



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF APRIL 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 led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

29753 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$363,178.00 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

29754 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 31ST & APRIL 1ST, 2014

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of March 31st and April 1st, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29755 ACCEPT DONATIONS TOTALING \$150.00 ISSUED TO HAYS COUNTY SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office received two donations totaling \$150.00 to be utilized for supplies and materials for the events being held for the 2014 National Telecommunicator Week. NTW will occur April 13-19, 2014. Budget Amendment \$150.00 Increase Revenue 001-618-00.4610 Contributions \$150.00 Increase Expense 001-618-00.5391 Miscellaneous \$150.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept donations totaling \$150.00 issued to Hays County Sheriff's Office Communications Division and amend the budget accordingly. All voting "Aye". MOTION PASSED

29756 AMEND THE DISTRICT ATTORNEY HOT CHECK FEE FUND FOR SALARY STIPENDS

Funds are available within the Hot Check Fee Fund to cover the salary stipend payout for Attorney IV, Slot 0785-003 and shortage for other monthly stipends. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the District Attorney Hot Check Fee Fund for salary stipends. All voting "Aye". MOTION PASSED

29757 APPROVE THE CANCELLATION OF THE HAYS COUNTY COMMISSIONERS COURT ON THE FOLLOWING DATES: MAY 27TH AND DECEMBER 2ND & 30TH, 2014

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the cancellation of the Hays County Commissioners Court on the following dates: May 27th and December 2nd & 30th, 2014. All voting "Aye". MOTION PASSED

29758 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUBAWARD AGREEMENT 14012-82073-1 WITH TEXAS STATE UNIVERSITY FOR PROJECT FUNDING IN THE AMOUNT OF \$16,005.00 THROUGH US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS IN SUPPORT OF ADVANCED RAPID RESPONSE TRAINING (ALERRT) PROGRAM ACTIVITIES

The Texas State University, Advanced Law Enforcement Rapid Response Training (ALERRT) Program has received project funding through the US Department of Justice, Office of Justice Programs and is distributing funds as a Subaward to the Hays County Sheriff's Office that will provide training and support to the ALERRT, "Preventing Violence Against Law Enforcement & Ensuring Officer Resilience & Survivability (VALOR)" project. The grant application term is 08-01-13 through 09-30-14. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to execute Subaward Agreement 14012-82073-1 with Texas State University for project funding in the amount of \$16,005.00 through US Department of Justice, Office of Justice Programs in support of Advanced Rapid Response Training (ALERRT) program activities. All voting "Aye". MOTION PASSED



29759 APPROVE THE FEBRUARY 2014 TREASURER'S REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the February 2014 Treasurer's Report and Investment Report. All voting "Aye". MOTION PASSED

29760 AMEND THE EXTENSION OFFICE BUDGET FOR ADDITIONAL TRAVEL RELATED TO OUTREACH EDUCATIONAL PROGRAMS FOR THE COMMUNITY

Additional funds are need for the Administrative Assistant that is in charge of traveling to school districts to introduce educational programs to the students. Funds have been identified in supplies for this amendment. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Amend the Extension Office budget for additional travel related to outreach educational programs for the community All voting "Aye". MOTION PASSED

29761 AUTHORIZE THE PARKS DEPARTMENT TO PURCHASE PROMOTIONAL ITEMS FOR THE JACOB'S WELL GRAND OPENING EVENT

The Parks Department would like to purchase 250 Kites and 200 Sport Water Bottles for the Grand Opening event to be held at the Jacob's Well Park Area next month. Funds have been identified within their miscellaneous budget to cover this expense. Three quotes were obtained with the lowest quote coming from 4Imprint. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the Parks Department to purchase promotional items for the Jacob's Well Grand Opening event. All voting "Aye". MOTION PASSED

29762 APPROVE THE SHERIFF'S OFFICE, TRAINING DIVISION TO REVISE COURSE CODES AND EXISTING COURSE 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 revise two course codes and add to the current fee schedule. The courses are as follows: Revise Course #3200 - New Detective Course to Course #3280 Course #1013 - Basic Telecommunicator Course, fee will change from \$100.00 to \$150.00 Add Course #1000.1 - Basic Peace Officer Academy of a \$900.00 A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to Approve the Sheriff's Office, Training Division to revise course codes and existing course fees to the training fee schedule. All voting "Aye". MOTION PASSED

29763 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES BETWEEN HAYS COUNTY AND PIX HOWELL INCREASING THE NOT TO EXCEED FEE FROM \$25,000 TO \$50,000 AND AMEND THE BUDGET ACCORDINGLY

The attached letter amendment and the PSA for consulting services between Hays County and Pix Howell, in his capacity as majority shareholder of Xblink, Inc. d/b/a Diverse Planning and Development, are attached. The letter amendment increases the not to exceed fee by \$25,000. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a letter amendment to the Professional Services Agreement for consulting services between Hays County and Pix Howell increasing the not to exceed fee from \$25,000 to \$50,000 and amend the budget accordingly. All voting "Aye". MOTION PASSED

29764 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS FOR CRIMINAL INVESTIGATION SERVICES RELATED TO THE AUSTIN REGIONAL INTELLIGENCE CENTER AGREEMENT AND AMEND THE BUDGET ACCORDINGLY

The Austin Regional Intelligence Center (ARIC) is a collaborative effort between ten centrally located public safety agencies working through the City of Austin Police Department to provide subscription based websites and computer software/hardware etc. in an effort to maximize the ability to detect, prevent, apprehend and respond to criminal activity. The Hays County Sheriff's Office participated in this agreement last year and paid for the services using their drug forfeiture funds. The SO feels this is a great asset during investigations providing valuable resources and would like to continue this service. Due to other commitments in their discretionary fund, the Sheriff would like to use current general fund salary savings to cover this cost for fiscal year 2014 and will be requesting this to be added to his general fund operating budget for future years during the budget process. Budget Amendment Decrease Staff Salaries .5021 Increase Contract Services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to Authorize the Sheriff's Office to utilize salary savings for criminal investigation services related to the Austin Regional Intelligence Center agreement and amend the budget accordingly All voting "Aye". MOTION PASSED



DISCUSSION AND POSSIBLE ACTION TO AMEND THE HAYS COUNTY TRANSPORTATION PLAN (HCTP) TO ADD AN EXTENSION OF CENTERPOINT RD FROM RM 12 TO HUNTER RD. /FM 2439, AND REVISE THE HCTP MAJOR THOROUGHFARE PLAN MAP AND ROADWAY MATRIX ACCORDINGLY

Commissioner Conley, Mike Aulick with Aulick & Associates and Director of Development and Community Services Clint Garza spoke. This item will be placed on next week's agenda on Consent Items. No Action taken

29765 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SPECIAL WARRANTY DEED, CONVEYING APPROXIMATING 34.1355 ACRES OF RIGHT OF WAY TO THE STATE OF TEXAS FOR THE FM 110 PROJECT

Commissioner Ingalsbe spoke. This transfer of property represents all Right of Way acquired between McCarty Lane and State Highway 123. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Special Warranty Deed, conveying approximating 34.1355 acres of Right of Way to the State of Texas for the FM 110 Project. All voting "Aye". MOTION PASSED**

29766 SUB 166 - AMENDING PLAT OF LOT 8, TWIN CREEK ADDITION AND LOT 12-B, LONGVIEW II (2 LOTS) WAIVE PRELIMINARY PLAN AND APPROVE FINAL PLAT

Director of Development and Community Services Clint Garza spoke about Twin Creek Addition. The subdivision meets staff recommendation. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to waive Preliminary Plan and approve final plat of Sub 166 Amending Plat of Lot 8, Twin Creek Addition and Lot 12-B, Longview II. All voting "Aye". MOTION PASSED**

29767 AUTHORIZE INSTITUTIONAL OSSF PERMIT AND GRANT A VARIANCE TO TAC 30 CHAPTER 285.34(D) (ON-SITE SEWAGE FACILITIES RULES) AT 16920 RANCH ROAD 12, WIMBERLEY, TX

Director of Development and Community Services Clint Garza, Commissioner Conley and David Bober of Jobell Projects, LLC is proposing an OSSF to serve a restaurant at 16920 Ranch Road 12 in Precinct 3. This property is 1.606 acres in size and water will be supplied by public water supply that uses transported water from a public water supply. This ON-SITE SEWAGE FACILITY consists of a non-standard treatment system consisting of a grease trap, trash tank, equalization tank, vacuum bubble technology aeration tank, and an aerobic treatment unit. Effluent will be dispersed to a drip irrigation field. The system is designed for a maximum of 480 gpd. The system designer, Kyle DeHart, R.S. is requesting a variance to TAC 30 Chapter 285.34(d) by allowing a 35 gallon grease trap instead of the required 164 gallon grease trap. His justification for the variance is that equal protection to the public health will be provided by monthly laboratory testing of the effluent to prove that this tank is working and this small restaurant will be owner managed and only open for 5 hours per day whereas the rules assume a restaurant will be open all day. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve under the conditions in which we receive a license monitor reports on a monthly basis, and if these reports would even fail, or not in compliance, then the County Development Services Department has the ability to withdraw the permit and shut down the facility after reasonable discussion with the private land owner and grant a variance to TAC 30 Chapter 285.34 On Site Sewage Facilities Rules at 16920 Ranch Road 12, Wimberley, TX All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 AND 551.076 OF THE TEXAS GOVERNMENT CODE: DELIBERATION REGARDING SECURITY DEVICES IN THE HAYS COUNTY LAW ENFORCEMENT CENTER ON UHLAND ROAD IN SAN MARCOS, TEXAS

Court convened into Executive Session at 10:15 a.m. and reconvened into open court at 10:40 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Judge Cobb, Chief of Staff Lon Shell, Sheriff Gary Cutler, Chief Page, Eric Batch, and Tom Hackney. No Action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE WATER RESERVATION AND SUPPLY AGREEMENT BETWEEN HAYS COUNTY AND FORESTAR REAL ESTATE (USA) GROUP INC.

Court convened into Executive Session at 10:47 a.m. and reconvened into open court at 11:23 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, and Chief of Staff Lon Shell. No Action taken.



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

Hays County Sheriff, Gary Cutler and Lieutenant Eric Batch spoke and gave an update on the Hays County Jail Population. 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 316 on April 3rd for the week of March 30 to April 5, 2014. The maximum female capacity is 56 inmates. Last week's average was 55 and peak was 64 on 4/2/2014. The maximum male capacity is 276 inmates. Last week's average was 243 and peak was 256 on 4/3/2014.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn Ban will remain lifted until next week.

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

Mike Weaver of Prime Strategies spoke and introduced Joe Cantalupo with K-Friese & Associates, Inc. Mr. Cantalupo gave a PowerPoint presentation and Tommy Levario of Dannenbaum Engineering, Project Manager for I-35 Posey Road project for Hays County gave PowerPoint Presentation.

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 April 8, 2014.



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

