



MARCH 4, 2014

VOLUME V PG 341

STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 4TH DAY OF MARCH 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
ROSE ROBINSON	DEPUTY 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.

29677 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$767,968.77 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

29678 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 25, 2014

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of February 25, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29679 APPROVAL TO ADD SPITZER & ASSOCIATES TO THE LIST OF PRE-QUALIFIED VENDORS FOR THE ROAD BOND PROGRAM UNDER THE CATEGORY OF ROW ACQUISITION

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve to add Spitzer & Associates to the list of pre-qualified vendors for the Road Bond Program under the category of ROW Acquisition. All voting "Aye". MOTION PASSED

29680 APPROVE UTILITY PERMITS

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Utility Permits #912 on Daniel Boone Drive and Utility Permits #913 on Crosscreek Drive as submitted by the County Road Department. All voting "Aye". MOTION PASSED

29681 AUTHORIZE PCT. 1 COMMISSIONER TO SIGN A CONTRACT FOR PROFESSIONAL SERVICES WITH KLOTZ & ASSOCIATES FOR HARRIS HILL ROAD DRAINAGE STUDY

Continued flooding of homes along Harris Hill Road warrants this study. This study will determine what detention may be needed to mitigate this problem, will evaluate the adequacy of ditches within Northpoint Subdivision, and will culverts along Harris Hill Road. Amount required \$41,600 line item number 020-710-00.5448_008. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Pct. 1 Commissioner to sign a contract for Professional Services with Klotz & Associates for Harris Hill Road Drainage Study. All voting "Aye". MOTION PASSED

29682 AMEND THE PRECINCT 2 BUILDING CONSTRUCTION BUDGET FOR BUILDING REPAIRS FOR WALL DAMAGE IN THE WAITING AREAS

A refund in debt fees has been received and will be used for minor repairs in the Pct. 2 Building. There has been slight damage to the wall in the Tax Office, Justice of the Peace Office and Adult Probation waiting areas due to the visitor's chairs scraping the wall when seated. Some touch up paint and repairs as well as installing chair rail to prevent future damage are needed. Building Maintenance will do the work for an amount not to exceed \$400. Amount \$400.00 line item number 029-851-94-484-5391; Increase Revenue: 029-851-94-484.4701; Increase Misc Expense: 029-851-94-484.5391. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Precinct 2 building construction budget for building repairs for wall damage in the waiting areas. All voting "Aye". MOTION PASSED



29683 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES FOR THE TUBERCULOSIS PREVENTION AND CONTROL GRANT

On October 1, 2013 the Commissioners' Court authorized a grant contract renewal with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control grant program (Federal Contract #2014-001423-00). This grant helps to support the salary and benefits of the TB Administrative Assistant, contracted physician, diagnostic testing, lab supplies, and travel. The pending amendment will provide a budget adjustment and changes to the statement of work, performance measures, special provisions, general provisions, and reporting due dates. The grant amount is increased by \$8,150 which was anticipated when this project was budgeted and therefore no budget amendment is needed. This amendment has a retroactive effective date of September 1, 2013 because the amendment module in CMPS did not become accessible until November 2013. Amendment is attached. The amendment will be electronically submitted and accepted upon approval. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize the County Judge to execute an Amendment to the Contract with the Department of State Health Services for the Tuberculosis Prevention and Control grant. All voting "Aye". MOTION PASSED**

29684 APPROVE THE APPOINTMENT OF LEAH GIBSON TO SERVE AS A REPRESENTATIVE ON THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) SOLID WASTE ADVISORY COMMITTEE TO REPLACE DAVID CASE

This recommendation was made by the City of San Marcos and passed by their City Council on February 4, 2014. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the appointment of Leah Gibson to serve as a Representative on the Capital Area Council of Governments (CAPCOG) Solid Waste Advisory Committee to replace David Case. All voting "Aye". MOTION PASSED**

29685 MOVE FUNDS FROM THE SHERIFF OPERATING BUDGET TO THE ANIMAL CONTROL BUDGET FOR CONTINUING EDUCATION AND AMEND THE BUDGET ACCORDINGLY

Funds were not identified during the budget process in the Animal Control budget for training and the SO would like to send an ACO officer to two training courses. Funds from the SO Operating budget will be moved to cover these expenses. Amount required \$765.00; Increase ACO Cont. Ed: 001-618-04.5551; Decrease SO Cont. Ed: 001-618-00.5551. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to move funds from the Sheriff Operating budget to the Animal Control budget for continuing education and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29686 ACCEPT ANNUAL FINANCIAL REPORT FROM THE HAYS COUNTY EMERGENCY SERVICE DISTRICT #5 /KYLE FIRE DEPARTMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Annual Financial Report from the Hays County Emergency Service District #5 /Kyle Fire Department. All voting "Aye". MOTION PASSED

29687 CALL FOR A PUBLIC HEARING ON MARCH 18, 2014 TO ESTABLISH TRAFFIC REGULATIONS (NO PARKING ZONE) ALONG CRYSTAL MEADOW DRIVE AT THE PCT. 2 OFFICE

Clint Garza Director of Community and Development Services spoke and gave staff recommendation. Unauthorized parking along Crystal Meadow Drive is damaging turf and causing erosion. There is adequate parking around the building itself; making parking along Crystal Meadows unnecessary. This item applies only to the County portion of Crystal Meadow. (This item previously approved on Feb 4; however the public hearing was not held as scheduled.) **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on March 18, 2014 to establish traffic regulations (NO PARKING zone) along Crystal Meadow Drive at the Pct. 2 office. All voting "Aye". MOTION PASSED**

29688 ACTION TO ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE OF THE CONSTRUCTION SURETY FOR KEY RANCH AKA SARATOGA HILLS SUBDIVISION, SECTION 1

Clint Garza Director of Community and Development Services gave staff recommendation for the acceptance of construction of roads and drainage improvements within the ROW and Commissioner Whisenant Precinct 4 spoke. The Transportation Department has inspected and approved the improvements. These will be privately maintained roads. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, and Release of the Construction Surety for Key Ranch aka Saratoga Hills Subdivision, Section 1. All voting "Aye". MOTION PASSED**



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29689 ACTION TO CONSIDER NAMING A PRIVATE DRIVE LOCATED OFF RR 12 IN PRECINCT 4 TO ORCHID LANE

The owners of 3 tracts would like to name their private driveway in order to better help with finding the location of their business. The subject tract is on the east side of RR 12 just north of KC Memory Lane. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to consider naming a private drive located off RR 12 in Precinct 4 to Orchid Lane. All voting "Aye". MOTION PASSED**

29690 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JOHNSON TRUBE & ASSOCIATES, LLC. FOR REAL ESTATE SERVICES RELATED TO SURPLUS PROPERTY IN HAYS COUNTY

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant authorize the County Judge to execute a Professional Services Agreement with Johnson Trube & Associates, LLC. for real estate services related to surplus property in Hays County. All voting "Aye". MOTION PASSED

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 10:48 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, General 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 RELATED TO RIGHT OF WAY ACQUISITION AT THE INTERSECTION OF YARRINGTON AND IH35

Court convened into closed Executive Session at 10:33 a.m. and reconvened into open court meeting at 10:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, and Chief of Staff Lon Shell. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County to execute a Purchase Agreement, as presented in Executive Session, for the Purchase of 1.568 acres of Real Property at the corner of Yarrington Road and IH-35(Northbound) from FM158 Land, Ltd. All voting "Aye". MOTION PASSED**

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

Captain Mark Cumberland with the Hays County Sheriff's Office gave an update. 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 323 and peak was 341 on February 28 for the week of February 23 to March 1, 2014. The maximum female capacity is 56 inmates. Last week's average was 45 and peak was 54 on 2/28/2014. The maximum male capacity is 276 inmates. Last week's average was 278 and peak was 287 on 2/28/2014.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The Burn Ban will remain lifted.

County Clerk's Note Agenda #19 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR – was pulled*

County Clerk's Note Agenda #20 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 March 4, 2014.



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

