



APRIL 15, 2014

VOLUME V PG 368

STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 15TH 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
ROSE ROBINSON	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

PRESENTATION OF THE 2014 TEXAS COMPTROLLER'S LEADERSHIP CIRCLE "PLATINUM TRANSPARENCY AWARD" TO HAYS COUNTY IN HONOR OF OUR EFFORTS TO MAINTAIN THE HIGHEST FINANCIAL TRANSPARENCY STANDARDS

Judge Cobb and Commissioner Conley spoke. Judge Cobb thanked Hays County Auditor Bill Herzog. This award recognizes Local Governments for striving to meet high standards for on-line financial transparency by opening their books to the public; providing clear and concise pictures of spending and sharing information in a user-friendly format that helps taxpayers understand how their dollars are spent. In January 2014, the Comptroller's Office introduced a new Platinum Level in which Hays County received a perfect score to obtain this status. This new level spotlights entities that go above and beyond in providing full financial transparency

29768 PROCLAMATION DECLARING APRIL 13-19, 2014 AS NATIONAL TELECOMMUNICATORS' WEEK

Erica Carpenter, Communications Director spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Proclamation declaring April 13-19, 2014 as National Telecommunicators' Week. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

PRESENTATION AND UNVEILING OF THE "TROOPER RANDY VETTER MEMORIAL HIGHWAY" SIGN ON IH 35, BETWEEN RIVER RIDGE PARKWAY AND FM 150

Commissioners Court took a short recess to San Antonio Street, in front of the Courthouse, for a presentation and unveiling of the sign. The Court Approved an AFA regarding signage for the Trooper Randy Vetter Memorial Highway on November 5, 2013. The Court appropriated \$5,000 to help pay for road signs honoring a state trooper killed 14 years ago during a traffic stop on Interstate 35. This AFA allows Hays County to accept donations for signage related to the dedication of a portion of IH 35. Erecting and maintaining two large signs at both ends of the six-mile segment cost \$20,000. The Texas State Troopers Association has contributed \$5,000 for the project and an additional \$10,000 has been raised from private donors. Commissioners Court put up the remaining \$5,000. Other Donors include: Texas State Trooper's Association, President Lee Johnson, Fraternal Order of Police, Hill Country Lodge # 23, Edward Coleman, Yarrington Road Materials, Constable Shane Rapp Precinct 4 Comal County, Canyon Lake Rotary Club, Canyon Lake Noon Lions Club Wade and Christina Powell from Canyon Lake. Judge Cobb introduced the Vetter's Family, Representative Doug Miller who sponsored the Memorial Highway Legislation and DPS Director Steve McCraw, Nathan McDaniel a Representative for Donna Campbell. Representative Doug Miller spoke of the Memorial Highway, DPS Director Steve McCraw spoke, Cynthia Vetter, Trooper Vetter's widow spoke and thank everyone for coming and thank those who donated funds for the sign. Kermit Vetter spoke and introduce Sandra and Amanda sisters of Officer Randy Vetter and Commissioner Ingalsbe spoke.

29769 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 \$452,815.20 as submitted by County Auditor. All voting "Aye". MOTION PASSED

An amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment of County Invoices of \$47,831.00 to Hays Hills Baptist Church, as it relates to the Purchase Agreement. All present "Aye". MOTION PASSED

**29770 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 8, 2014**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 8, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29771 APPROVE THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE MAY 27, 2014, DEMOCRATIC & REPUBLICAN PRIMARY RUNOFF ELECTION

Approve the final Early Voting Schedule for the May 27, 2014, Democratic & Republican Primary Runoff Election Early voting starts on May 19, 2014 and ends on May 23, 2014. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the Early Voting Schedule (Dates & times) for the May 27, 2014, Democratic & Republican Primary Runoff Election. All voting "Aye". MOTION PASSED

29772 APPROVE SPECIFICATIONS FOR IFB 2014-B04 ROAD IMPROVEMENTS/ASPHALT PATCHING FOR VARIOUS LOCATIONS AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

This project is to repair roads for various locations that were damaged in the Halloween Floods of 2013. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for IFB 2014-B04 Road Improvements/Asphalt Patching for Various Locations and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

29773 ACCEPT A DONATION OF \$50.00 TO HAYS COUNTY SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Communications Division received one donation in the amount of \$50.00 from Gary and Debbie Ingalsbe. The donations will be utilized for National Telecommunicator Week. NTW will take place April 13-19, 2014. Budget Amendment: Increase Revenue 001-618-00.4610 Contributions \$50.00; Increase Expense 001-618-00.5391 Miscellaneous \$50.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a donation of \$50.00 to Hays County Sheriff's Office Communications Division and amend the budget accordingly. All voting "Aye". MOTION PASSED

29774 APPROVE UTILITY PERMITS

Pedernales Electric Cooperative Company proposes to place a pole in line within the right-of-way of Hays County Road 235 (Posey Road). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permit #915 for Posey Road issue to Pedernales Electric Cooperative as submitted by the County Road Department. All voting "Aye". MOTION PASSED

29775 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 and Commissioner Conley spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant 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. All voting "Aye". MOTION PASSED

29776 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND GUADALUPE COUNTY RELATED TO JAIL TRANSFER

The letter amendment shall reflect the updated contact information for both parties and a change in the per day rate. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a letter amendment to the Interlocal Cooperative Agreement between Hays County and Guadalupe County related to jail transfer. All voting "Aye". MOTION PASSED



29777 AUTHORIZE ACCEPTANCE OF A PROPOSAL FROM SWCA ENVIRONMENTAL CONSULTANTS FOR A BIOLOGICAL RESOURCE SURVEY AT THE JACOB'S WELL NATURAL AREA, IN THE AMOUNT OF \$7,525.00 AND AMEND THE BUDGET ACCORDINGLY

Commissioner Conley spoke. A biological/endangered species resource survey of the Jacob's Well Natural Area is required under a grant from the Texas Parks and Wildlife Department, Recreation Grants Branch, prior to development of the site. A brief scope of work was developed, along with a proposal form including cost and time frame, and was issued on March 24, 2014 with responses due back by April 3, 2014. Three firms were solicited, and three proposals received, for conducting the survey. SWCA Environmental Consultants, Austin, Texas submitted the apparent lowest cost proposal with a scope and time frame acceptable for the project. Staff recommends acceptance of the proposal from SWCA Environmental Consultants, in the amount of \$7,525.00. Funding is available from the Park Bond Funds dedicated to this project. Amount required \$7,525.00 line item number 150-813-97-407.5448. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize acceptance of a proposal from SWCA Environmental Consultants for a biological resource survey at the Jacob's Well Natural Area, in the amount of \$7,525.00 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29778 APPROVE THE CANCELLATION OF THE HAYS COUNTY COMMISSIONERS COURT ON JULY 1, 2014

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones, to approve the cancellation of the Hays County Commissioners Court on July 1, 2014. All voting "Aye". **MOTION PASSED**

29779 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 31892 RR 12, DRIPPING SPRINGS, TX

Kai Geschke is proposing an OSSF to serve an office/warehouse building. in Precinct 4. This property is .5 acres. Water will be supplied by rainwater collection. The system designer, Jon Maass, R.S. has designed a treatment system which consists of an equalization tank, aerobic treatment unit, and dispersal to a drip irrigation dispersal field at a daily usage rate of 150 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 31892 RR 12, Dripping Springs, TX. All voting "Aye". MOTION PASSED**

29780 APPROVE OUT OF STATE TRAVEL FOR THE GIS PROGRAMS MANAGER FOR THE ESRI INTERNATIONAL USER CONFERENCE, JULY 14TH THROUGH JULY 18TH IN SAN DIEGO, CALIFORNIA

During budget, the department allocated funds to send the GIS programs manager to the annual ESRI GIS Conference. Prior to booking flights and accommodations staff is seeking official approval for out of state travel. The conference is offered at no cost to attendees. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for the GIS Programs Manager for the ESRI International User Conference, July 14th through July 18th in San Diego, California. All voting "Aye". MOTION PASSED**

29781 ACCEPT A DONATION OF \$2,500.00 TO HAYS COUNTY SHERIFF'S OFFICE, COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office received a donation from James and Deborah Smith to be used for supplies and materials for community base programs and request to deposit into g/l 052-618-00.5222. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept a donation of \$2,500.00 to Hays County Sheriff's Office, Community Outreach Division and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29782 APPROVE AWARD FOR IFB 2014-B03 ELECTRICAL SERVICES ON AN AS NEEDED BASIS COUNTYWIDE TO TED BREIHAN ELECTRIC CO

A large boulder on the well and creek bank has slowly shifted over time. Staff has concerns about future shifts and how it affects the safe use of facilities at the JWNA. Amount required \$18,600.00 line item number 150-813-97-407.571. **A motion was made by Commissioner Whisenant seconded by Commissioner Ingalsbe approve award for IFB 2014-B03 Electrical Services On an as Needed Basis Countywide to Ted Breihan Electric Co. All voting "Aye". MOTION PASSED**



29783 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH AUSTIN CRANE SERVICES, INC. FOR SAFETY-RELATED EARTHWORK AT JACOB'S WELL NATURAL AREA AND AMEND THE BUDGET ACCORDINGLY

Director of Development and Community Services Clint Garza, Director of Transportation Department Jerry Borcharding and Commissioner Conley spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to execute an Agreement with Austin Crane Services, Inc. for safety-related earthwork at Jacob's Well Natural Area and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29784 AUTHORIZE THE SHERIFF'S OFFICE TO HIRE A CRIME SCENE/EVIDENCE TECHNICIAN, SLOT 0625-001 AT THE 75TH PERCENTILE, EFFECTIVE 5/1/14

Hays County Sheriff Gary Cutler and Captain Mark Davenport spoke. The Sheriff has a candidate for this position with six years previous experience in responding to crime scenes, latent print examination, evidence processing, fingerprinting and assisting major crimes detectives. She has a BS in Biology and has many certifications and training directly related to this field. The Sheriff believes this would be a huge asset to Hays County and would seek the Court's approval to hire at the 75th percentile (\$49,560 annualized). Salary savings has been identified to cover this cost. No budget amendment is necessary. The position I currently budgeted at \$41,237 and the minimum for this grade level is \$36,044. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to hire a Crime Scene/Evidence Technician, slot 0625-001 at the 75th percentile, effective 5/1/14. 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 AND VALUE OF RIGHT OF WAY AND REAL ESTATE RELATED TO THE PROPOSED LAZY OAKS SUBDIVISION, ALSO KNOWN AS LA CIMA

Court convened into Executive Session at 11:08 a.m. and reconvened into open court at 12:05 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Judge Cobb, Chief of Staff Lon Shell, Transportation Director Jerry Borcharding and Director of Development and Community Services Clint Garza. 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 PROJECTS UPLAND AND SILO

Court convened into Executive Session at 10:22 a.m. and reconvened into open court at 11:00 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 and Mike Kamerlander. No Action Taken.

29785 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 ON 1626 NORTH

Court convened into Executive Session at 10:22 a.m. and reconvened into open court at 11:00 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Judge Cobb and Chief of Staff Lon Shell. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Purchase Agreement between Hays County and Hays Hills Baptist Church for the acquisition of a temporary easement related to construction of FM 1626 North, as presented in Executive Session. 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 Office spoke gave an updated inmate population 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 284 and peak was 299 on April 9th for the week of April 6 to April 12, 2014. The maximum female capacity is 56 inmates. Last week's average was 50 and peak was 54 on 4/9/2014. The maximum male capacity is 276 inmates. Last week's average was 233 and peak was 245 on 4/9/2014.



ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn ban will remain lifted.

County Clerk's Note Agenda Item #25 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 Item #26 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 April 15, 2014.



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

