



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 7TH DAY OF JANUARY A.D., 2014, 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:

Judge Cobb 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 COMMENTS

David Peterson Constable Pct. 1 introduced Travis County Sheriff Greg Hamilton and thanked him for his services and assistance to Hays County.

RECOGNITION OF COMMISSIONER DEBBIE GONZALES INGALSBE FOR HER 17 YEARS OF SERVICE TO THE HAYS CALDWELL COUNCIL ON ALCOHOL AND DRUG ABUSE BOARD OF DIRECTORS

Grace L. Davis, Executive Director of the Hays Caldwell Council on Alcohol and Drug Abuse spoke of Commissioner Ingalsbe's dedication to the Board for the past 17 years.

29552 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$1,261,313.09 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

29553 APPROVE COMMISSIONER COURT MINUTES OF DECEMBER 17 AND 20, 2013

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of December 17 and 20, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29554 AUTHORIZE ACCEPTANCE OF A FORMULA GRANT AWARD FROM THE TEXAS INDIGENT DEFENSE COMMISSION IN THE AMOUNT OF \$230,526 AND AMEND THE BUDGET ACCORDINGLY

On October 30, 2012 the Commissioners Court authorized submission of a grant application to the Texas Indigent Defense Commission (TIDC) for up to \$72,029.00. An accompanying Resolution designated the County Judge as the authorized official ". . . to apply for, accept, decline, modify, or cancel the application for the Indigent Defense Formula Grant Program and all other necessary documents to accept said grant". Notice of award has been received, and the award amount has been increased to \$230,526.00. The amount includes a one-time award of \$93,456 to be dispersed immediately, and quarterly payments of \$34,268. While the cover letter from TIDC indicates that acceptance of the award has been authorized by the Resolution submitted with the grant application, it has been the practice of Hays County to formally accept such awards by Commissioners Court action. However, no additional grant contract needs to be executed. Funding for this formula grant has been utilized by Hays County for a number of years to help offset costs associated with indigent defense. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize acceptance of a Formula Grant Award from the Texas Indigent Defense Commission in the amount of \$230,526 and amend the budget accordingly. All voting "Aye". MOTION PASSED**



29555 AUTHORIZE THE SHERIFF'S OFFICE, TRAINING DIVISION TO PURCHASE EQUIPMENT FOR THE BASIC PEACE OFFICER ACADEMY AND AMEND THE BUDGET ACCORDINGLY

The Training Academy is requesting to purchase three FIST Training Suits @ \$758.00 each, a total of \$2,274.00. These suits are designed to keep as much mobility as possible for the DT Instructors, yet still provide ample protection for a vast array of strikes and takedowns. The helmets are covered by a Lexan face shield to prevent taser probes and marking cartridges from striking the face. Amount required \$2,478.00 Increase Revenue: 001-618-00.4408 (\$2,478.00) Increase Law Enforcement Equipment 001-618-00.5717_400 \$2,478.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office, Training Division to purchase equipment for the Basic Peace Officer Academy and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29556 APPROVE RE-APPOINTMENT OF COMMISSIONER WILL CONLEY TO THE LONE STAR RAIL BOARD OF DIRECTORS FOR A TWO YEAR TERM BEGINNING FEBRUARY 1, 2014

Commissioner Conley is currently the Hays County representative on the Lone Star Rail District Board of Directors. His current term expires on February 1, 2014. If re-appointed his new term will run until February 1, 2016. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve re-appointment of Commissioner Will Conley to the Lone Star Rail Board of Directors for a two year term beginning February 1, 2014. All voting "Aye". MOTION PASSED**

29557 APPROVE THE SHERIFF'S OFFICE, TRAINING DIVISION TO GENERATE REVENUE BY HOSTING THREE NEW COURSES AND CHANGE EXISTING FEES TO THE TRAINING FEE SCHEDULE

In 2011, the Sheriff's Office with Commissioner's Court approval was authorized to accept revenue for continuing education courses and is requesting to add three additional courses to the fee schedule. The courses are as follows: Field Training Officer Course - This course teaches instructors how to provide supervised field training for new recruits in any law enforcement discipline. The goal is to transition the recruit from a classroom setting to an actual hands-on assignment. The course includes training in instructional techniques, coaching and evaluation, remedial training and record keeping. The course is designed to provide training guidance and training aspects to future Field Training Officers in the area of law enforcement, including peace officers, jailers, telecommunication operators, correction officers, public service officers, etc. The course fee is \$150.00 and free for HCSO Employees, course code # 3702 FTO. New Detective Course - This course is composed to assist the newly appointed Detective in becoming familiar with the many aspects of a Criminal Investigation. It is designed to assist in providing a solid foundation of basic techniques from which Detectives can build upon as they progress through their careers. The course fee is \$150.00 and free to HCSO Employees, course code #3200 New Detective Course. New Supervisor Course - This 5-day course is a basic supervisory skill workshop. It is designed for recently promoted Supervisors and those on the current Promotional lists. It meets the requirements for TCOLE and includes specific information relevant to HCSO. The course fee is \$150.00 and free to HCSO Employees, course code #3737 New Supervisor Course. Furthermore, HCSO is requesting approval for adjustments in the existing fee schedule. The adjustments are as follows: Course 1007 - Basic Corrections Academy - from \$300.00 to \$360.00 Course 2106 - ICC Crime Scene Investigators - from \$150.00 to \$120.00 Course 3031 - Background Investigator Course - from \$30.00 to \$60.00 Course 3277 - Identity Crimes - from \$30.00 to \$15.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the Sheriff's Office, Training Division to generate revenue by hosting three new courses and change existing fees to the training fee schedule. All voting "Aye". MOTION PASSED**

29558 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT TO THE CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE IMMUNIZATION PROGRAM GRANT

On October 1, 2013 the Commissioners' Court authorized a grant contract renewal with the Texas Department of State Health Services (DSHS) for the Immunization program. This grant helps to support the salary and benefits of the staff involved in this program in the Hays County Local Health Department. The pending amendments will modify the contract as follows: 1.) One word change to the Work Plan/Exhibit, under unit C-5, fourth bullet under activities section ("over" to "under"). 2.) Addition of the Financial Status Report requirements and due dates to the Programmatic Reporting Requirements Section. 3.) Update of the LHD ILA reporting requirements program end date for the third quarter ("05/30/2014" to "05/31/2014"). Amendment effective date: September 01, 2013. This amendment has a retroactive effective date because the amendment module in CMPS did not become accessible until November 2013. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Amendment to the Contract with the Department of State Health Services for the Immunization Program Grant. All voting "Aye". MOTION PASSED**



29559 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT TO THE CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) GRANT

On October 1, 2013 the Commissioners' Court authorized a grant contract renewal with the Texas Department of State Health Services (DSHS) for the Public Health Emergency Preparedness (PHEP) program. This grant helps to support the salary and benefits of the Emergency Preparedness Coordinator and SNS Coordinator in the Hays County Local Health Department. The pending amendments will modify the contract as follows: This amendment is to add language to the Statement of Work and Special Provisions. DSHS will update the following forms in CMPS as appropriate: 1. Statement of Work 2. Special Provisions 3. Exhibit A (Work Plan) 4. Exhibit B (Work Plan) 5. Programmatic Reporting Requirements. This amendment has a retroactive effective date because the amendment module in CMPS did not become accessible until November 2013. Amendment effective date: September 1, 2013. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Amendment to the Contract with the Department of State Health Services for the Public Health Emergency Preparedness (PHEP) Grant. All voting "Aye". MOTION PASSED**

29560 ACCEPT A DONATION OF \$300 FROM THE WIMBERLEY MERCHANTS ASSOCIATION TO THE CONSTABLE PRECINCT 3 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Money to be placed in line item 001-637-00.5206 Law Enforcement Supplies. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept a donation of \$300 from the Wimberley Merchants Association to the Constable Precinct 3 Office and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29561 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2312 SOUTH OLD BASTROP RD, SAN MARCOS, TX

OBTX-LLC is proposing an OSSF to serve a relocation business/warehouse in Precinct 1. This property is 14.72 acres in the Ace Relocation Subdivision. Water will be supplied by public water system. The system designer, Jason Clark, R.S. has designed a treatment system which consists of standard treatment and an equalization tank to equalize the effluent dispersal to a low pressure dosed drainfield at a daily usage rate of 510 gallons. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 2312 South Old Bastrop Rd., San Marcos, TX. All voting "Aye". MOTION PASSED**

29562 APPROVE UTILITY PERMITS

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Permit # 907 on Yarrington Rd. to Century Link and Permit #908 on Windy Hill Rd. to PEC as submitted by the County Transportation Department. All voting "Aye". MOTION PASSED

29563 RECOGNIZE THAT HAYS COUNTY ACCEPTED A DONATION ON DECEMBER 30, 2013, IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00USD) FROM THE HOBBY FAMILY FOUNDATION TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

Amount required \$10,000.00. Increase Contributions - 001-895-98-354.4610. Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to recognize that Hays County accepted a donation on December 30, 2013, in the amount of Ten Thousand Dollars (\$10,000.00 USD) from the Hobby Family Foundation to be used for the Child Protective Board Services within Hays County and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29564 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JUAN SAENZ, SHERIFF'S OFFICE, TO ATTEND TRAINING

Lieutenant Juan Saenz has been selected to attend the Direct Supervision Training for Trainers in Aurora Colorado on February 10-14, 2014. There is no registration fee and the National Institute for Corrections will be paying for the participant's airfare, lodging and most meals. The training program is designed to move agencies from a traditional jail into a direct supervision jail. Some of the topics included in the program are Direct Supervision Overview, Officer- Inmate Interaction, Orienting inmates to the housing unit and Monitoring and Evaluating Officer Performance. Amount required \$200.00 line item number 01-618-00.5551. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for Lieutenant Juan Saenz, Sheriff's Office, to attend training. All voting "Aye". MOTION PASSED**



29565 AUTHORIZE THE SHERIFF'S OFFICE AND JAIL OPERATIONS TO MOVE FUNDS BUDGETED FOR UNIFORM ALLOWANCE TO UNIFORM EXPENSE FOR THE PURCHASE OF UNIFORMS PER THE NEW COLLECTIVE BARGAINING AGREEMENT AND AMEND THE BUDGET ACCORDINGLY

Uniformed officers at the SO and Jail will no longer be paid a monthly stipend for uniforms and will use those funds to increase their stock for their purchase and replace uniform policy. Amount required \$62,000.00- Decrease SO Uniform Allowance - 001-618-00.5192 - (\$37,000). Increase SO Uniform Expense - 001-618-00.5474 - \$37,000. Decrease Jail Uniform Allowance - 001-618-03.5192 - (\$25,000). Increase Jail Uniform Expense - 001-618-03.5474. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office and Jail Operations to move funds budgeted for uniform allowance to uniform expense for the purchase of uniforms per the new Collective Bargaining Agreement and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29566 CALL FOR A PUBLIC HEARING ON JANUARY 21, 2014 TO DISCUSS FINAL PLAT APPROVAL OF THE AMENDED PLAT OF A PORTION OF LOT 3, SILVER SPUR RANCHETTES, SECTION 3

Roxie McInnis Development Services Manager spoke. Silver Spur Ranchettes is a recorded subdivision located off of Nutty Brown Road in Precinct 4. Lot 3 was platted in 1968 as a 4.00 acre lot and was divided by metes and bounds rather than the requisite plat revision in 1982. The 0.9996 acre portion of Lot 3 which is now being platted has been served by a private well and on-site wastewater service since 1983. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by private wells and on-site sewage facilities be at least 2.00 acres in size. Given the date that the parcel was created and the lot size requirements in place at that time, a variance to the county's minimum lot size requirements has been requested and will be heard upon final plat approval. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to call for a public hearing on January 21, 2014 to discuss final plat approval of the amended plat of a portion of Lot 3, Silver Spur Ranchettes, Section 3. All voting "Aye". MOTION PASSED**

29567 CANCEL HAYS COUNTY COMMISSIONERS COURT ON FEBRUARY 4, 2014

Multiple Court Members will be attending the V.G. Young Institute of County Government - School for County Commissioners Courts Conference, February 4 - 6, 2014. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to cancel Hays County Commissioners Court on February 4, 2014. All voting "Aye". MOTION PASSED**

29568 ADOPT THE ELECTION DAY POLLING SITES FOR THE MARCH 4, 2014, DEMOCRATIC AND REPUBLICAN PRIMARIES - PULLED

Joyce Cowan Elections Administrator requested that this item be pulled. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to pull this item. All voting "Aye". MOTION PASSED**

29569 ADOPT THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE MARCH 4, 2014, DEMOCRATIC AND REPUBLICAN PRIMARIES

Joyce Cowan Elections Administrator spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt the Early Voting Schedule (Dates & Times) for the March 4, 2014, Democratic and Republican Primaries with the addition of two locations in the Buda/Kyle area. 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 HAYS COUNTY CIVIC CENTER AND CONTIGUOUS PROPERTIES LOCATED IN PRECINCT 1

Court convened into Executive Session at 9:40 a.m. and reconvened into opened court at 9:55 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. Table

Court re-convened into Executive Session at 11:02 a.m. and reconvened into opened court at 11:15 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 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ALL PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive Session at 9:55 a.m. and reconvened into opened court at 10:33 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 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT GLASS AND PROJECT WHEAT

Court convened into Executive Session at 10:33 a.m. and reconvened into opened court at 11:02 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.

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

Captain Mark Cumberland of the Sheriff's Office gave the staff report. 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 260 and peak was 268 on January 3, 2014 for the week of December 29, 2013 to January 4, 2014. The maximum female capacity is 56 inmates. Last week's average was 36 and peak was 38 on 12/29/2013 and 1/3/2014. The maximum male capacity is 276 inmates. Last week's average was 224 and peak was 232 on 1/1/2014.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb spoke of the Drought Index and how it has continued to stay low and under advisement from the County Fire Marshall, the Burn Ban will remain lifted.

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*

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*

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 January 7, 2014.



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

