



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 20<sup>TH</sup> DAY OF AUGUST 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
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH WILL CONLEY COMMISSIONER, PCT. 3 BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS

Gary Smith, Retired Air Force Chaplin 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.

**28228            ADOPT A RESOLUTION IN SUPPORT OF RECOGNIZING CONNIE BAGLEY FOR HER 2013-2014 TEXAS' REGION 13 TEACHER OF THE YEAR AWARD**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution in support of Recognizing Connie Bagley for her 2013-2014 Texas' Region 13 Teacher of the Year Award. All present voting "Aye". MOTION PASSED

**28229            APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$710,808.99 and add an invoice in the amount of \$582,838.64 to Joe Bland Construction for the Project CR 266 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**28230            APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 13, 2013**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioner Court Minutes of August 13, 2013 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**28231            ACCEPT A DONATION IN THE AMOUNT OF \$500.00 TO THE HAYS COUNTY SHERIFF'S OFFICE, COMMUNITY OUTREACH DIVISION FOR THE 2013 NATIONAL NIGHT OUT PROGRAM AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office, Community Outreach Division received a donation in the amount of \$500.00 for National Night Out 2013. Amount required \$500.00; \$500.00 052-618-00.5222 - Crime Prevention. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept a donation in the amount of \$500.00 to the Hays County Sheriff's Office, Community Outreach Division for the 2013 National Night Out Program and amended the budget accordingly. All present voting "Aye". MOTION PASSED

**28232            APPROVE AN OUT OF STATE TRAVEL REQUEST FOR EMERGENCY MANAGEMENT COORDINATOR KHARLEY SMITH TO ATTEND THE NATIONAL ALL HAZARDS INCIDENT MANAGEMENT TEAM ASSOCIATION CONFERENCE FROM NOVEMBER 16-21 IN CHARLESTON, SC**

Requesting authorization to attend the National All Hazards Incident Management Team Association Conference from November 16-21 in Charleston, SC. This conference provides a cost efficient method of obtaining in depth emergency management and incident response training. Early registration includes position specific training on the 16-18 at no additional cost and a reduced registration fee. This will be paid for in FY14. Amount required \$1,392.00 line item 001-656-00.5551. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an out of State Travel Request for Emergency Management Coordinator Kharley Smith to attend the National All Hazards Incident Management Team Association Conference from November 16-21 in Charleston, SC. All present voting "Aye". MOTION PASSED



**28233 AMEND THE CERT GRANT BUDGET TO USE SAVINGS IN CONTINUING EDUCATION FOR PRINTING SERVICES**

CERT will distribute Emergency Guides for the public. This grant does not require a match. Amount required \$1,260.00; Decrease Expense 001-656-99-072.5551 Continuing Education (\$1,260.00); Increase Expense 001-656-99-072.5461 Printing Services \$1,260.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the CERT grant budget to use savings in continuing education for printing services. All present voting "Aye". MOTION PASSED**

**28234 AMEND THE VETERAN'S ADMINISTRATION BUDGET FOR ADDITIONAL CONTINUING EDUCATION FOR VSO ACCREDITATION TRAINING**

Alan Cameron – San Marcos Resident spoke. Savings within the VA budget will be used. No additional funds are needed. Amount required \$730.00; Decrease -\$230 Office; -\$300 Travel; -\$100 Postage; -\$100 Telephone/Data. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Veteran's Administration Budget for additional continuing education for VSO Accreditation Training. All present voting "Aye". MOTION PASSED**

**28235 MOVE FUNDS WITHIN THE JUSTICE COURT TECHNOLOGY FUND TO PURCHASE 4 SCANNERS FOR VIDEO MAGISTRATION CAPABILITIES**

Amount required \$3,475.00; Decrease Data Supplies: 112-628-00.5202 (\$3,475); Increase Computer Eqpt: 112-628-00.5712\_400 \$3,475. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move funds within Justice Court Technology Fund to purchase 4 Scanners for Video Magistration capabilities. All present voting "Aye". MOTION PASSED**

**28236 AMEND THE 911 GRANT BUDGET TO USE SAVINGS IN CONTINUING EDUCATION FOR OFFICE AND COMPUTER SUPPLIES**

Amount required \$3,280.00; Decrease Expense 001-657-99-037.5551; Continuing Education (\$3,280.00); Increase Expense 001-657-99-037.5211 Office and Computer Supplies \$3,280.00. **A motion was made by Commissioner Jones seconded by Commissioner Whisenant to Amend the 911 Grant Budget to use savings in continuing education for office and computer supplies. All present voting "Aye". MOTION PASSED**

**28237 APPROVE THE PURCHASE OF A PANASONIC TOUGH PAD FOR EMERGENCY MANAGEMENT FOR \$3,561.00, PRINTING SERVICES AND TRAVEL THROUGH UTILIZATION OF THE FY13 PHEP GRANT SURPLUS IN SALARIES, FRINGE AND CONTINUING EDUCATION AND AMEND THE BUDGET ACCORDINGLY**

The Office of Emergency Management would utilize the Tough Pad device for access to the computer aided dispatch software to gain real time situational awareness of the County's status and available resources in addition to its application in public outreach meetings and presentations. Printing services will be used to inform the public about emergency information accessibility. The PHEP grant has surplus in salary and fringe due to temporary vacancies and one less employee using medical insurance. This amendment is necessary in order to spend the remainder of the grant award and to meet the 10% match requirement. Amount required \$19,780.00; Decrease Expense 120-675-99-058.5021 Staff Salaries (\$1,785.00); Decrease Expense 120-675-99-058.5101\_100 FICA (\$754.00); Decrease Expense 120-675-99-058.5101\_200 Medicare (\$176.00); Decrease Expense 120-675-99-058.5101\_300 Retirement (\$1,297.00); Decrease Expense 120-675-99-058.5160\_400 Medical Insurance (\$14,080.00); Decrease Expense 120-675-99-058.5160\_500 Dental Insurance (\$168.00); Decrease Expense 120-675-99-058.5160\_600 Life Insurance (\$20.00); Decrease Expense 120-675-99-058.5551 Continuing Education (\$1,500.00); Increase Expense 120-675-99-058.5461 Printing Services \$16,019.00; Increase Expense 120-675-99-058.5501 Travel \$200.00; Increase Expense 120-675-99-058.5712\_400 Computer Equipment Operating \$3,561.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the purchase of a Panasonic Tough Pad for Emergency Management for \$3,351.00 printing services and travel through utilization of the FY13 PHEP Grant surplus in salaries, fringe and continuing education and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**28238 MOVE FUNDS FROM DEVELOPMENT SERVICES TO THE INFORMATION TECHNOLOGY BUDGET FOR THE PURCHASE OF 8 ADOBE SOFTWARE LICENSES**

Recent changes to the Division's permitting software, adherence to the County's Records Management standards, and the increasing cost of paper storage have caused the Division to re-examine the permitting and plan review process. The Acrobat licenses will allow staff to perform digital plan reviews, a necessary step as



the Division pursues paperless permitting. Amount Required \$2,148.00; (\$1,730) – Misc (\$271) – Travel (\$147) – Books; Increase IT: \$2,148. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to move funds from Development Services to the Information Technology Budget for the purchase of 8 Adobe Software Licenses. All present voting "Aye". MOTION PASSED**

**28239 APPOINT CLINT GARZA TO REPLACE COMMISSIONER CONLEY ON THE SAN MARCOS MAIN STREET PROGRAM BOARD**

Commissioner Conley has served as the Hays County representative on the Main Street Program Board since August 5, 2008 after replacing Sandra Irvin. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to appoint Clint Garza to replace Commissioner Conley on the San Marcos Main Street Program Board. All present voting "Aye". MOTION PASSED**

**28240 AUTHORIZE THE DISTRICT COURT TO FILL THE COURT COORDINATOR POSITION FOR \$30,000 A YEAR AND AMEND THE BUDGET ACCORDINGLY**

Amount required \$4,894.00 line item number 001-608-00]. Salary savings within the Auditor's Office (due to attrition) will be used to fund this request. Minimum for Grade 108 is \$26,549 and the District Court want to pay her \$30,000 which is at the 26 percentile. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the District Court to fill the Court Coordinator position for \$30,000 a year and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**28241 APPROVE RECOMMENDATION OF FORESTAR FOR THE RFP 2013-P05 "ALTERNATIVE GROUNDWATER SUPPLY" AND AUTHORIZE LEGAL COUNSEL TO NEGOTIATE CONTRACT**

Terry Tull – Dripping Springs Resident spoke. After evaluation of the proposal from FORESTAR it is the recommendation to Commissioners Court to negotiate contract with FORESTAR for RFP 2013-P05 Alternative Groundwater Supply. Item will be placed on September 3rd Commissioners Court Agenda for further discussion. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve recommendation of FORESTAR for the RFP 2013-P05 "Alternative Groundwater Supply" and authorize legal counsel to negotiate contract. All present voting "Aye". MOTION PASSED**

**28242 AUTHORIZE COUNTY JUDGE TO EXECUTE A MASTER AGREEMENT AMENDMENT AND WORK AUTHORIZATION WITH LOCKWOOD, ANDREWS AND NEWNAM, INC. FOR THE PROFESSIONAL SERVICES NECESSARY TO PROCURE RIGHT-OF-WAY FOR THE DACY LANE PHASE 2 PRIORITY ROAD BOND PROGRAM PROJECT**

Dacy Lane was identified as a County roadway warranting safety improvements as part of the 2008 Priority Road Bond Program. The project scope described in the bond program included the initial engineering studies required to begin environmental clearance as well as ROW preservation. The initial Master Agreement included only the work necessary to determine the preferred alignment for the roadway through the corridor. This work was completed and a preferred alignment determined. A subsequent supplement to this work authorization was approved by the Court on December 20, 2011 to permit advancing design to the 30% level to adequately define right-of-way limits for acquisition purposes. At this time, 30% design is substantially complete and right-of-way needs have been adequately defined to allow acquisition. Amount required \$279,363.00. Funds are available within the priority road bond program budget. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize County Judge to execute Master Agreement and Work Authorization with Lockwood, Andrews and Newnam, Inc. for the professional services necessary to procure right-of-way for the Dacy Lane Phase 2 Priority Road Bond Program Project. All present voting "Aye". MOTION PASSED**

**County Clerk's Note Agenda Item # 16 RE:** *Discussion and possible action to authorize the County Judge to execute a Memorandum of Understanding (MOU) regarding the dedication of roadways and Right of Way in the Deerfield Estates II Subdivision – was pulled*

**28243 ADOPT THE ELECTION DAY POLLING SITES AND CONSOLIDATION OF PRECINCTS FOR THE NOVEMBER 5, 2013, CONSTITUTIONAL AMENDMENT ELECTION**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to Adopt the Election Day Polling sites and consolidation of precincts for the November 5, 2013, Constitutional Amendment Election. All present voting "Aye". MOTION PASSED**



**28244 ADOPT THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE NOVEMBER 5, 2013, CONSTITUTIONAL ELECTION**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the Early Voting Schedule (Dates & Times) for the November 5, 2013, Constitutional Election with the changes to include the City of Buda to Friday, October 25<sup>th</sup> instead of Friday the 1<sup>st</sup> and to move the Wimberley Community Center, Saturday voting on October 26<sup>th</sup> to the Woodcreek City Hall. All present voting "Aye". MOTION PASSED

**28245 VOTE ON A PROPOSED TAX RATE AND PROPOSED BUDGET FOR FY 2014 SCHEDULE A PUBLIC HEARING ON THE FY 2014 BUDGET, AND SCHEDULE A PUBLIC HEARING ON THE TAX RATE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the Proposed Tax Rate 46.90 and to approve the Judge's recommended budget with the amendments that were made. All present voting "Aye". MOTION PASSED

**28246 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT REGARDING THE 22ND JUDICIAL DISTRICT COURT'S USE OF LEXIS NEXIS SERVICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute contract regarding all District Court's use of Lexis Nexis Services. All present voting "Aye". MOTION PASSED

**28247 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE MOTOR VEHICLE LICENSE REGISTRATION AGENT AGREEMENT WITH HAYS COUNTY TAX ASSESSOR-COLLECTOR AND HEB GROCERY COMPANY, LP ("DISTRIBUTOR")**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute the Motor Vehicle License Registration Agent Agreement with Hays County Tax Assessor- Collector and HEB Grocery Company, LP. All present voting "Aye". MOTION PASSED

**28248 10:30 AM FINALIZE A PROPOSED BUDGET FOR FY 2014**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Re-grade Treasurer Payroll Manager to grade 112 with the total final impact of \$10,708 - no merit or cola FY14. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Re-grade Court Trainer in Justice of Peace Precinct 3 from 110 to 111 – no financial impact. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones approve the creation of the Assistant Court Coordinator at the amount of \$43,064 and move position to the County Court of Law and remove Bail Bond Assistant and budget revenue from bond forfeiture in general fund. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve JP 5 a part-time Justice Clerk to full-time Employee with the final impact of \$7,584. Commissioner Ingalsbe voting "No", Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to increase Constable Precinct 4 Justice Clerk to the 50th percentile. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve one full time new Deputy Constable Position for Constable Precinct 1 beginning April 1, 2014 in the amount with the total impact of \$31,628.00. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Aerial Photos in the amount of \$20,000.00. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve one new Deputy Constable for Constable Precinct 2 effective April 1, 2014 with the total final impact of \$31,628.00. All present voting "Aye". MOTION PASSED



An amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to review back in two weeks to have both Constable Deputy positions Pcts. 1 & 2 before adoption to see if we could fund an earlier start date.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve part time employee to a full time employee for Justice of Peace 1-2 with a budget impact of \$7,464. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a Mobile Radio for Reserve Vehicle for Constable Pct. 5 and remove EMC approved tablet – purchased FY13 in the amount of \$3,500.00 from Information Technology Budget. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a Re-grade Admin III to Chief of Staff, grade 117 in the County Judge's Office with total impact of \$31,635.00 and Re-grade Human Resources Compensation Analyst to 113 with no budget impact. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve San Marcos-Hays Co EMS for additional funding to coincide with City of San Marcos total impact of \$24,000 and \$80,000 from the Radio's rollover FY13 funds. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to use funds in the amount \$100,000 from reserves for preliminary work or sale of property from the Civic Center Project. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to change effective date for Collective Bargaining placement into new range to January 1, 2014. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the new Collective Bargaining pay rates to 12 new Correction Officers in the amount of \$11,051. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to maintain effective date for Employees 4% Merit Pool & E/O 2% to October 1, 2013. All present voting "Aye". MOTION PASSED

#### **DISCUSSION OF ISSUES RELATED TO INMATE POPULATION AT THE HAYS COUNTY JAIL**

Lt. Julie Villalpando with the Hays County Sheriff spoke. Hays County's current maximum Jail capacity is 362 inmates. Jail Standards recommends holding approximately 10% of capacity open. That lowers our recommendation to 311. The jail's daily average was 306 and peak was 321 for the week of August 11-17, 2013. The maximum female capacity was 39 and peak was 43 on 8/16/2013. The maximum male capacity is 276 inmates. Last week's average was 270 and peak was 281 on 8/15/2013.

#### **ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Burn Ban will remain in place per Fire Marshal.

**County Clerk's Note Agenda Item #25 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 #26 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 #27 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 Jones, seconded by Commissioner Whisenant 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 August 20, 2013.



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

