



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 20TH DAY OF MAY 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:

Pastor Carl Clark of the Driftwood United Methodist Church 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.

PUBLIC COMMENTS

Kate Johnson – Kyle resident and President of the Hays County Historical Commission spoke and presented a painting to the Commissioners Court.

29838 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve County Invoices in the amount of \$499,781.00 as presented by the County Auditor. All voting "Aye". MOTION PASSED

29839 APPROVE COMMISSIONERS COURT MINUTES OF MAY 13, 2014

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of May 13, 2014 as submitted by the County Clerk. All voting "Aye". MOTION PASSED

29840 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO ACCEPT A DONATION FROM CHAMALEE WEERATUNGE, M.D. FOR IMPLEMENTATION OF AN IMMUNIZATION OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

Dr. Weeratunge has generously offered to donate funds to the Personal Health Department to implement an immunization clinic to be utilized in conjunction with South Side Community Center to target disadvantaged individuals in need of these services. Amount required \$2,000.00. Budget Amendment: Increase Contributions: 120-675-00.4610; Increase Vaccines: 120-675-00.5230. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant authorize the Personal Health Department to accept a donation from Chamalee Weeratunge, M.D. for implementation of an immunization outreach program and amend the budget accordingly. All voting "Aye". MOTION PASSED

29841 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 402 LEWIS LANE, BUDA, TX

Matthew and Susan Ocker are proposing an on-site sewage facility to serve a new daycare facility in Precinct 2. This property is 2.6277 acres just north of Cimarron Park Subdivision. Water will be supplied by public water supply. The system designer, Stan Burrier, P.E., has designed a 600 gallon per day treatment system which consists of a grease trap, pretreatment tank, equalization tank, and an aerobic treatment unit which doses to a drip irrigation dispersal field. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 402 Lewis Lane, Buda, TX. All voting "Aye". MOTION PASSED



29842 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE IMMUNIZATION GRANT IN THE AMOUNT OF \$192,341

Funding is requested annually from DSHS to support the immunization program in Hays County. Funds will be utilized to provide support of the salary and benefits of the staff involved in this program. This is a renewal application for funding for the period of September 3, 2014 to August 31, 2015. The application is submitted electronically. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to submit a grant application to the Texas Department of State Health Services (DSHS) for the Immunization Grant in the amount of \$192,341. All voting "Aye". MOTION PASSED**

29843 AUTHORIZE ACCEPTANCE OF A PROPOSAL FROM HICKS & COMPANY FOR A BIOLOGICAL RESOURCE SURVEY AT THE DAHLSTROM RANCH PUBLIC ACCESS AREA (HOWE PASTURE), IN THE AMOUNT OF \$8,567.00, AND AMEND THE BUDGET ACCORDINGLY

A biological/endangered species resource survey/habitat assessment of the Dahlstrom Ranch Public Access Area (Howe Pasture) is required under a Texas Recreational Trails Fund 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 May 9, 2014 with responses due back by May 14, 2014. Three firms were solicited, and three proposals received, for conducting the survey. Hicks & Company, 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 Hicks & Company, in the amount of \$8,567.00. Funding is available from the TPWD Texas Recreational Trails Fund grant. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant authorize acceptance of a proposal from Hicks & Company for a biological resource survey at the Dahlstrom Ranch Public Access Area (Howe Pasture), in the amount of \$8,567.00, and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29844 AUTHORIZE THE COUNTY JUDGE TO SUBMIT TWO INTER-LOCAL CONTRACT (GRANT) APPLICATIONS TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR \$26,580 IN STATE FUNDING AND \$22,618 IN FEDERAL FUNDING FOR THE TUBERCULOSIS PROGRAM IN THE HAYS COUNTY LOCAL HEALTH DEPARTMENT

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The Hays County Local Health Department has participated in this program for over 11 years, providing services to those affected by this disease. The available funding for State (\$26,580) and Federal (\$22,618) total is \$49,180, with a 20% match (\$9,840) required of the County for participation in the program. The match will be budgeted within the Health Department for fiscal year 2015 from existing salaries, benefits, and operating expenses. The contract period will be from September 1, 2014 through August 31, 2015. The application is submitted electronically. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to submit two Inter-local Contract (Grant) Applications to the Department of State Health Services (DSHS) for \$26,580 in State funding and \$22,618 in Federal funding for the Tuberculosis program in the Hays County Local Health Department. All voting "Aye". MOTION PASSED**

29845 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE SUPPLIES FOR THE TRAINING ACADEMY AND AMEND THE BUDGET ACCORDINGLY

On Dec. 6, 2011, Commissioner's Court authorized the Sheriff's Office to amend the operating budget for tuition and related expenses for the Training Academy. At this time, the S.O. is requesting to amend the budget for supplies and materials. Budget Amendment: Increase Training Academy Fees: 001-618-00.4408 (\$3,000.00), Increase Training Academy: 001-618-00.5333 \$3,000.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant authorize the Sheriff's Office to purchase supplies for the Training Academy and amend the budget accordingly. All voting "Aye". MOTION PASSED**



29846 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND, AND ACCEPT THE MAINTENANCE BOND FOR TWO YEARS FOR REUNION RANCH SUBDIVISION, PHASE 1C

Jerry Borcharding, Director of Transportation Services gave staff recommendation. Staff recommends of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley accept road construction and drainage improvements, Release the Construction Bond, and accept the Maintenance Bond for two years for Reunion Ranch Subdivision, Phase 1C. All voting "Aye". MOTION PASSED**

29847 APPROVE THE CITY OF SAN MARCOS AND HAYS COUNTY INTERLOCAL AGREEMENT TO PARTICIPATE IN THE FUNDING OF THE DEVELOPMENT OF FM 110 THROUGH CITY OF SAN MARCOS TRANSPORTATION REINVESTMENT ZONE NO. 1 AND AUTHORIZE COUNTY JUDGE TO EXECUTE AGREEMENT ON BEHALF OF HAYS COUNTY

Mike Weaver of Prime Strategies recommended Commissioners Court spoke. Commissioner Ingalsbe spoke of additional language on Resolution. In the fourth paragraph: it is anticipated that on May 20, 2014 the City of San Marcos will approve; and in the last paragraph; contingent on approval of the Agreement by the City of San Marcos. On December 10, 2013 Hays County authorized the creation of Transportation Reinvestment Zone No. 1, County of Hays to fund a portion of the construction costs for the Hays County-Texas Department of Transportation Partnership Program FM 110 project from State Highway 123 to I-35 at Yarrington Road and to set the tax increment rate to be dedicated to the repayment to the Texas Department of Transportation of construction costs for the project. On December 17, 2013, the City of San Marcos authorized the creation of Transportation Reinvestment Zone No. 1, City of San Marcos to fund a portion of the construction costs for the FM 110 project. On February 25, 2014, Hays County approved a Local Transportation Project Advance Funding Agreement for a Highway Improvement (AFA) with the Texas Department of Transportation regarding the funding of the FM 110 project. On May 16, 2014, the City of San Marcos set the tax increment rate to be dedicated to the repayment to the Texas Department of Transportation of construction costs for the project and approved the City of San Marcos and Hays County Interlocal Agreement to Participate in the Funding of the Development of FM 110 through City of San Marcos Transportation Reinvestment Zone No. 1 (ILA). The ILA addresses various agreements by Hays County and the City of San Marcos, including the disposition of the Pledged Tax Increment from the Transportation Reinvestment Zone No. 1, City of San Marcos and obligations of Hays County as set forth under the AFA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve the City of San Marcos and Hays County Interlocal Agreement to Participate in the Funding of the Development of FM 110 through City of San Marcos Transportation Reinvestment Zone No. 1 and authorize County Judge to execute Agreement on behalf of Hays County contingent on approval of the Agreement by the City of San Marcos. All voting "Aye". MOTION PASSED**

29848 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH K FRIESE & ASSOCIATES, INC. RELATED TO A CORRIDOR STUDY ON FM 150

Commissioner Conley, Commissioner Whisenant and Mike Weaver of Prime Strategies spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a Professional Services Agreement with K Friese & Associates, Inc. related to a Corridor Study on FM 150. All voting "Aye". MOTION PASSED**

County Clerk's Note Agenda Item #12 RE: BELLA VISTA SUBDIVISION, PHASE 1 07-4-23 (1 LOT) AND APPROVE FINAL PLAT AND ACCEPT CONSTRUCTION SURETY IN THE AMOUNT OF \$42,750 FOR STREET AND DRAINAGE IMPROVEMENTS – was pulled

29849 SUB-148 REPLAT OF TRACTS A-1, A-2 & A-3 VISTA RANCH AKA BLUE BLAZES RANCH (9 LOTS) GRANT A VARIANCE FROM SECTION 721.6.01 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS; APPROVE PRELIMINARY PLAN

Commissioner Whisenant and Clint Garza, Director of Development and Community Services spoke. The Blue Blazes Ranch subdivision is a proposed 33.81 acre subdivision located off of US HWY 290 in Precinct 4. The development will consist of 9 lots averaging 3.75 acres in size. Each lot will be served by a public water supply system provided by the West Travis County Public Utility Agency. To date, Blue Blazes has been through the development agreement and platting process with the City of Dripping Springs. Though the development has been going through the City of Dripping Springs for quite some time, a formal submittal was never made to Hays County. The owners were not made aware of the requirement for right of way dedication requirements under the Hays County Regulations and Transportation Plan. They feel it is an undue hardship and would make the project infeasible. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Replat of Tracts A-1, A-2 & A-3 Vista Ranch aka Blue Blazes Ranch (9 lots) and grant a variance from Section 721.6.01 of the Hays County Development Regulations, and approve preliminary plan. All voting "Aye". MOTION PASSED**



29850 ADOPT A DEBT MANAGEMENT POLICY FOR HAYS COUNTY, AS RECOMMENDED BY THE COUNTY AUDITOR AND THE COUNTY'S CONSULTANT(S)

Dan Wegmiller with Specialized Public Finance spoke. Goals: is to provide a debt management policy which recognizes the capital improvement needs of a growing County balanced by the taxpayer's ability to pay. The County will, at all times, manage its debit and sustain its financial position in order to seek and maintain the highest credit ratings possible. Purpose: The basic purpose of the policy is to provide a conceptual framework for the issuance and management of debt. Factors Important to the Issuance of Debt, Debit Management Policies and Policy Review A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Debt Management Policy for Hays County, as recommended by the County Auditor and the County's Consultant(s). All voting "Aye". MOTION PASSED

29851 APPROVE AN ORDER AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF HAYS COUNTY, TEXAS LIMITED TAX REFUNDING BONDS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERING THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS; AUTHORIZING AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND OTHER MATTERS RELATED THERETO

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve an order authorizing the issuance of one or more series of Hays County, Texas Limited Tax Refunding Bonds; establishing procedures for selling and delivering the bonds; delegating the authority to certain county officials and county staff to execute certain documents related to the sale of the bonds; authorizing an escrow agreement and a paying agent/registrar agreement; and other matters related thereto. All voting "Aye". MOTION PASSED

29852 APPROVE AN ORDER AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF HAYS COUNTY, TEXAS UNLIMITED TAX REFUNDING BONDS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERING THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS; AUTHORIZING AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND OTHER MATTERS RELATED THERETO

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve an order authorizing the issuance of one or more series of Hays County, Texas Unlimited Tax Refunding Bonds; establishing procedures for selling and delivering the bonds; delegating the authority to certain county officials and county staff to execute certain documents related to the sale of the bonds; authorizing an escrow agreement and a paying agent/registrar agreement; and other matters related thereto. All voting "Aye". MOTION PASSED

29853 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE, PURCHASE AND/OR SALE OF 50.199 ACRES LOCATED ALONG MOUNT SHARP ROAD IN PRECINCT 3, COMMONLY KNOWN AS THE WESTRIDGE TRACT

Court convened into Executive Session at 10:00 a.m. and reconvened into opened court at 11:18 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. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an IRS Form 8283 related to the County's purchase of 50.1999 acres in December 2010, contingent upon General Counsel's opinion that the Form 8283 accurately describes the transaction that occurred. All voting "Aye". MOTION PASSED

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

Captain Mark Cumberland of the Hays County Sheriff's Office gave Jail 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 301 and peak was 307 on May 16th for the week of May 27 to May 17, 2014. The maximum female capacity is 56 inmates. Last week's average was 41 and peak was 45 on 5/12/2014. The maximum male capacity is 276 inmates. Last week's average was 260 and peak was 268 on 5/16/2014.



ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

County Judge spoke of consulting with area Fire Marshalls and their recommendation is to leave the Burn Ban lifted at this time. He also asked the public to use extreme caution when conducting outdoor burning.

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 and Mike Weaver with Prime Strategies gave monthly update. **Precinct 1:** IH 35 Phase 2B (FM 1626 to Yarrington); **Precinct 2:** IH 35 Phase 1 (Kyle Crossing (CR 210) Overpass); FM 2001 (CR 210/ IH 35 NB Frontage Road Connector); IH 35 Phase 2A (RM 150 Realignment); IH 35 Phase 2B (FM 1626 to Yarrington); **Precinct 4:** US 290 West (Trautwein Road to Nutty Brown Road).

County Clerk's Note Agenda #21 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 Ingalsbe 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 May 20, 2014.

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

