



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 10TH DAY OF SEPTEMBER 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:

Gary Smith, Retired Air Force Chaplain 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.

PUBLIC COMMENT

T.K. Schneider - San Marcos Resident spoke.

28289 ADOPT A PROCLAMATION RECOGNIZING THE WEEK OF SEPTEMBER 17, 2013-SEPTEMBER 23RD AS CONSTITUTION WEEK

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a Proclamation recognizing the week of September 17, 2013 – September 23rd as Constitution Week. All voting "Aye". MOTION PASSED

28290 ADOPT A PROCLAMATION DECLARING THE SECOND WEEKEND OF OCTOBER, 2013 AS HILL COUNTRY BBQ & CHILI COOK-OFF STATE CHAMPIONSHIP LULAC 4876 WEEKEND

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring the second weekend of October, 2013 as Hill Country BBQ & Chili Cook-Off State Championship LULAC 4876 Weekend. All voting "Aye". MOTION PASSED

28291 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve County Invoices in the amount of \$251,146.31 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

28292 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 3, 2013

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of September 3, 2013. All voting "Aye". MOTION PASSED

28293 AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE A GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT FOR THE FY2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$33,396.00

On January 22, 2013 the Commissioners Court authorized submission of a grant application to the Texas Department of Public Safety (TxDPS), Texas Division of Emergency Management (TDEM) for funding to support a portion of the salary and benefits for the Hays County Emergency Management Coordinator. Funding in the amount of \$33,396.00 has been awarded for this purpose, and will cover costs incurred from the period October 1, 2012 through September 30, 2013 (reimbursement for expenditures made during FY13). The contract period extends to March 31, 2014 to provide adequate time for completion and close-out of all required documentation. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept and execute a grant award from the Texas Department of Public Safety, Division of Emergency Management for the FY2013 Emergency Management Performance Grant in the amount of \$33,396.00. All voting "Aye". MOTION PASSED



28294 APPROVE THE PURCHASE OF AN IPAD FOR \$787.00 AND RELATED SOFTWARE, ACCEPT REIMBURSEMENT FROM THE UNITED STATES SECRET SERVICE, AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is a member of the Central Texas Financial Crimes Task Force, which is managed by the United States Secret Service (USSS). The USSS will reimburse Hays County for the cost of the iPad and software. Amount required \$ 863.00; Increase Revenue 001-618-99-077.4301 Intergovernmental Revenues \$863.00; Increase Expense 001-618-99-077.5429 Software Maintenance and Licensing \$ 76.00; Increase Expense 001-618-99-077.5712_400 Computer Equipment Operating \$787.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the purchase of an iPad for \$787.00 and related software, accept reimbursement from the United States Secret Service, and amend the budget accordingly. All voting "Aye". MOTION PASSED**

28295 RATIFY THE EXECUTION OF THE WORK AUTHORIZATION NO.1 TO THE PSA BETWEEN HAYS COUNTY AND URS CORPORATION FOR THE FM 150 (IH35-CR204) REALIGNMENT & WIDENING PASS-THROUGH PROJECT IN HAYS COUNTY

The Work Authorization is for Change Order No. 3 in the amount of \$22,499.08. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to ratify the execution of the Work Authorization No.1 to the PSA between Hays County and URS Corporation for the FM 150 (IH35-CR204) Realignment & Widening Pass-Through Project in Hays County. All voting "Aye". MOTION PASSED**

28296 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE 5 TABLETS WITH POWER SUPPLY AND KEYBOARDS AND AMEND THE BUDGET ACCORDINGLY

The IT Department was approved to purchase 4 tablets in the FY14 budget. These additional 5 tablets will enable all IT technical staff to operate the current Window's OS when responding to work orders, etc. Savings within the computer equipment budget have been identified to fund the tablets and accessories. Total Amount \$6,700.00. Budget Amendment for power supply and keyboards: Decrease Computer Equipment 001-680-00.5712_400 (\$1,050); Increase Data Supplies 001-680-00.5202 \$1,050. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Information Technology Department to purchase 5 tablets with power supply and keyboards and amend the budget accordingly. All voting "Aye". MOTION PASSED**

28297 APPROVE THE APPOINTMENT OF TOM DAHLSTROM TO EMERGENCY SERVICES DISTRICT #2 AS A REPLACEMENT FOR CLIFF ALEXANDER

Tom Dahlstrom will replace the resigning Cliff Alexander as a member of Emergency Services District #2. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the appointment of Tom Dahlstrom to Emergency Services District #2 as a replacement for Cliff Alexander. All voting "Aye". MOTION PASSED**

28298 APPROVE OUT OF STATE TRAINING FOR MIKE DAVENPORT AND MARK CUMBERLAND TO ATTEND THE 2013 INTERNATIONAL ASSOCIATION OF CHIEF OF POLICE CONFERENCE IN PENNSYLVANIA

The Sheriff's Office is sending Captain Davenport and Captain Cumberland to the 2013 International Association of Chief of Police Conference in Pennsylvania. The conference provides training sessions focusing on a variety of up and coming technology designed to increase job performance and effectiveness. IACP is a great opportunity to meet with colleagues and peers from all over the world to share insights and trade experiences. No funds are needed for the out of state travel; it will be funded by the Hays County Continuing Education Account (LEOSE). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state training for Mike Davenport and Mark Cumberland to attend the 2013 International Association of Chief of Police Conference in Pennsylvania. All voting "Aye". MOTION PASSED**

28299 APPROVE THE PURCHASE OF A BRIGGS FREEDOM Z ZERO-TURN RIDING MOWER FOR THE BUILDING MAINTENANCE DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The Building Maintenance Department is in need of a replacement riding lawn mower. The current mower that is used in the county is more than 10 years old and has had many repairs to keep it operating. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the purchase of a Briggs Freedom Z Zero-Turn Riding Mower for the Building Maintenance Department and amend the budget accordingly. All voting "Aye". MOTION PASSED**



28300 AUTHORIZE THE TREASURER'S OFFICE TO PAYOUT 32.5 HOURS OF COMP TIME FOR JUSTICE COURT ADMINISTRATOR, SLOT 0860-005 IN THE JUSTICE OF THE PEACE, PRECINCT 4 OFFICE

Judge Terry Kyle Precinct 4 and Michele Tuttle Hays County Treasurer spoke. Due to vacancies in the office, the Justice Court Administrator has accrued 92.5 hours of comp time through 8/15/13 timesheet submission. Judge Kyle is requesting to payout 32.5 hours, leaving an accrued comp balance of 60 hours. Salary savings are available to fund this request. Amount required \$ 695.00 from line item number 001-629-00]. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the Treasurer's Office to payout 32.5 hours of comp time for Justice Court Administrator, slot 0860-005 in the Justice of the Peace, Precinct 4 office. Commissioner Conley, Commissioner Whisenant, and Judge Cobb voting "Aye". Commissioner Jones and Commissioner Ingalsbe voting "No". MOTION PASSED**

28301 APPROVE THE 2014 SHERIFF AND CONSTABLE FEES

Constable Darrell Ayers Precinct 3 spoke. Pursuant to Texas Local Government Code Section 118.131, the Sheriff & Constable Fee schedule needs to be reviewed and/or updated. The law requires each year Commissioners Court to set fees charged for Civil Services by the office of the Sheriff and Constables and directs that these fees be reported to the Comptroller by October. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the 2014 Sheriff and Constable Fees. All voting "Aye". MOTION PASSED**

1:30 P.M. HOLD A PUBLIC HEARING ON THE FY 2014 TAX RATE INCREASE

Judge Cobb opened Public Hearing. No public input received. Judge Cobb closed Public Hearing. The Hays County conducted public hearings on September 3, 2013 and September 10, 2013 on a proposal to increase the total tax revenues of the Hays County from properties on the tax roll in the preceding year by 1.80 percent. The total tax revenue proposed to be raised last year at last year's tax rate of \$0.4690 for each \$100 of taxable value was \$54,664,634. The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.4690 for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is \$54,842,203. The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.4690 for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is \$56,736,037. The County of Hays is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on September 17, 2013 at Commissioner's Courtroom, Hays County Courthouse, San Marcos, TX at 1:30 PM.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING RFP 2013-P05

Court convened into Executive Session at 10:07 a.m. and reconvened into opened court at 11:12 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 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 INCLUDING THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES

Court convened into Executive Session at 11:12 a.m. and reconvened into opened court at 12:15 p.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.

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

Captain Brad Robinson of the Sheriff's Office 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 299 and peak was 302 for the week of September 1-7, 2013. The maximum female capacity is 56 inmates. Last week's average was 37 and peak was 40 on 9/7/2013. The maximum male capacity is 276 inmates. Last week's average was 262 and peak was 267 on 9/1/2013.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn Ban will remain lifted.



County Clerk's Note Agenda #19 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*

DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR

Laura Harris of HNTB gave an update to the Road Bond Projects. Precinct 1 – Yarrington Bridge (IH35 Frontage Road) Project Length: 0.408 Miles; Roadway Section; two-Lane Frontage Road realignment with deceleration and turn lanes; Structures: two one-lane turnaround bridges and one two-lane bridge with two left turn lanes & shoulders; Approved Letting Date: October 2013 (Revised); Estimated Construction Cost: 414 Million. IH 35 Phase 2A: Project Length: 0.58 Miles; Roadway Classification: Urban Minor Arterial; Roadway Section: Five – lane Section with Two-Way Left turn lane and raised median. Project Schedule: September 2012 – October 2013; Estimated Construction Cost: \$3.5 Million. FM 110(McCarty Lane to SH 123): Project Length ; 1.167 miles; Roadway Classification: Multi-lane Rural Highway (Primary Arterial) Roadway Section: Five-Lane Section with Two-Way Left turn lane; Project Schedule: November 2012- December 2013; Estimated Construction Cost: \$6.5 Million. Precinct 2 – IH 35 Phase 2B (FM 1626 to Yarrington Road) Project Length: 2.746 Miles; Roadway Classification: Frontage Roads; Roadway Section: Two-lanes with shoulders; Project Schedule : August 2012- September 2013; Estimated Construction Cost: \$6.4 Million. FM 1626 North (FM 967 to Brodie): Project Length :3.823 Miles; Roadway Classification: Rural Major Collector; Roadway Section: Five-lane Section with Two-Way left turn lane; Structures: Two two-lane bridges with shoulders; Project Schedule: October 2012- December 2014; Estimated Construction Cost: \$17.2 Million. No Projects for Precinct 3. Precinct 4: Completed/open to traffic; US 290 west (Trautwein Road to Nutty Brown Road).

County Clerk's Note Agenda #21 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 September 10, 2013.



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

