



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF FEBRUARY 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:

City of San Marcos Mayor Daniel Guerrero gave the invocation. Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

29647 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$687,802.00 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

29648 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 11, 2014

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 11, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29649 AUTHORIZE A BUDGET AMENDMENT FOR CONSTABLE PCT. 2 TO MOVE FUNDS FROM CAPITAL EQUIPMENT TO VEHICLE MAINTENANCE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize a Budget Amendment for Constable Pct. 2 to move funds from Capital Equipment to vehicle maintenance. All voting "Aye". MOTION PASSED

29650 APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve permit #911 on Falconwood Drive to PEC as submitted by the Road Department. All voting "Aye". MOTION PASSED

29651 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 1630 N. ELDER HILL ROAD, DRIFTWOOD, TX

Christopher and Janet Dietz are proposing an OSSF to serve the Wildflower Event Center #1 at 1630 N Elder Hill Rd in Precinct 4. This property is 4.519 acres. Water will be supplied by private water well. The system designer, David McGhee, R.S., has designed a treatment system which consists of a 500 gallon pretreatment tank, a 2000 gallon equalization tank, and an 800 gallon per day aerobic treatment unit which doses to a drip irrigation dispersal field. The wastewater from weekend daily flows of 450 gallons per day will be held and dosed to the treatment system at a rate of 160 gallons per day throughout the week. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 1630 N. Elder Hill Road, Driftwood, TX. All voting "Aye". MOTION PASSED

29652 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION FROM RANDOLPH BROOKS FEDERAL CREDIT UNION TO GT DISTRIBUTOR'S TO BE CREDITED TO THE SHERIFF GT ACCOUNT AND USED FOR LAW ENFORCEMENT SUPPLIES

The Sheriff's Office has received funds from RBFCU to be deposited into the GT Distributor's SO account for future law enforcement supply purchases as needed. Budget Amendment - Increase Contributions: 001-618-00.4610 Increase Law Enforcement Supplies: 001-618-00.5206. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept a donation from Randolph Brooks Federal Credit Union to GT Distributor's to be credited to the Sheriff GT Account and used for Law Enforcement Supplies. All voting "Aye". MOTION PASSED



29653 AUTHORIZE THE MOVEMENT OF FUNDS FROM COUNTY WIDE TO THE OFFICE OF GENERAL COUNSEL FOR MONTHLY COPIER LEASE

Funds were budgeted during the FY14 budget process in County Wide for a shared copier that was located at the Courthouse. This copier was moved to the General Counsel's office last month, therefore the funds will be transferred to his department to cover the monthly lease. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the movement of funds from County Wide to the office of General Counsel for monthly copier lease. All voting "Aye". MOTION PASSED**

29654 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE LEASE AGREEMENT BETWEEN HAYS COUNTY AND LYNDON BAINES JOHNSON MUSEUM OF SAN MARCOS, INC

Special Counsel Mark Kennedy gave a brief explanation of the Lease Agreement. The letter amendment shall reflect third party use of the facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Letter Amendment to the Lease Agreement between Hays County and Lyndon Baines Johnson Museum of San Marcos, Inc. All voting "Aye". MOTION PASSED**

29655 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT AMENDMENT WITH MCCREARY, VESELKA, BRAGG AND ALLEN, PC FOR DISTRICT COURT AND COUNTY COURT AT LAW DELINQUENT COLLECTIONS

A contract amendment is attached for the delinquent collections of County Court at Law and District Court fines and fees by MVB&A. The County is authorized to outsource delinquent collections that are over 60 days past due and a 30% collection fee may be added by the vendor. The County currently has a contract with MBV&A for collections in the Justice Courts; an amendment is required to add collections for the District and County Courts. The applicable statute and the existing contract with MVB&A are attached. A plan will be developed by the Courts to insure compliance and determine when to turn over delinquent collections to MVB&A. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Contract Amendment with McCreary, Veselka, Bragg and Allen, PC for District Court and County Court at Law delinquent collections. All voting "Aye". MOTION PASSED**

29656 AUTHORIZE THE PRECINCT 4 COMMISSIONER TO EXECUTE THE THIRD PARTY AGREEMENT WITH TXDOT FOR A CHANGE ORDER TO THE RM 1826 AT CRYSTAL HILL RD. PRIORITY ROAD BOND PROGRAM PROJECT

Allen Crozier of HDR spoke. During the construction of the RM 1826 at Crystal Hill Rd. safety improvement project there were unforeseen delays experienced by the contractor due to modifications to the temporary detour to improve survivability of several large oak trees adjacent to the proposed roadway as well as the construction of a water line by the West Travis County Public Utility Agency which began midway through the construction of the Crystal Hill project. This change order captures the cost of demobilization/remobilization of construction equipment and escalation of material costs associated with the delays encountered. TxDOT in conjunction with the GEC has negotiated with the contractor to reach a mutually agreeable cost impact of the delay. This is the final change order for the project. Funds are available within the Priority Road Bond Program budget. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the Precinct 4 Commissioner to execute the Third Party Agreement with TxDOT for a Change Order to the RM 1826 at Crystal Hill Rd. Priority Road Bond Program Project. All voting "Aye". MOTION PASSED**

29657 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND CITY OF WIMBERLEY RELATED TO SAFETY IMPROVEMENTS TO THE INTERSECTION OF RM 12 AND RM 3237 IN WIMBERLEY

Mike Aulick of Aulick and Associates spoke. The adopted Hays County Transportation Plan (HCTP) includes measures to facilitate through traffic on RM 12 which is moving between Dripping Springs and San Marcos to bypass the center of Wimberley by using Winters Mill Pkwy and RM 3237. The intent is to reduce traffic congestion on RM 12 in central Wimberley that would inhibit people who are travelling to, from and within Wimberley itself. The property owner at the northeast corner of RM 12 and RM 3237 just north of the RM 12 Blanco River bridge has offered to cooperate with Hays County to enable the addition of turn-lane safety improvements at the intersection, as shown on the attached drawing. Work under this PSA would include a survey of the intersection and production of a conceptual design for the addition of right and left turn lanes, which would mirror the existing turn lanes at the intersection of RM 12 and Winters Mill Pkwy., north of Wimberley. The total amount of the contract with Klotz is \$26,100. The City of Wimberley has committed \$10,000 of that amount through an Interlocal Agreement as their share of the engineering work cost. **A motion was made by Commissioner Conley seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Funding Agreement between Hays County and City of Wimberley related to safety improvements to the intersection of RM 12 and RM 3237 in Wimberley. All voting "Aye". MOTION PASSED**



29658 PROMOTE AND FUND HEALTH CHECK 2014 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS WHO ARE ENROLLED IN OUR GROUP HEALTH INSURANCE. AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT

Dee Dee Baen Human Resources Director spoke. Health Check is a community wide celebration offering health screenings that include a complete metabolic panel (screening for glucose, renal and liver disorders); lipid panel (cholesterol with HDL/LDL breakdown and triglycerides); complete blood cell count for hematology disorders including white, hemoglobin, hematocrit and platelets. Per Central Texas Medical Center (CTMC), these tests, valued at hundreds of dollars, are offered for \$45 per person through Health Check (2013-\$45; 2012-\$45; 2011-\$25; 2010-\$35) Additionally, CTMC is offering Hays County employees the option of pre-registering which allows for blood draws at our worksite. As in prior years, these sites include the Government Center, the Sheriff's office and Road & Bridge on Yarrington. Monday, March 31 Sheriff's Office 7-8:30 am. Wednesday, April 2: Road and Bridge on Yarrington 7-8:30 am. Thursday, April 3: Government Center 7:30 to 9:00 am. A recap of the last six years of our participation in Health Check is as follows: Hays County paid 100% of the participant's fee. Dependents over the age of 18 that are covered on our health plan were allowed to participate at no cost (with the exception of the additional tests). Historical participation is as follows: 2007: 150 employees participated, \$3725 2008: 187 employees participated, \$6545; Optional EE-paid Tests: Thyroid (71); PSA (26) 2009: 165 employees participated, \$5775; Optional EE-paid Tests: Thyroid (68); PSA (34) 2010: 168 employees participated, \$5880; Optional EE-paid Tests: Thyroid (62); PSA (34) 2011: 155 employees participated, \$3875; Optional EE-paid Tests: Thyroid (46) PSA (27) A1C (45) 2012: 131 employees participated, \$5895; Optional EE-paid Tests: Thyroid (39) Vitamin D (28) AIC (31) 2013: 106 employees participated \$4770: Optional EE-paid Tests: Thyroid (22) Vitamin D (15) AIC (17) HepC (1) The requested amount of \$5,670 (126 employees x \$45) is an estimate, (20% over last year's participation of 106 employees). In addition to the basic blood screenings, employees can choose to have a thyroid stimulating hormone (TSH) test (\$15), a hemoglobin A1C test for \$15 (used to measure the amount of glucose that attaches to the protein in the red blood cells), a Vitamin D test is added for \$30, and a Hepatitis C test for \$30. Health Check no longer offers the PSA because it is not a recommended test as currently recommended by the US Preventive Services Task Force and that the current evidence for this test is insufficient to qualify it as a good screening test. Similar to last year and in order to minimize cash handling, reconciling and balancing, we are requesting the voluntary fees associated with optional tests to be payroll deducted. This has been coordinated with the Treasurer's office for payroll purposes and Treasurer Tuttle is supportive of this automation. An option to the County if they do not wish to absorb the entire cost could be to offer payroll deduction for a \$5 or \$10 cost sharing. The actual day-long health fair portion of Health Check will be held on Monday April 14 from 7am to 3pm at Embassy Suites Conference Center. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to promote and fund Health Check 2014 for Hays County employees and eligible dependents who are enrolled in our group health insurance. Authorize payroll deduction of additional fees for optional services employees may elect. All voting "Aye". MOTION PASSED**

29659 RECOMMEND KHARLEY SMITH TO BE APPOINTED BY THE CAPITAL AREA COUNCIL OF GOVERNMENTS TO THE CRIMINAL JUSTICE ADVISORY COMMITTEE TO FILL THE POSITION VACATED BY JUSTICE OF THE PEACE ANDREW CABLE

This is a Hays County position that was recently vacated by Judge Cable. Judge Cable has made the recommendation of Kharley Smith to the committee. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to recommend Kharley Smith to be appointed by the Capital Area Council of Governments to the Criminal Justice Advisory Committee to fill the position vacated by Justice of the Pease Andrew Cable. All voting "Aye". MOTION PASSED**

29660 ADOPT NEW/UPDATED RULES AND REGULATIONS FOR RANDALL VETTER AND DUDLEY JOHNSON PARKS

Proposed rules for public use of Dudley Connaly Johnson and Randall Wade Vetter parks. Signage includes updated wording/format, park hours, and removal of Class C misdemeanor warning. The Rules are as follows: 1. SWIM AT YOUR OWN RISK – No lifeguard on duty 2. No littering or illegal dumping 3. The following items are prohibited in the park: Alcohol, Firearms, Glass Containers, Motorized Boats or Jetskis 4. No overnight camping or parking 5. Dogs must be kept on a leash at all times 6. Parking is allowed in designated areas only 7. No diving 8. No trespassing onto private property 9. All vehicles must be out of park by closing. Persons in violation of these rules or engaging in disruptive behavior may be required to leave the park. Park Hours – Summer – 9:00am – 9:00pm (DST) Winter Hours – 9:00am – 6:00pm (CST). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt new/updated Rules and Regulations for Randall Vetter and Dudley Johnson Parks. All voting "Aye". MOTION PASSED**



29661 ADOPT A RESOLUTION AND A PLAN FOR COLLABORATION BETWEEN TEXAS STATE UNIVERSITY AND THE HAYS COUNTY TEXAS A&M AGRILIFE EXTENSION SERVICE REGARDING A PROPOSED YOUTH AGRICULTURAL EDUCATION AND RESEARCH FACILITY LOCATED ON THE FREEMAN RANCH

City of San Marcos Mayor Daniel Guerrero spoke. A draft of the proposed plan for collaboration will be presented in Court. Hays County wishes to initiate further dialogue with Texas State University and the Texas State University System regarding collaborating on a Youth Agricultural Education and Research Facility to be located on the Freeman Ranch. The facility would serve as home of the Hays County Texas A&M AgriLife Extension Service and its related programs. The facility would also serve Texas State University's mission and goals related to providing education and research opportunities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a Resolution and a Plan for Collaboration between Texas State University and the Hays County Texas A&M Agrilife Extension Service regarding a proposed Youth Agricultural Education and Research Facility located on the Freeman Ranch. 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 INCLUDING THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES

Court convened into closed Executive Session at 10:30 a.m. and reconvened into open court meeting at 10:45 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 HAYS COUNTY CIVIC CENTER AND CONTIGUOUS PROPERTIES LOCATED IN PRECINCT 1

Court convened into closed Executive Session at 10:46 a.m. and reconvened into open court meeting at 11:00 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 closed Executive Session at 11:01 a.m. and reconvened into open court meeting at 11:56 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 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 314 and peak was 325 on February 15 for the week of February 9 to February 15, 2014. The maximum female capacity is 56 inmates. Last week's average was 47 and peak was 49 on 2/13/2014. The maximum male capacity is 276 inmates. Last week's average was 268 and peak was 276 on 2/15/2014.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The Burn Ban will remain in effect per recommendation of the Hays County Fire Marshall.

County Clerk's Note Agenda Item #21 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 monthly update. FM 1626 South (FM 2770 to FM 967) – Anticipated letting date: late 2014. FM 110 (McCarty lane to SH 123) and Yarrington Road Bridge (at IH 35) – Under construction/bidding. IH 35 Phase 2B (RM 150 to FM 1626) and IH 35 Phase 2A (RM 150 realignment). In Design – FM 1626 South (FM 2770 to RM 967). Under construction/bidding – FM 1626 North (RM 967 to Brodie Lane). Completed/open to traffic – IH 35 Phase 2B (RM 150 to FM 1626), IH 35 Phase 1 (CR 210 Overpass), FM 2001 (IH 35 NB frontage road connector). Completed/open to traffic – US 290 West (Trautwein Road to Nutty Brown Road).

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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County Clerk's Note Agenda Item #23 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 February 18, 2014.



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

