 1, Hays County Sheriff's Department – 55, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 20, San Marcos Police Department - 33, Texas State Police Department – 2. There are 62 inmates that have tested positive with COVID-19 as of July 27, 2020 at 11:00AM. This number does not include jail facility employees. No action taken.

**Clerk's Note Agenda Item #43 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. - WAS PULLED**



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**Clerk's Note Agenda Item #44 RE:** *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.*  
- WAS PULLED.

**Clerk's Note Agenda Item #45 RE:** *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.*  
- WAS PULLED.

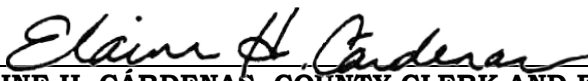
## ADJOURNMENT

A motion was made by Judge Becerra, seconded by Commissioner Jones to adjourn court at 2:16 p.m.

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I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 28, 2020.



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

