

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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SEPTEMBER 22, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 22<sup>nd</sup> DAY OF SEPTEMBER 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:

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:**

Rev. Stella Burkhalter, Kyle United Methodist 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 made public comments regarding Hays County spending. Eddie Warner made public comment about backing the police. Sheila Wray expressed her concern for Judge Becerra's support of Alex Villalobos, Emergency Management Coordinator and Chief of Staff, and that she was concerned that Judge Becerra is not supporting the police. Naomi Narvaiz made public comment about the US constitution being assaulted. Holly Collie commented she had a problem with an individual on her property that the police solved and that police should not be defunded. Daltyn Collie made public comment that police should not be defunded. Rick Adams made public comment backing the blue. Lee Ikels, Child Protective board of Hays County, made public comments that budget is low, but gave thanks for what the Judge and Commissioners have done for them so far. Karen Hoghaug made public comment about the Sheriff's Deputy who saved her dog during a fire and that the police should not be defunded. Mike Lee made public comments against defunding the police. William McCain made public comment to increase police budget. Donnie Williamson, Travis County Resident, made public comment supporting the Sheriff's Department. Diana Manweiler made public comment stating what happened in Austin is unacceptable and law enforcement needs to be funded. Kathy Lee made public comment backing the blue. Olivia Cross made public comments to not defund the police. Andy Hentschke made public comment backing the police. He stated ANTIFA is at our door and community outreach needs a better budget. Norma Blackwell made public comment appreciating the support from the Commissioners and Judge for support of CASA. Elaine H. Cárdenas, County Clerk read the following emailed comments to the court. Charles Adam Spencer made a public comment against defunding the police. Dickson de la Haya made public comments requesting an investment of \$25,000.00 from the 2021 budget for Capital IDEA for 7-10 Hays county students.

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

Alex Villalobos, Chief of Staff and Emergency Management Coordinator, gave updates to the court regarding the opening dates of testing locations. No action was taken.

**35634 ADOPT A PROCLAMATION DECLARING SEPTEMBER 17 - 23, 2020 AS CONSTITUTION WEEK.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to adopt a Proclamation declaring September 17 - 23, 2020 as Constitution Week. All present voted "Aye." MOTION PASSED.

**35635 ADOPT A PROCLAMATION DECLARING SEPTEMBER 15 - OCTOBER 15, 2020 AS HISPANIC HERITAGE MONTH.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring September 15 - October 15, 2020 as Hispanic Heritage Month. All present voted "Aye." MOTION PASSED.

**35636 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**35637 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. All present voted "Aye." MOTION PASSED.

**35638 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 8, 2020 AND SEPTEMBER 15, 2020.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of September 8, 2020 and September 15, 2020. All present voted "Aye." MOTION PASSED.

**35639 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR PREVENTION AND PREPAREDNESS RESPONSE FOR COVID-19 IN THE AMOUNT OF \$293,426 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for Prevention and Preparedness Response for COVID-19 in the amount of \$293,426 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35640 AUTHORIZE THE EXECUTION OF A GRANT CONTRACT AMENDMENT WITH TEXAS INDIGENT DEFENSE COMMISSION (TIDC) TO EXTEND THE TERM OF THE REGIONAL PADILLA COMPLIANCE PILOT PROJECT GRANT TO MARCH 31, 2022.**

Commissioner Shell noted this item went before the Criminal Justice Coordination Commission and was supported unanimously to extend the project. He also stated it is now opened for other areas of the state. A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of a grant contract amendment with Texas Indigent Defense Commission (TIDC) to extend the term of the Regional Padilla Compliance Pilot Project grant to March 31, 2022. All present voted "Aye." MOTION PASSED.

**35641 APPROVE THE APPOINTMENT OF KAREN HOUSEWRIGHT TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, TERM ENDING DECEMBER 31, 2022.**

Commissioner Jones thanked Ms. Housewright for her willingness to serve on the board. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the appointment of Karen Housewright to the Hays County Child Protective Board, term ending December 31, 2022. All present voted "Aye." MOTION PASSED.

**35642 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 2 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-501-000-B226 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM INFRASTRUCTURE PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize the execution of Amendment No. 2 to the General Land Office (GLO) Contract No. 18-501-000-B226 Community Development Block Grant Disaster Recovery Program Infrastructure Projects Non-Research & Development 2015 Flood Allocation. All present voted "Aye." MOTION PASSED.

**35643 APPROVE RENEWAL OF IFB 2020-B16 ROAD IMPROVEMENTS - REMOVE & REPLACE HOT MIX WITH TURNER PAVING & CONSTRUCTION INC. FOR A PERIOD NOT TO EXCEED NOVEMBER 15, 2020.**



Commissioner Smith stated the recent rain has caused a delay on construction. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve renewal of IFB 2020-B16 Road Improvements - Remove & Replace Hot Mix with Turner Paving & Construction Inc. for a period not to exceed November 15, 2020. All present voted "Aye." MOTION PASSED.

**35644 APPROVE UTILITY PERMITS.**

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

**35645 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A \$29,651 REFRESH AGREEMENT WITH EXACOM, INC. RELATED TO THE MULTI MEDIA RECORDING PLATFORM SYSTEM FOR RECORDING 911 AND NON-EMERGENCY CALLS, RADIO TRANSMISSIONS, AND VOIP FOR THE SHERIFF'S OFFICE EMERGENCY COMMUNICATION DIVISION; AND AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 262.024(A)(7)(D).**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a \$29,651 Refresh Agreement with Exacom, Inc. related to the Multi Media Recording Platform System for recording 911 and non-emergency calls, radio transmissions, and VOIP for the Sheriff's Office Emergency Communication Division; and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D). All present voted "Aye." MOTION PASSED.

**35646 APPROVE RENEWAL OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR ONE ADDITIONAL YEAR.**

Dan Lyon made a public comment stating the county is spending too much on this service. Tammy Crumley, Director of Countywide Operations, clarified that this service is being used fully. Commissioner Jones commented that he sees the trash being used. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve renewal of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for one additional year. All present voted "Aye." MOTION PASSED.

**35647 AUTHORIZE THE COUNTY JUDGE AND CONSTABLE MONTAGUE TO EXECUTE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY, THE CITY OF WIMBERLEY AND THE HAYS COUNTY CONSTABLE FOR PRECINCT 3 REGARDING TRAFFIC ENFORCEMENT IN PRECINCT 3.**

Jordan Powell, Office of General Counsel, stated there is a change in the handout that was not included in the backup. Commissioner Shell gave more information on this item. Commissioner Smith gave thanks for the officers that helped with this item. Judge Becerra asked Constable Montague for more clarification on a certain issue for the people on this item. Mayor Gina Fulkerson spoke about trying to best serve the community. They are currently monitoring this agenda item. Rebecca Minnick, Wimberley City Council Member, also spoke on this agenda item. Judge asked Constable Montague about coordinating communications at the Sheriff's department. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge and Constable Montague to execute an Interlocal Cooperative Agreement between Hays County, the City of Wimberley and the Hays County Constable for Precinct 3 regarding traffic enforcement in Precinct 3. All present voted "Aye." MOTION PASSED.

**35648 AUTHORIZE THE COUNTY JUDGE TO EXECUTE OF FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HALFF AND ASSOCIATES EXECUTED ON OR ABOUT SEPTEMBER 19, 2017 RELATED TO FLOOD MITIGATION ASSISTANCE.**

Commissioner Shell stated this item is a project that will model Purgatory Creek and Willow Springs Creek. Commissioner Ingalsbe stated H.E.B. has been a big supporter of this project. She noted this project will help the areas that are affected by flooding. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute of First Amendment to the Professional Services Agreement between Hays County and Halff and Associates executed on or about September 19, 2017 related to flood mitigation assistance. All present voted "Aye." MOTION PASSED.



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- 35649 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 1 BETWEEN HAYS COUNTY AND LNV, INC. FOR THE SH 21 AT FM 1966 INTERSECTION/SAFETY IMPROVEMENTS PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.**

Commissioner Ingalsbe stated this will cover additional design work to incorporate a signal pole for safety. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Contract Amendment No. 1 between Hays County and LNV, Inc. for the SH 21 at FM 1966 Intersection/Safety Improvements project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

- 35650 APPROVE THE RELEASE OF THE MAINTENANCE BOND #0722765 IN THE AMOUNT OF \$709,843.20, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 12.**

Commissioner Jones stated there is staff approval for this item. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the release of the maintenance bond #0722765 in the amount of \$709,843.20, and the acceptance of roads into the county road maintenance system for Stonefield subdivision, Section 12. All present voted "Aye." MOTION PASSED.

- 35651 APPROVE THE RELEASE OF THE MAINTENANCE BOND #46BCSHY1378 IN THE AMOUNT OF \$188,835.86, RELEASE OF THE REVEGETATION BOND #K13533428 IN THE AMOUNT OF \$61,000.00, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR BURBA RANCH SUBDIVISION (A.K.A. ESTATES OF SAWYER RANCH).**

Commissioner Smith stated this item has full staff recommendation. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the release of the maintenance bond #46BCSHY1378 in the amount of \$188,835.86, release of the revegetation bond #K13533428 in the amount of \$61,000.00, and the acceptance of roads into the county road maintenance system for Burba Ranch subdivision (a.k.a. Estates of Sawyer Ranch). All present voted "Aye." MOTION PASSED.

- 35652 APPROVE A RESOLUTION SUPPORTING THE DEVELOPMENT OF THE ROBERT S. LIGHT BLVD. EXTENSION PROJECT AND URGING THE TEXAS DEPARTMENT OF TRANSPORTATION TO APPROVE THE ROBERT S. LIGHT BLVD. EXTENSION PROJECT ENVIRONMENTAL DOCUMENT IN A TIMELY MANNER SO THAT THE DEVELOPMENT OF THE ROBERT S. LIGHT BLVD. EXTENSION PROJECT MAY PROCEED TO CONSTRUCTION AS EXPEDITIOUSLY AS POSSIBLE.**

Commissioner Jones stated his precinct is ready to move forward on this project. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a Resolution Supporting the Development of the Robert S. Light Blvd. Extension Project and Urging the Texas Department of Transportation to Approve the Robert S. Light Blvd. Extension Project Environmental Document in a Timely Manner So That the Development of the Robert S. Light Blvd. Extension Project May Proceed to Construction As Expeditiously As Possible. All present voted "Aye." MOTION PASSED.

- 35653 APPROVE A REMOVAL AND REIMBURSEMENT AGREEMENT BETWEEN HAYS COUNTY AND TEXACO DOWNSTREAM PROPERTIES, INC. AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE REMOVAL AND REIMBURSEMENT AGREEMENT ON BEHALF OF HAYS COUNTY.**

Commissioner Jones stated this reimbursement will cover the removal of an abandoned pipeline. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a Removal and Reimbursement Agreement between Hays County and Texaco Downstream Properties, Inc. and authorize the County Judge to execute the Removal and Reimbursement Agreement on behalf of Hays County. All present voted "Aye." MOTION PASSED.

- 35654 HOLD A PUBLIC HEARING WITH POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE REPLAT OF LOTS 11 & 12, HURLBUT RANCH EAST SUBDIVISION; PLN-1466-PC.**

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Judge Becerra opened the public hearing. No comments were made. Judge Becerra closed the public hearing. Commissioner Smith stated this item has full staff approval and no variances. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to hold a public hearing with possible action to approve the final plat of the Replat of Lots 11 & 12, Hurlbut Ranch East Subdivision; PLN-1466-PC. All present voted "Aye." MOTION PASSED.**

**35655 APPROVE THE 2021 SHERIFF & CONSTABLE FEES.**

Mark Kennedy, Office of General Counsel, requested this item be reopened. He stated there was a scrivener's error in the backup. The range should be \$10,000.01 to cover the gap not \$10,001.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the 2021 Sheriff & Constable Fees. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Judge Becerra reopened this item at 11:04 a.m. to correct scrivener's error.

**35656 AUTHORIZE THE SHERIFF'S OFFICE TO HIRE A MECHANIC, SLOT 1060-001 AT THE 7TH PERCENTILE.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to hire a Mechanic, slot 1060-001 at the 7th percentile. All present voted "Aye." MOTION PASSED.

**35657 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INFORMATION RELEASE CONTRACT WITH THE TEXAS WORKFORCE COMMISSION FOR THE BENEFIT OF THE HAYS COUNTY CONSTABLE, PRECINCT 1.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Information Release Contract with the Texas Workforce Commission for the benefit of the Hays County Constable, Precinct 1. All present voted "Aye." MOTION PASSED.

**35658 AUTHORIZING THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH WESTLAW THOMPSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES IN THE HAYS COUNTY OFFICE OF GENERAL COUNSEL WITH FUNDS BUDGETED FOR FY2021.**

Commissioner Ingalsbe stated the county needs to have this contract for each service provided. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorizing the County Judge to execute a contract with Westlaw Thompson Reuters for online legal research services in the Hays County Office of General Counsel with funds budgeted for FY2021. All present voted "Aye." MOTION PASSED.**

**35659 AUTHORIZE THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION PROJECT APPLICATION TO THE GENERAL LAND OFFICE AND AUTHORIZE THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MANNERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT -MITIGATION PROGRAM.**

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a Community Development Block Grant - Mitigation Project Application to the General Land Office and authorize the County Judge to act as the County's Executive Officer and Authorized Representative in all manners pertaining to the County's participation in the Community Development Block Grant - Mitigation Program. All present voted "Aye." MOTION PASSED.

**HOLD A PUBLIC HEARING ON THE FY 2021 HAYS COUNTY PROPOSED BUDGET - 1:00 P.M.**

Judge Becerra opened the public hearing. Dan Lyon made a public comment regarding economic hardship on for the Hays County citizens. Britney Richey, Treasurer, made a request for one additional staff member in her office. Jeff McGill, Information Technology Director, gave additional information regarding items on his requested list. No action was taken.



**35660 SET THE FY 2021 SALARIES AND ALLOWANCES FOR HAYS COUNTY ELECTED OFFICIALS.**

Vickie Dorsett, Auditor's Office, stated there are no salary increases. There are slight increases for longevity for any elected official that has been with the county longer than four years. **A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to set the FY 2021 salaries and allowances for Hays County Elected Officials as presented. All present voted "Aye." MOTION PASSED.**

**35661 ADOPT THE FY 2021 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL CHANGES AS A RESULT OF THE PUBLIC HEARING.**

Vickie Dorsett, Auditor's Office, stated today is the final vote for changes to the budget. She stated the court can make changes to the tax rate by decreasing not increasing. She noted some changes made in final review. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve a position in the Treasurer's office starting in April 2021. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Jones, seconded by Commissioner Smith to add an administrative assistant I from part time to full time position with an impact of \$26,190.00 on the budget. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to add \$5,000.00 per each to the of the following social services agencies; the Food Bank, Hays Caldwell Women's Center, Greater San Marcos Youth Shelter, Court Appointed Special Advocates (CASA), Hays County Child Protective Board, Prevent A Litter (PALS), and Capital IDEA, \$5,000.00 each for 7 of those at a total of \$35,000.00. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve all the remaining items in the general fund that are overall savings in various departments, two savings and two expenditures. The Sheriff's office, the leased vehicles that were discussed. The jail, the Wellpath reduction of \$12,278.00, Constable 1 bullet proof vest and the Transunion contract, Constable 3 washing out the ILA with the City of Wimberley and adding two bullet proof vests, and \$1,500.00 in continuing education. The reserve items mentioned in Emergency Services and Information Technology and the software maintenance and Dripping Springs switches and Information Technology in the general fund. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Shell, seconded by Commissioner Smith to include all of the other funds that are listed after the general fund which include road and bridge, drug forfeiture, road bond, records management, fire code, HAVA, and the CARES fund. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to allocate the \$113,399.00 into a contingency in jail operations. All present voted "Aye." MOTION PASSED.**

**A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to adopt the FY 2021 Hays County budget to include all changes as presented. All present voted "Aye." MOTION PASSED.**

**35662 RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2021 HAYS COUNTY BUDGET.**

Dan Lyon made a public comment stating that we need less government. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the property tax increase reflected in the FY 2021 Hays County budget. Adoption of a budget that will require raising more revenue from property taxes than in the previous years requires a separate vote of the Commissioner's Court to ratify the property tax increase reflected in the budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$4,619,577 or 5.18% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$4,396,386." All present voted "Aye." MOTION PASSED.**

**35663 APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2021 AND LEVY THE TAXES.**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell that the property tax rate be set by the adoption of a tax rate of 42.12¢, 26.78¢ - General Maintenance & Operations, 12.46¢ - General Debt., 2.88¢ - Road and Bridge Maintenance & Operations. All present voted "Aye." MOTION PASSED. All present voted "Aye." MOTION PASSED.**

**Clerk's Note:** Executive Session began at 11:06 a.m. and resumed back into open court at 1:02 p.m.



**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY LAW ENFORCEMENT ASSOCIATION (HCLEA); AND CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS SUBJECT TO SAID COLLECTIVE BARGAINING AGREEMENT. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**35664 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF REAL PROPERTY LOCATED ON OR NEAR HERMOSA PALOMA IN PRECINCT 3. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize General Counsel to execute a subordination Agreement between Hays County and Central National Bank, related to liens on 5.7 acres of land described as Lot 9 within Hermosa Paloma overlook. All present voted "Aye." MOTION PASSED.

**35665 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; AND CONSULTATION WITH COUNSEL REGARDING EVACUATION ASSISTANCE RELATED TO THE HURRICANE LAURA DISASTER. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

Judge Becerra notes the county will seek reimbursement from the state. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment of \$10,477.51 to Denise Treadwell as reimbursement for the reservation of hotel rooms and payment of \$3,419.38 to Candlewood Suites Buda and \$4,094.00 to White Rock Inn San Marcos for the reservation of hotel rooms in response to Hurricane Laura; and to find that such actions fulfilled a public purpose in anticipation of storm evacuees. Payment to the two hotels is anticipated to result in the cancellation of an \$18,495.95 charge to Denise Treadwell. Under those same findings, motion to authorize payment of the remainder of charges associated with hotel room reservations, to be reconciled by the auditor's office and paid using a card issued to the Auditor's office estimated to be \$9,936.73 plus the monies to be paid to the two hotels under the previous motion. In addition, authorize payment to Central Texas Food Bank in the amount of \$1,659.00 for meals associated with Hurricane Laura, where no purchase order was issued as required per County Purchasing policy. All assistance related to this disaster will be funded with county wide contingencies, and County Auditor's Office will seek reimbursement from the State due to Cash Assistance Program. All present voted "Aye." MOTION PASSED.

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

Judge Becerra announced there is no burn ban recommendation due to the recent rainfall.

**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 \$56,062.00 for the week of September 13 – September 19, 2020. The number of outsourced males was 166 inmates and females were 2 inmates. The number of arrest made by agency are as follows; Buda Police Department - 5, Department of Public Safety – 4, Hays County Sheriff's Department – 65, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 17, San Marcos Police Department - 41, Texas State Police Department – 2. No action taken.

**Clerk's Note Agenda Item #38 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. – WAS PULLED.**



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**Clerk's Note Agenda Item #39 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 #40 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 12:55 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 September 22, 2020.



*Elaine H. Cardenas*

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

