



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 21<sup>ST</sup> DAY OF OCTOBER A.D., 2014, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<b>ALBERT H. COBB JR</b>	<b>COUNTY JUDGE</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILL CONLEY</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RAY O. WHISENANT JR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

WITH COMMISSIONER PCT. 1 DEBBIE GONZALES INGALSBE BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Dan Matlock - Eikon Church (Kyle) 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**

Commissioner Whisenant announced that Precinct 4 will be hosting the 4<sup>th</sup> Annual Water Revival in Dripping Springs this weekend. This venue brings attention to Rain Water Collection. Hays County will also have a booth, and he's inviting all the citizens to turnout and participate in this worthy cause.

#### **PRESENTATION TO THE COMMISSIONERS COURT BY THE YOUNG LIFE ORGANIZATION**

Liz Tuttle and Ryan Hammock of Young Life Organization gave a brief video on the organization.

#### **30202 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$1,508,922.24 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **30303 APPROVE COMMISSIONER COURT MINUTES OF SEPTEMBER 23 AND OCTOBER 14, 2014**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of September 23 and October 14, 2014 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### **30304 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE FUNDS FROM LAW ENFORCEMENT SUPPLIES TO PURCHASE EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY**

At this time the Sheriff's Office needs to purchase three motorcycle helmets for two positions in the traffic division. The positions have recently been absorbed from patrol due to attrition. Each motor requires two helmets, a full face for winter months and a half shell for summer months. A forth helmet will be purchased but at a later date due to availability. No additional funds are needed; funds have been identified in law enforcement supplies. Budget Amendment Decrease 001-618-00.5206 Law Enforcement Supplies (\$2,848.00) Increase 001-618-00.5717\_400 Law Enforcement Equipment \$2,848.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize funds from Law Enforcement Supplies to purchase equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

#### **30305 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE FUNDS FOR BULLET PROOF VEST AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office needs to use funds from LE Supplies to cover an increase of bullet proof vest that became effective Sept. 1, 2014. Funds have been identified in Sheriff's Office Operating. Budget Amendment Decrease 001-618-00.5206 Law Enforcement Supplies (\$412.50) Increase 001-618-99-001.5717\_400 Law Enforcement Equipment Operating \$412.50. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize funds for bullet proof vest and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



**30306      AUTHORIZE THE SHERIFFS' OFFICE, JAIL DIVISION TO UTILIZE ADDITIONAL FUNDING FOR THE MAINTENANCE WORK ORDER SYSTEM AND AMEND THE BUDGET ACCORDINGLY**

The Jail Division was approved a new Computerized Maintenance Management System during the FY 2015 budget process. Additional funds are needed due to unanticipated fees for implementation, and budgeted funds will be moved to a capital line item. Funds have been identified in the Jail Budget to fund this additional request. Amendment Decrease 001-618-03.5718\_400 Software Operating (\$5,000.00) Decrease 001-618-03.5551 Continuing Education (\$2,676.00) Increase 001-618-03.5718\_700 Software Capital \$7,676.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriffs' Office, Jail Division to utilize additional funding for the Maintenance Work Order System and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**30307      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL ASSISTANCE AGREEMENT REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE FOR CONTINUANCE OF THE TEXAS AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY PROJECT**

The Travis County Sheriff's Office is requesting approval of the annual agreement with the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) to continue the Sheriff's combined Auto Theft Task Force Grant. Funding for the program includes Travis County and other counties with the Sheriff of each county forming the Advisory Board of the program. The grant award provides funding for the Hays County Field Agent's salary in the amount of \$63,353. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Assistance Agreement Regional Auto Theft Enforcement Task Force for continuance of the Texas Automobile Burglary and Theft Prevention Authority Project. All present voting "Aye". MOTION PASSED**

**30308      AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 12745 SILVER CREEK RD, DRIPPING SPRINGS, TX**

William and Kerri Oswald are proposing an OSSF to serve an event center in Precinct 4. This property is 20.16 acres and water will be supplied by public water that is transported to the site. The system designer, Steve Wenzel, R.S., P.E, has designed a treatment system which consists of an equalization tank, standard treatment, and dosing peak weekend flows to a low pressure dosed dispersal field at a daily usage rate of 235 gallons. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 12745 Silver Creek Rd, Dripping Springs, TX. All present voting "Aye". MOTION PASSED**

**30309      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICE AGREEMENT BETWEEN HAYS COUNTY LOCAL HEALTH DEPARTMENT (HCLHD) AND PHYSICIAN CHAMALEE WEERATUNGE FOR SERVICES RELATED TO THE HCLHD - TB PROGRAM**

These Services will run from October 1, 2014 thru September 30, 2015. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a Service Agreement between Hays County Local Health Department (HCLHD) and Physician Chamalee Weeratunge for services related to the HCLHD - TB Program. All present voting "Aye". MOTION PASSED**

**30310      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL CONTRACT WITH TINA MARIE HARRIS-TORRES, PHARM D TO PROVIDE PHARMACY SERVICES TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT**

The Hays County Local Health Department's status as a Class D Pharmacy requires the County to retain a professional Pharmacist-in-Charge (P.I.C.) to perform monthly audits of the program. The Texas State Board of Pharmacy requires a monthly inspection and an annual in-service. The contract will be renewable annually. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a renewal contract with Tina Marie Harris-Torres, Pharm D to provide pharmacy services to the Hays County Local Health Department. All present voting "Aye". MOTION PASSED**



- 30311 ACCEPT THE AUDIT AND CHAPTER 59 ASSET FORFEITURE REPORT FROM THE COUNTY AUDITOR'S OFFICE; AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAID REPORT FOR THE PURPOSES OF DELIVERING IT THE TEXAS ATTORNEY GENERAL, AS REQUIRED BY LAW**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the audit and Chapter 59 Asset Forfeiture Report from the County Auditor's Office; and to authorize the County Judge to execute said Report for the purposes of delivering it the Texas Attorney General, as required by law. All present voting "Aye". MOTION PASSED

- 30312 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR APPRAISAL SERVICES BETWEEN HAYS COUNTY AND THE AEGIS GROUP, INC., PROVIDING FOR THE ADDITION OF A MARKET STUDY TO THE SERVICES PROVIDED**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a letter amendment to the Professional Services Agreement for appraisal services between Hays County and The Aegis Group, Inc., providing for the addition of a market study to the services provided. All present voting "Aye". MOTION PASSED

- 30313 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. FOR THE FM 1626 NORTH PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$50,000.00 FROM \$3,350,000.00 TO \$3,400,000.00**

Laura Harris of HNTB spoke. The additional authorized money will allow for the execution of a supplemental to Work Authorization #6 for FM 1626 North construction phase services. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Supplemental Agreement No. 3 to the Professional Services Agreement with Jacobs Engineering Group, Inc. for the FM 1626 North project as part of the Pass-Through Finance Program in Hays County, increasing the Compensation Cap by \$50,000.00 from \$3,350,000.00 to \$3,400,000.00. All present voting "Aye". MOTION PASSED

**HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) IN DEER LAKE ESTATES SUBDIVISION**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. This item is tabled until next week.

- 30314 ACCEPT THE RELEASE OF THE REVEGETATION BOND FOR GREAT HILLS SUBDIVISION, SEC. 4**

Staff has inspected all ditch, slope and other areas that were previously sited for revegetation and all areas have been established. The Transportation Department requests the release of the revegetation bond (#327013801) for Great Hills, Section 4. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the release of the revegetation bond for Great Hills subdivision, Sec. 4. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #16 RE:** CALL FOR A PUBLIC HEARING ON NOVEMBER 4, 2014 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF A PORTION OF LOT 62, ROLLING OAKS SECTION 4 – **was pulled**

- 30315 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE AMENDMENT OF THE LICENSE AGREEMENT WITH JAGUAR SOFTWARE DEVELOPMENT, INC**

Luanne Caraway Tax Assessor/Collector spoke. This was approved in our budget request and is the agreement to process our motor vehicle registration renewals through our scan system. The actual cost would have been \$8,500.00, however, since we were the pilot county for this program, that cost was waived and we are just being charged the \$1,900.00 annual maintenance fee. This system allows us to automate the mail in renewals by scanning the renewals and creating a file that is then imported into the DMV computer system for processing. This will save many employee hours in completing this task, especially with the growth of our county. For calendar year 2013, we had 153,120 vehicles registered in our county and I would estimate that approximately 50% of those are renewed via mail or online. A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute the amendment of the License Agreement with Jaguar Software Development, Inc. All present voting "Aye". MOTION PASSED



**30316 APPROVE A RESOLUTION IN SUPPORT OF INCLUDING ONE OR MORE ADDITIONAL WATER SUPPLY PROJECTS IN THE REGION K AND REGION L WATER MANAGEMENT PLANS FOR HAYS COUNTY**

Tom Cook Blanco County resident gave a powerpoint presentation. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution in support of including one or more additional water supply projects in the Region K and Region L Water Management Plans for Hays County as amended. All present voting "Aye". MOTION PASSED

**DISCUSSION REGARDING AN UPDATE FROM SPECIALIZED PUBLIC FINANCE INC. (DAN WEGMILLER) ON THE REFINANCING OF EXISTING DEBT**

Dan Wegmiller of Specialized Public Finance Inc., gave a brief synopsis on Hays County's existing debt. A couple months ago, the County authorized the refinancing of existing debt delegating Bill Herzog, County Auditor and Judge Cobb to authorize final terms. This year the County was not borrowing more than \$10 Million in a calendar year, which makes more attractive to banks. This helps us gain lower interest costs, as we move forward. Hays County has a AA rating with a positive outlook – which means in the next couple of years our rating should go up. As the Pass-Through Program wraps up, the continued reimbursements start coming in, that's a piece of the outstanding debt that will moderate. There are 10 runs on the ladder on the investment grade rating scale with 10 being the best. Hays County stands at 8 with a positive outlook to reach a 9 by next year. These are some of what Hays County has – very strong flexibility, adequate budgetary performance, very strong liquidity, and strong management with good financial practices. On September 29, 2014 Hays County acquired an interest rate of 2.6%, lowering the debt cost from 4 1/2% to 5% on existing debt. This saved the County just under \$800,000 in debt service, on a \$9 Million refinancing. In August, prediction was, a savings of \$600,000 and 6% present value and we're over 8 1/2 % present value. Great news for Hays County.

**DISCUSSION TO APPROVE THE RESULTS OF THE BALLOTS RETURNED FOR BOULDER BLUFF PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE**

The Commissioners Court held a public hearing on September 23, 2014 and agreed to submit ballots to the property owners along Boulder Bluff to vote on improving the roadway. The owners were given 10 days to respond. The purpose of this request to present the tabulation results of said ballots. This item will be brought back for the court's consideration next week. This will allow 30 days for the residents to respond with their vote.

**30317 NAMING A PRIVATE DRIVE LOCATED OFF OF FM 150 IN PRECINCT 4 TO DRIFT ALONG WAY**

The owners of 5 tracts would like to name their private driveway in order to be more easily located by emergency services. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to name a private drive located off of FM 15 in Precinct 4 to Drift Along Way. All present voting "Aye". MOTION PASSED

**30318 AUTHORIZE GENERAL COUNSEL TO RETAIN LAND SURVEYING SERVICES RELATED TO THE HCP PORTION OF THE PROPOSED LA CIMA DEVELOPMENT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize General counsel to retain land surveying services related to the HCP of the proposed La Cima Development. All present voting "Aye". MOTION PASSED

**30319 ACCEPT BENEFIT COMMITTEE'S RECOMMENDATION IN REFERENCE TO BENEFIT RENEWAL FOR 2015**

Dee Dee Baen Human Resources Director, Scott Yarborough – Consultant of Scott Yarborough Agency, Kevin Opgenorth, Health Solutions Client Executive from Humana, Michele Tuttle Hays County Treasurer, Bill Herzog – County Auditor, Jerry Borcharding – Transportation Director, Mercedes Hinojosa, Cindy Maiorka – Purchasing Agent, Commissioner Ingalsbe, Rebecca Mullen, Carrie Joseph – CAD, Judge Cobb are part of the Insurance Committee. Dee Dee Baen explained 3 options the committee came up with to offer to employees in 2015. Plan 1 – No change in design. Charge for employee premium. Accept Benefit Committee recommendation for Tier ES Increase. Keep grandfathered. Plan 2 – Increase deductible from \$250 to \$500. Charge for employee premium. Accept Benefit Committee recommendation for Tier ES and EC increase. Plan 3 – Introduce New High Deductible Health Plan (HDHP) with Health Savings Account (HAS). \$3,000 deductible, \$0 employee premium. \$1,000 County contribution for first year into a HAS. (4) Accept Drug Formulary Change. (5) Introduce Smokers Premium of \$30 per employee. Bona Fide program to help quit. (6) Audit plan as it related to covered dependents in 2015. (7) Dental DMO increase to employees. (8) Superior Vision increase to employees. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept Benefit Committee's recommendation of offering 3 options to county employees. All present voting "Aye". MOTION PASSED**



**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, FIRE MARSHALL, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, ELECTIONS ADMINISTRATOR, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, AND GRANTS ADMINISTRATOR**

Court convened into closed Executive Session at 12:55 p.m. and reconvened into open court meeting at 1:30 p.m. In Executive Session were Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Dee Dee Baen – Human Resources Director, Mark Kennedy – General Counsel, Jude Prather – Veterans Service Officer. No action taken.

**DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY**

Capt. Mark Cumberland of the Sheriff's Office gave staff 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 313 and peak was 318 on October 14<sup>th</sup> for the week of October 12 to October 18, 2014. The maximum female capacity is 76 inmates. Last week's average was 55 and peak was 59 on October 14<sup>th</sup>. The maximum male capacity is 256 inmates. Last week's average was 258 and peak was 262 on October 16<sup>th</sup>.

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

Judge Cobb gave the Drought Index as of this morning – 425. Hays County Fire Marshall recommends leaving the Burn Ban lifted. Judge Cobb urged the citizens of Hays County to burn using extreme caution.

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

Allen Crozier of HDR gave a brief update of Hays County road projects. There are presently 3 active projects (1) RM 1826, (2) RM 12 Parkway, (3) Dacy Lane.

**Clerk's Note Agenda Item #23 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 Whisenant, seconded by Commissioner Jones to adjourn court.

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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 October 21, 2014.




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

