



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 22<sup>ND</sup> 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
CHRISTINE S. RODRIGUEZ	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.

#### PUBLIC COMMENTS

Carlos Lopez, South and Central Texas Office leader of HNTB introduced the new HNTB Staff members Van Short, Project Director and Stephanie Russell, Professional Engineer.

#### 29786 ADOPT A PROCLAMATION DECLARING MAY 4 - 10, 2014 AS NATIONAL CORRECTIONAL OFFICER & EMPLOYEES WEEK

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Adopt a Proclamation declaring May 4 -10, 2014 as National Correctional Officer & Employees Week. All voting "Aye". MOTION PASSED

#### 29787 ADOPT A PROCLAMATION DECLARING APRIL 26, 2014 - MAY 3, 2014 NATIONAL INFANT IMMUNIZATION WEEK

Margie Rodriguez with the Local Health Department spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to Adopt Proclamation declaring April 26, 2014 – May 3, 2014 National Infant Immunization Week. All voting "Aye". MOTION PASSED

#### PRESENTATION OF THE TREE LOCATED ON THE COURTHOUSE GROUNDS FOR JUDGE CHARLES RAMSAY

Commissioner Conley spoke. Judge Ramsay left office December 31, 2012; He served Hays County from: 1963 to 1973 as a County Attorney for Hays County, 1973 to 1981 County Court of Law #1 Judge, 1981 to December 31, 2012 as District Judge 22nd Judicial District.

#### 29788 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve payments of County Invoices in the amount of \$839,239.82 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

#### 29789 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 14 &15, 2014

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Commissioner Court Minutes of April 14 & 15, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

#### 29790 REQUEST FOR OUT OF STATE TRAVEL FOR ERICA CARPENTER, DIRECTOR OF COMMUNICATIONS AT THE HAYS COUNTY SHERIFF'S OFFICE, TO ATTEND AND SPEAK AT THE INTERNATIONAL ACADEMIES OF EMERGENCY DISPATCH CONFERENCE IN LAKE BUENA VISTA, FLORIDA APRIL 30TH THROUGH MAY 2ND, 2014

Request for out of state travel for Erica Carpenter, Director of Communications at the Hays County Sheriff's Office, to attend and speak at the International Academies of Emergency Dispatch conference April 30th through May 2nd, 2014. Conference attendance, travel and hotel are free of cost, paid for by the IAED as a sponsored speaker. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve request for out of state travel for Erica Carpenter, Director of Communications at the Hays County Sheriff's Office, to attend and speak at the International Academies of Emergency Dispatch conference in Lake Buena Vista, Florida April 30th through May 2nd, 2014. All voting "Aye". MOTION PASSED



**29791      AUTHORIZE GENERAL COUNSEL AND THE PURCHASING MANAGER TO PROCURE PROFESSIONAL ARCHITECTURAL SERVICES FOR REMODELING WITHIN THE HAYS COUNTY JAIL AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT FOR ARCHITECTURAL SERVICES WITH A BUDGET NOT TO EXCEED \$10,000.00**

Light to moderate remodeling is required within the Hays County Jail inmate holding area. Total costs of design and construction are estimated to be less than \$50,000. The Professional Service Agreement for architectural services is attached. Once an architect is procured and the design is completed, county staff will move forward with the procurement of construction services. Funds were set aside for miscellaneous Jail Improvements in the Tobacco Settlement Fund during the FY 2014 budget process. Amount required not to exceed \$10,000.00 line item number 121-752-00.5741. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize general counsel and the purchasing manager to procure Professional Architectural Services for remodeling within the Hays County Jail and authorize the County Judge to execute a Professional Service Agreement for Architectural Services with a budget not to exceed \$10,000.00. All voting "Aye". MOTION PASSED**

**29792      SUB 152 - CALITERRA SUBDIVISION (675 LOTS) APPROVE VARIANCES FROM HAYS COUNTY DEVELOPMENT REGULATIONS AND APPROVE PRELIMINARY PLAN**

Commissioner Whisenant and Felix Micah from CMA Engineering Inc. spoke. The proposed Caliterra Subdivision is a planned development on 551.77 acres on RR 12 at FM 150 in Precinct 4. At full build out the subdivision is proposed to result in 675 lots with an average lot size of .82 acres. Public water service to the subdivision will be provided by Dripping Springs Water Supply Corporation and public wastewater service will be provided by a TCEQ permitted wastewater system operated by Hays County Development District No. 1. Staff has completed preliminary review of the subdivision; however the developer has requested 6 variances from the Hays County Development Regulations. The specific variances are listed below and a summary of the variances requested will follow in the agenda back up. Variances: Chapter 721.02 -- Roadway Design Speed ( the developer wishes to design all roads at a slower design speed than required in order to improve vehicular and pedestrian safety. Chapter 721.02 -- Roadway Centerline Radius ( the developer wishes to reduce the radii to preserve the character of the land by minimizing impacts to existing topography. The radii requested are consistent with radii required under requested roadway design speed) Chapter 721.02 -- Minimum Tangent Length (the developer would like reduced tangent lengths to preserve natural character of the land.) Chapter 721.02 -- Minimum Shoulder Width (the developer would like to design sections of roadway without required shoulders. They argue the 48 feet of required pavement is more than enough for planned number of lanes to serve the development Chapter 721.02 -- Cul-de-sac ROW/pavement radius ( the developer states the reduced ROW width and will help preserve the natural character of the land by minimizing impacts). Chapter 721.6.0.1 -- Right of way dedication for new road facility per Hays County Transportation Plan. ( The developer wishes to leave the dedication of ROW off of the plat and has instead agreed to place a 50 setback on the southern and western property lines where no development may occur in the future.) **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve the Subdivision 152 Caliterra for the applied variances from Hays County Development Regulations and approve Preliminary Plan of Caliterra Subdivision. All voting "Aye". MOTION PASSED**

**29793      AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO MOVE THREE PART-TIME ADMINISTRATIVE ASSISTANT I POSITIONS CURRENTLY FUNDED IN THE DA DRUG FORFEITURE FUND TO GENERAL FUND USING SALARY SAVINGS, EFFECTIVE MAY 1, 2014**

General Counsel Mark Kennedy and District Attorney's Office Deputy, Jordan Davisson spoke about the three part-time positions. The DA would like to use General Fund salary savings to move part-time Admin Asst I slots, 0273-006, 018 & 020 that are currently being paid from Drug Forfeiture Fund. These positions were added in 2012 as temporary interns to help support the civil, felony and misdemeanor divisions with filing, scanning and copying due to a substantial increase in workload. Since the workload has only continued to increase, the positions were made permanent part-time during the FY 2014 budget process. The DA Drug Forfeiture Fund has always funded these positions, however due to a new contract with the Austin Police Department for forensic services and other commitments as well as a decrease in forfeiture proceeds, there will not be adequate funding available to cover these much needed positions. The District Attorney would like the Court to consider moving these positions to the General Fund for the remainder of this fiscal year. Restructuring of all part-time and temporary administrative staff will be addressed during the FY15 budget process. Salary savings has been identified to fund this request. Amount required \$16,831 line item number 001-607-00]. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the District Attorney's Office to move three part-time Administrative Assistant I positions currently funded in the DA Drug Forfeiture Fund to General Fund using salary savings, effective May 1, 2014. All voting "Aye". MOTION PASSED**



**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 9:58 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. No action Taken.

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

Captain Mark Cumberland with the Hays County Sheriff's Office 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 272 and peak was 277 on April 17<sup>th</sup> for the week of April 13 to April 19, 2014. The maximum female capacity is 56 inmates. Last week's average was 50 and peak was 53 on 4/16/2014. The maximum male capacity is 276 inmates. Last week's average was 222 and peak was 225 on 4/18/2014.

**ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Burn Ban will remain lifted per recommendation of the Hays County Fire Marshal.

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

Laura Harris of HNTB on behalf of Prime Strategies gave a monthly update. Projects in Design- FM 1626 South (FM 2770 to FM 967), Completed Projects – IH 35 IH 35 Phase 2A (RM 150 Realignment), IH 35 Phase 2B (Frontage FM 1626 to Yarrington), Precinct 1- FM 110 (McCarty Lane to SH 123), Yarrington Bridge Replacement (at IH 35), Precinct 2- FM 1626 North (FM 967 to Brodie Ln).

**County Clerk's Note Agenda Item #14 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 22, 2014.



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

