



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 5TH DAY OF FEBRUARY A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Reverend Martin Newton with the First Baptist Church in San Marcos gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

28740 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$1,335,883.83 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

28741 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 29, 2013

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of January 29, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

28742 ACCEPT A DONATION IN THE AMOUNT OF \$500.00 TO THE HAYS COUNTY SHERIFF'S OFFICE JR. DEPUTY PROGRAM AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a donation in the amount of \$500.00 to the Hays County Sheriff's Office Jr. Deputy Program and amend the budget accordingly. All voting "Aye". MOTION PASSED

28743 APPROVE THE RE-APPOINTMENT OF EDWIN SILLMAN TO A VACANT POSITION ON THE HAYS COUNTY CHILD PROTECTIVE BOARD

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Edwin Sillman to a vacant position on the Hays County Child Protective Board. All voting "Aye". MOTION PASSED

28744 APPROVE AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS STARTING FEBRUARY 11, 2013 AND ENDING FEBRUARY 22, 2013 TO DISPOSE OF SURPLUS ITEMS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152 FROM THE PCT. 2 OFFICES, SHERIFF'S OFFICE AND ANY OTHER OFFICES THAT MAY HAVE ITEMS TO PLACE IN THE AUCTION

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve an online auction with Rene Bates Auctioneers starting February 11, 2013 and ending February 22, 2013 to dispose of surplus items pursuant to Texas Local Government Code 263.152 from the Pct. 2 offices, Sheriff's office and any other offices that may have items to place in the auction. All voting "Aye". MOTION PASSED



- 28745 APPROVE DOUBLE FILLING THE TAX SUPERVISOR POSITION, SLOT 0320-001, WITHIN THE HAYS COUNTY TAX OFFICE, FOR THE PERIOD OF APRIL 15, 2013 THROUGH MAY 31, 2013 AND AUTHORIZE THE POSITION TO BE FILLED INTERNALLY OR EXTERNALLY AT THE 25TH PERCENTILE**

The Tax Supervisor, slot 0320-001 will retire on 05/31/2013. Effective April 15, 2013-promote Tax Deputy to Tax Supervisor @ 25th percentile Double Fill position through May 31, 2013. Funds available from Salary Savings; 001-619-00.5021. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve double filling the tax supervisor position, slot 0320-001, within the Hays County Tax Office, for the period of April 15, 2013 through May 31, 2013 and authorize the position to be filled internally or externally at the 25th percentile. All voting "Aye". MOTION PASSED**

- 28746 APPROVE THE ELIMINATION OF THE SUBSTATION CHIEF DEPUTY, SLOT 0338-001, GRADE 110, WITHIN THE HAYS COUNTY TAX OFFICE, CREATE A NEW TAX DEPUTY, SLOT 0342-014, GRADE 107, AND ALLOW THE NEW POSITION TO BE FILLED WITH THE CURRENT SUBSTATION CHIEF DEPUTY AT A SALARY OF \$38,741 PER YEAR, EFFECTIVE ON THE MOVE DATE INTO THE NEW PRECINCT 2 OFFICE**

Due to the consolidation of the Buda and Kyle Tax offices into the new Precinct 2 Building, a Substation Chief Deputy Position, slot 0338-001, can be replaced with a new Tax Deputy Position, grade 107. Authorization is required to eliminate slot 0338-001, create the new Tax Deputy Position, and allow the position to be filled with the current substation Chief Deputy at a salary of \$38,741. The salary will be outside of the grade 107 pay range. County policy for any future pay raises would apply. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the elimination of the Substation Chief Deputy, slot 0338-001, grade 110, within the Hays County Tax Office, create a new Tax Deputy, slot 0342-014, grade 107, and allow the new position to be filled with the current Substation Chief Deputy at a salary of \$38,741 per year, effective on the move date into the new Precinct 2 Office. All voting "Aye". MOTION PASSED**

- 28747 ACCEPT A DONATION OF \$1,000.00 TO HAYS COUNTY SHERIFF'S OFFICE TO PURCHASE EQUIPMENT FOR THE K-9 UNIT AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received a donation from the Hays County Sheriff's Citizen Association and would like to use it towards the purchase of equipment for the K-9 Unit. The donation only covers a portion of the cost of the equipment. The Sheriff's Office has identified the remaining funds from Sheriff's Federal Discretionary Account. Amount Required \$1,000.00; Increase Revenue: 001-618-00.4610 (Contributions) (\$1,000.00) Budget Expense: 001-618-00.5719 (Misc. Equipment) \$1,000.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a donation of \$1,000.00 to Hays County Sheriff's Office to purchase equipment for the K-9 Unit and amend the budget accordingly. All voting "Aye". MOTION PASSED**

- 28748 APPROVE FORM FOR WAIVER OF LIABILITY TO BE USED AT THE JACOBS WELL NATURAL AREA AND AUTHORIZE COUNSEL TO MAKE MODIFICATIONS TO FORMS WHEN APPROPRIATE, ON A CASE BY CASE BASIS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve form for waiver of liability to be used at the Jacobs Well Natural Area and authorize counsel to make modifications to forms when appropriate, on a case by case basis. All voting "Aye". MOTION PASSED

- 28749 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SOFTWARE AND SERVICES PROPOSAL FOR THE CARTEGRAPH FLEET FOR WORKDIRECTOR SOFTWARE FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY**

During the FY 2013 budget process, the Commissioner's Court approved funding for the Transportation Department to purchase an additional module for Cartegraph that will track work orders for their fleet more efficiently. Also, a portion of the funds were inadvertently budgeted in the continuing education line item and need to be moved to the equipment line item to appropriately asset the cost of the system. Amount required \$ 13,954 – budgeted. Decrease: 020-710-00.5551 Continuing Education (2,994); Increase: 020-710-00.5718_700 Software - Capital 2,994. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Software and Services Proposal for the Cartegraph Fleet for WORKdirector software for the Transportation Department and amend the budget accordingly. All voting "Aye". MOTION PASSED**



28750 APPROVE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN FREESE AND NICHOLS, INC. AND HAYS COUNTY FOR ADDITIONAL CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE NUTTY BROWN DRAINAGE PROJECT

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve an Agreement for Professional Services between Freese and Nichols, Inc. and Hays County for additional Construction Administration and Inspection Services for the Nutty Brown Drainage project. All voting "Aye". MOTION PASSED

28751 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH HNTB CORPORATION FOR PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES ON THE FM 110 PROJECT IN HAYS COUNTY

Carlos Lopez Director of Transportation Services Division at HNTB spoke. County proposes to revise the proposed access to the future FM 110 project which would require a re-evaluation of the current Environmental Assessment. Amount required \$187,000.00 line item 023-801-96-504.5621_400. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a contract with HNTB Corporation for professional engineering and environmental services on the FM 110 project in Hays County. All voting "Aye". MOTION PASSED**

28752 WAIVE PLAT REQUIREMENTS FOR OWNERS OF PROPERTY LOCATED AT 225 EL CAMINO WAY IN PRECINCT 1

Roxie McInnis Development Services Manager spoke. The owners of a former 5.1 acre parcel located at 225 El Camino Way have requested a waiver of platting requirements so that permits may be issued on the property. This 5.1 acre parcel was bisected on November 6, 2012 when a 0.366 acre parcel was sold to the City of San Marcos for the proposed extension of Rattler Road. The Rattler Road right-of-way is located over the drainfield for the existing residential on-site sewage facility and needs to be replaced. The Commissioners Court has adopted an exemption process for properties which have been divided for ten or more years. The 5.1 acre parcel would have qualified for the exemption, however, because a portion has been sold, the exemption is no longer applicable. The owners feel that platting the property is an undue burden. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to waive plat requirements for owners of property located at 225 El Camino Way in Precinct 1. All voting "Aye". MOTION PASSED**

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 REAL PROPERTY RELATED TO THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES

Court convened in Executive Session at 9:15 a.m. and reconvened in open court at 9:30 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING DRAFT LEGISLATION RELATED TO THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

Court convened in Executive Session at 9:31 a.m. and reconvened in open court at 10:25 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb stated that the Burn Ban will remain in effect, per his conversation with the Fire Marshal.

County Clerk's Note Agenda Item #17 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PRECINCT 2 FACILITY PROJECT; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT – was pulled



County Clerk's Note Agenda Item #18 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR – was pulled*

County Clerk's Note Agenda Item #19 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY – was pulled*

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court.

I, LIZ Q. GONZALEZ, 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 February 5, 2013.



LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

