



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 2ND DAY OF SEPTEMBER 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:

Rev. Dan Williams, The Baptist Church at Driftwood 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

Sara Lee Underwood – San Marcos resident spoke.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller presented 5-year service awards to the following employees: Kimberli Koehler – Auditor's Office, Patricia Sanchez – Building Maintenance, Eric Villalpando – Constable Pct. 1, Sandy Riojas, Constable Pct. 1, Matthew Farris – Constable Pct. 3, Ronald Hood – Constable Pct. 4, Eddie Castillo – Juvenile Center, Alexis Allen – Juvenile Center, Nancy Konecny – Juvenile Center, Michael Fuentes – Sheriff, Daisy Trevino – Sheriff, David Dykes – Sheriff, Betty Lambert – Sheriff, John Tomlin – Sheriff, Dustin Speckles – Sheriff, Roy Brosig – Sheriff.

30055 ADOPT A PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2014 AS NATIONAL PREPAREDNESS MONTH

Kharley Smith and Mike Jones of the Emergency Management Office spoke on being "Emergency Prepared". A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring the month of September 2014 as National Preparedness Month. All voting "Aye". MOTION PASSED

30056 ADOPT A PROCLAMATION DECLARING SEPTEMBER, 2014 AS HUNGER ACTION MONTH

Jane Moore of the Food Bank spoke of the rescuing and distributing of food in Hays County. A motion was made by Commissioner Conley, seconded by Commissioner Jones to adopt a Proclamation declaring September, 2014 as Hunger Action Month. All voting "Aye". MOTION PASSED

PRESENTATION TO RAISE AWARENESS OF AMYOTROPHIC LATERAL SCLEROSIS (ALS)

Commissioner Conley spoke of ALS and how former Commissioner Bill Burnet's wife fell victim to the disease. Hays County was challenged by Former Bill Burnet. Former Bill Burnet spoke of the disease and the awareness the ice bucket challenge has benefited the ALS Organization and how there's been a tremendous amount of money raised. Judge Cobb challenged Lee County Commissioners Court to take the ice bucket challenge. Court took a break to take the challenge.

30057 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$1,187,414.87 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**30058 APPROVE COMMISSIONER COURT MINUTES OF AUGUST 18 & 19, 2014**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of August 18 & 19, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

30059 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO ACCEPT A DONATION FROM THE HAYS COUNTY COMMUNITY HEALTH FOUNDATION FOR AN IMMUNIZATION OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Hays County Community Health Foundation has donated funds to the Personal Health Department to help fund an immunization clinic to be utilized in conjunction with South Side Community Center to target disadvantaged individuals in need of these services. Budget Amendment: Increase Contributions: 120-675-00.4610 Increase Vaccines: 120-675-00.5230. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Personal Health Department to accept a donation from the Hays County Community Health Foundation for an immunization outreach program and amend the budget accordingly. All voting "Aye". MOTION PASSED

30060 APPROVAL TO RENEW BID FOR REGULATORY, WARNING & OTHER ROAD SIGNS FOR ONE (1) ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID #2010-B19

The terms and conditions remain unchanged and in full force as provided in original bid. No increase in pricing. This will be the last year for renewal of contract. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approval to renew Bid for Regulatory, Warning & Other Road Signs for one (1) additional year as provided for in the original Bid #2010-B19. All voting "Aye". MOTION PASSED

30061 APPROVAL OF AWARD FOR IFB 2014-B07 EMULSION OILS TO ERGON ASPHALT & EMULSIONS INC. AND AUTHORIZE COUNTY JUDGE TO EXECUTE CONTRACT

The Sheriff's Office would like to utilize existing funds to purchase a visitor management system. This system will allow registering and badging visitors in our buildings providing verification & screening of each individual. No additional funds are needed. Amendment 001-618-03.5719_400/Misc. Equipment Operating (\$1,100.00) 01-618-03.5718_400/Software Operating \$1,100.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant approval of award for IFB 2014-B07 Emulsion Oils to Ergon Asphalt & Emulsions Inc. and authorize County Judge to execute contract. All voting "Aye". MOTION PASSED

30062 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE VISITOR MANAGEMENT EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to purchase visitor management equipment and amend the budget accordingly. All voting "Aye". MOTION PASSED

30063 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE LOCATION USE AGREEMENT BETWEEN HAYS COUNTY AND ABC STUDIOS RELATED TO ADDITIONAL FILMING DATES AT THE HAYS COUNTY GOVERNMENT CENTER

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a letter amendment to the Location Use Agreement between Hays County and ABC Studios related to additional filming dates at the Hays County Government Center. All voting "Aye". MOTION PASSED

30064 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS IN THE AMOUNT OF \$13,104.00 AND AMEND THE BUDGET ACCORDINGLY

On June 3, 2014 the Commissioners' Court authorized a grant application to the U.S. Department of Justice, Bureau of Justice Assistance under the Edward Byrne Memorial Justice Assistance Grant (JAG) program for \$13,104.00. The grant funding will be used to purchase equipment (two Digital Cameras, Zoom Lens, speedlight



shoe mount flash and accessories to enhance the Hays County Sheriff's Office, Criminal Investigation Division (CID). Notification has been received that this grant has been approved for the full amount requested. The project period is from October 2, 2013 to September 30, 2015. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to accept a grant award from the Department of Justice, Office of Justice Programs in the amount of \$13,104.00 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30065 AUTHORIZE MOVING COUNTY WIDE CONTINGENCY FUNDS TO THE BUILDING MAINTENANCE BUDGET FOR BUILDING REPAIRS AND AMEND THE BUDGET ACCORDINGLY

Two county owned buildings that are currently leased to the WIC center are in need of repairs consisting of replacement awnings, electrical upgrade and a/c repair. These repairs were not anticipated during the FY14 budget process and funds are not available in their budget. As per the current Lease Agreement, Hays County is responsible for these types of repairs; however, WIC has agreed to share a portion of the costs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize moving County Wide contingency funds to the Building Maintenance budget for building repairs and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30066 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SPECIAL WARRANTY DEED, CONVEYING APPROXIMATING 6.327 ACRES OF RIGHT OF WAY TO THE STATE OF TEXAS FOR THE RM 150 PROJECT

This transfer of property represents all Right of Way acquired between IH 35 northbound frontage road to 2300' east of IH 35. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Special Warranty Deed, conveying approximating 6.327 acres of Right of Way to the State of Texas for RM 150 Project. All voting "Aye". MOTION PASSED**

30067 SUB-125 RIM ROCK PHASE 2 SECTION 3 (79 LOTS) APPROVE FINAL PLAT; ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF REMAINING STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$68,627.75

Clint Garza Development Services Director gave staff recommendation. The preliminary plan for Rim Rock Phase 2 was originally approved in 2004. The subdivision is located off of FM 1826 in Precinct 2. This section includes 79 lots with an average size of 1.62 acres. All lots will be served by public water provided by Greenhawe WCID #2 and individual advanced OSSF's. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat accept fiscal surety for the construction of remaining street and drainage improvements in the amount of \$68,627.75 for SUB-125 Rim rock Phase 2 Section 3 (79 Lots). All voting "Aye". MOTION PASSED**

30068 SUB-247 REPLAT OF LOT 1, C.O. MCCARTY'S EL RANCHO COSTA PLENTY (2 LOTS) APPROVE FINAL PLAT

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Clint Garza Development Services Director gave staff recommendation. C.O. McCarty's El Rancho Costa Plenty is a recorded subdivision located off of Loop 165 in Precinct 4. The proposed re-plat will divide the 44.44 acre lot into two lots. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final of SUB-247 Replat of Lot 1, C.O. McCarty's El Rancho Costa Plenty (2 Lots). All voting "Aye". MOTION PASSED**

30069 CALL FOR A PUBLIC HEARING ON SEPTEMBER 16, 2014 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF A PORTION OF LOT 1, TRIPLE R RANCHETTES

Triple R Ranchettes is a recorded subdivision located off of S Turnersville Road in Precinct 2. The proposed re-plat will correct the plat of these lots, as they were divided by metes and bounds rather than the requisite plat revision. Water service will be provided by Creedmore Water Supply and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on September 16, 2014 to discuss final plat approval of the Replat of a portion of Lot 1, Triple R Ranchettes. All voting "Aye". MOTION PASSED**



30070 CALL FOR A PUBLIC HEARING ON SEPTEMBER 16, 2014 TO DISCUSS FINAL PLAT APPROVAL OF THE RESUBDIVISION OF LOT 5, PANTHER CREEK

Panther Creek is a recorded subdivision located off of Elder Hill Road in Precinct 3. The proposed re-plat will divide the 50.00 acre lot into two lots. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to call for a public hearing on September 16, 2014 to discuss final plat approval of the Resubdivision of Lot 5, Panther Creek. All voting "Aye". MOTION PASSED**

30071 HOLD A PUBLIC HEARING RELATED TO THE CREATION OF THE PROPOSED LA CIMA PUBLIC IMPROVEMENT DISTRICT (PID) IN PRECINCT 3

Judge Cobb opened the public hearing. Ryan Thomason – San Marcos City Council Member and San Marcos resident, Jill Keith – San Marcos resident, Jeff Barton – Buda resident and of Gap Strategies (which works with La Cima Development) spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adjourn the hearing until September 23, 2014. All voting "Aye". MOTION PASSED**

30072 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND AEGIS GROUP INC. FOR PROFESSIONAL APPRAISAL SERVICES RELATED TO THE PROPOSED LA CIMA PUBLIC IMPROVEMENT DISTRICT IN PRECINCT 3

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a Professional Services Agreement between Hays County and Aegis Group Inc. for Professional Appraisal Services related to the Proposed La Cima Public Improvement District in Precinct 3.

An amended motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a Professional Services Agreement between Hays County and Aegis Group Inc. for Professional Appraisal Services related to the Proposed La Cima Public Improvement District in Precinct 3 in an amount not to exceed \$30,000 and allow General Counsel to finalize scope of the appraisal. All voting "Aye". MOTION PASSED

30073 ADOPT THE FY 2015 HOLIDAY CALENDAR

In order to schedule court dockets, we have been requested to consider approving our FY 2015 County Holiday Calendar. Texas Independence Day has also been previously discussed. That Texas holiday falls on Monday, March 2nd. Commissioner Ingalsbe proposed that the Court consider removing Columbus Day and giving an extra day at New Years, since it falls on a Thursday. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt the proposed 2015 Holiday Calendar. All voting "Aye". MOTION PASSED**

30074 AMEND THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE NOVEMBER 4, 2014, GENERAL ELECTION

Joyce Cowan Elections Administration recommended adding Texas State one additional day (Oct. 27th 11am to 7pm and Seton Medical Hospital, two days (Oct. 21st and 22nd 11am to 7pm). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Early Voting Schedule (dates & times) for the November 4, 2014, General Election. All voting "Aye". MOTION PASSED**

30075 REAPPOINT SCOTT ROBERTS TO THE BOARD OF DIRECTORS OF THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY (THE "WTCPUA")

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to reappoint Scott Roberts to the Board of Directors of the West Travis County Public Utility Agency (The "WPCPUA). All voting "Aye". MOTION PASSED

30076 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A TAX COLLECTION AGREEMENT BETWEEN HAYS COUNTY AND THE HEADWATERS MUNICIPAL UTILITY DISTRICT

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a Tax Collection Agreement between Hays County and the Headwaters Municipal Utility District. All voting "Aye". MOTION PASSED



30077 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STATE CASE REGISTRY AND LOCAL CUSTOMER SERVICE COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND THE OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF TEXAS RELATED TO THE OAG CASE MANAGEMENT SYSTEM

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a State Case Registry and Local Customer Service Cooperative Agreement between Hays County and the Office of the Attorney General of the State of Texas related to the OAG Case Management System. All voting "Aye". MOTION PASSED

30078 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT REGARDING CONSTRUCTION AND OWNERSHIP OF FACILITIES BETWEEN HAYS COUNTY, TXDOT AND PEDERNALES ELECTRIC COOPERATIVE, INC. RELATED TO THE YARRINGTON ROAD PROJECT IN PRECINCT 1

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Agreement Regarding Construction and Ownership of Facilities between Hays County, TxDOT and Pedernales Electric Cooperative, Inc. related to the Yarrington Road Project in Precinct 1. All voting "Aye". MOTION PASSED

30079 APPOINT NINE (9) MEMBERS AND ALTERNATE MEMBERS TO THE SALARY GRIEVANCE COMMITTEE PURSUANT TO SECTION 152.014 OF THE TEXAS LOCAL GOVERNMENT CODE

Counsel advises that the committee should be appointed for the remainder of this fiscal year and subsequently appointed on an annual basis. The following names were draw: Jimmy Saldana, James Akers, John Guice, Jr., Christopher Kinkade, Bruce Noel, Brian Mosser, Douglas Biser, Donye Curry, David Showacre, Richard Colson, Angela Battaglia, and Anna Martinez.

30080 AUTHORIZE THE DISTRICT ATTORNEY TO UTILIZE SALARY SAVINGS FOR FORENSIC LAB SERVICES AND AMEND THE BUDGET ACCORDINGLY

Jordan Davisson of the District Attorney's office spoke. The District Attorney's Office participates with the Sheriff and City of San Marcos in a funding agreement with the Austin Police Department to provide forensic lab services due to the need for more timely crime analysis results. The DA has paid for these services for the past two years from Drug Forfeiture Funds. Due to this commitment as well as the DA funding several part-time admin positions with Drug Forfeiture Funds, the fund is depleting. The DA would like to use salary savings to pay for the final quarter of lab services for this fiscal year. The commitment for FY15 has been moved to the SO general fund budget. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the District Attorney to utilize salary savings for forensic lab services and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30081 RATIFY THE COUNTY JUDGE'S EXECUTION OF AN AGREEMENT FOR ACTUARIAL EQUIVALENCE TESTING BETWEEN HAYS COUNTY AND MILLIMAN, INC

This is an annual contract with Milliman to perform actuarial services related to the Retiree Drug Subsidy. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the County Judge's execution of an Agreement for Actuarial Equivalence Testing between Hays County and Milliman, Inc. All voting "Aye". MOTION PASSED**

PROPOSED NEW VEHICLE FOR CONSTABLE PRECINCT 2 IN THE FY 2015 BUDGET AND OTHER MATTERS RELATED TO CONSTABLE'S VEHICLES

Constable Pct. 3 James Kohler spoke. Constable Kohler requested that he doesn't receive a Dodge Charger or a Chevrolet Tahoe. Commissioner Whisenant and Commissioner Conley spoke of trying to purchase vehicles of the same make & model to establish a level of consistency throughout the County. Commissioner Whisenant spoke of establishing a vehicle purchasing policy. Fleet Committee hasn't decided which type of vehicle to purchase.

1:30 P.M.- HOLD A PUBLIC HEARING ON THE FY 2015 PROPOSED TAX INCREASE

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Bill Herzog announced there will be another public hearing next Tuesday at 1:30 and we will adopt the budget on September 16, 2014 at 1:30, both being held in Commissioners Courtroom.



**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 Executive Session at 1:10 p.m. and reconvened into opened court at 1:20 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Chief of Staff Lon Shell, and Development and Community Services Director Clint Garza. No action taken.

COUNTY CLERK'S NOTE AGENDA ITEM #33 RE: *DISCUSSION OF ISSUES RELATED TO INMATE POPULATION AT THE HAYS COUNTY JAIL - was pulled*

COUNTY CLERK'S NOTE AGENDA ITEM #34 RE: *DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION - was pulled*

COUNTY CLERK'S NOTE AGENDA ITEM #35 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 #36 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY - was pulled*

Court was adjourned.

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 September 2, 2014.



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

