



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 28TH DAY OF OCTOBER 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:

Judge Cobb 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 Jones gave condolences to R. B. Wilson's family. Mr. Wilson passed away this week. Commissioner Whisenant added that Mr. Wilson was instrumental in assisting the Texas Rangers with cases that involved livestock theft. Commissioner Jones reminded the Court that 2 years ago Hays County Commissioners Court marked 10/24/2012 as Cecil Clark day, when he turned 100. Cecil Clark still celebrates that day and displays the Proclamation that was issued by the Court. He just celebrated his 102 birthday.

30220 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 \$1,177,534.30 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

30221 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 21, 2014

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of October 21, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

30222 APPROVE AWARD OF IFB 2015-B02 ANNUAL DUMPSTER CONTRACT TO TEXAS DISPOSAL SYSTEMS INC.

Texas Disposal is the only vendor that responded to the bid for the annual contract for Dumpster services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Award of IFB 2015-B02 Annual Dumpster Contract to Texas Disposal Systems Inc. All voting "Aye". MOTION PASSED

30223 APPROVE UPGRADE OF COPIER WITH XEROX FOR THE TAX OFFICE SUBSTATION IN KYLE AND AUTHORIZE COUNTY JUDGE TO EXECUTE CONTRACT

There will be an increase of \$5.36 per month. The current cost is \$66.84 and the upgrade price will be \$72.20. A budget amendment is not needed at this time. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve upgrade of copier with Xerox for the Tax Office Substation in Kyle and authorize County Judge to execute contract. All voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #5 RE: APPROVE AWARD OF IFB 2015-B03 HAULING OF SOLID WASTE TO TEXAS DISPOSAL SYSTEMS INC. - was pulled

30224 APPROVE HOLIDAY CLOSURES AT TRANSFER STATION/CITIZENS' COLLECTION STATION FOR 2014

Proposed annual Holiday closures for Recycling and Solid Waste Department for Thanksgiving November 26-29 and Christmas December 24-27. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Holiday closures at Transfer Station/Citizens' Collection Station for 2014. All voting "Aye". MOTION PASSED

**30225 APPROVE TEMPORARY HELP IN THE TREASURER'S OFFICE FOR 4 WEEKS**

The County Treasurer would like to respectfully request temporary staff to work 160 hours to help with the work load during one of the busiest seasons of the year. There has been a series of events that has drained our normally slim resources this time of year. In September, we went through a major data conversion of our financial payroll system, we also had a vacancy that took two months to fill, and another staff member was unexpectedly out for over a month on medical leave. Currently, our new payroll system needs further data entry to use it to its potential. In addition, we normally have extensive amounts of work this time of year due to the end of fiscal year, the beginning of fiscal year, and the end of the calendar year. This time of year always brings about merit changes, budget changes, insurance changes, policy changes, reconciliations, audits and other various tasks. With our staff already behind due to the low staffing in September, the work that must be done this time of year is overwhelming the current staff. The type of work that would need to be performed includes financial reconciliations, payroll changes, audit compliance, and the corresponding large amounts of scanning, filing and reporting that goes with it. We are requesting temporary help for one month to perform general office work at \$13.02 per hour. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve temporary help in the Treasurer's Office for 4 weeks. All voting "Aye". MOTION PASSED**

30226 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO UTILIZE SAVINGS TO ORDER ADDITIONAL COMPUTERS FOR THE GED PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Juvenile Probation Department was approved for four replacement laptops during the FY15 budget process. Due to the layout of the GED testing center, it is more advantageous to order computers as the State requires anchoring devices and certain restrictions when using laptops. The savings will be used to order two additional computers for a total of six, and will amend the budget for six monitors. Amendment: Decrease 001-686-00.5712_400 Computers_Operating (\$1,100.00), Increase 001-686-00.5202 Data Supplies I \$1,100.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Juvenile Probation Department to utilize savings to order additional computers for the GED Program and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30227 APPROVE SETTING A 25 MPH SPEED LIMIT ON ALL ROADS WITHIN DEER LAKE ESTATES SUBDIVISION. REFERENCE PUBLIC HEARING HELD ON OCTOBER 21, 2014

To confirm court approval to install speed limit to 25 MPH signs for all roads within Deer Lake Estates subdivision. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve setting a 25 mph speed limit on all roads within Deer Lake Estates Subdivision. Reference public hearing held on October 21, 2014. All voting "Aye". MOTION PASSED**

30228 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND, AND ACCEPT THE MAINTENANCE BOND FOR THREE YEARS FOR A 1,000 FOOT SEGMENT OF SUNBRIGHT BLVD. IN SUNFIELD SUBDIVISION, PH. 2, SEC. 3

Jerry Borcharding Director of Transportation gave staff recommendation and acceptance of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. There is a 1,000 foot segment on Sunbright Boulevard that requires an additional year on the maintenance period to monitor as a result of subsurface testing irregularities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept Road Construction and Drainage Improvements, Release the Construction Bond, and accept the Maintenance Bond for three years for a 1,000 foot segment of Sunbright Blvd. in Sunfield Subdivision, Ph. 2, Sec. 3. All voting "Aye". MOTION PASSED**

30229 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND, AND ACCEPT THE MAINTENANCE BOND FOR TWO YEARS FOR SUNFIELD SUBDIVISION, PH. 2, SEC. 3 (EXCLUDES A 1,000 FOOT SEGMENT OF SUNBRIGHT BLVD)

Jerry Borcharding Director of Transportation gave staff recommendation and acceptance of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. This acceptance does not include a 1,000 foot segment on Sunbright Boulevard that requires an additional year on the maintenance period to monitor as a result of sub-surface testing irregularities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept Road Construction Bond, and accept the Maintenance Bond for two years for Sunfield Subdivision, Ph. 2, Sec. 3 (excludes a 1,000 foot segment of Sunbright Blvd.). All voting "Aye". MOTION PASSED**



30230 APPROVE AND AUTHORIZE THE COUNTY JUDGE TO SIGN AN ADVANCED FUNDING AGREEMENT WITH TXDOT REGARDING REPLACEMENT OF A BRIDGE ON CREEK ROAD IN PCT. 4

This project is part of TXDOT's Off System Bridge Program. The County has no funding responsibility. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and authorize the County Judge to sign an Advanced Funding Agreement with TxDOT regarding replacement of a bridge on Creek Road in Pct. 4. All voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #13 RE: *HOLD A PUBLIC HEARING RELATED TO THE IMPROVEMENTS OF MOUNTAIN CREST DRIVE, HILL DRIVE, CRESTVIEW DRIVE, AND LIVE OAK DRIVE IN PRECINCT 3 PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE – was pulled*

30231 HOLD A PUBLIC HEARING RELATED TO THE IMPROVEMENTS OF BILL KUYKENDALL ROAD IN PRECINCTS 2 AND 4 PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE

Judge Cobb opened the public hearing. Joe Cooley made a public comment in favor of this improvement. Judge Cobb closed the public hearing. General Counsel Mark Kennedy spoke of the improvements to this road will be from FM 150 to the second cattle guard. 15 residents will be assessed with an approximate cost of construction at \$404,622 to be paid out over a 10 year pay back. The road is approximately 2,700 feet long. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant the Court made the necessary finding that this is for the health, safety and welfare for the citizens of Hays County; and to approve the County Clerk sending out the ballots ordering the improvements and assessments on Bill Kuykendall Road in Precincts 2 and 4 pursuant to Chapter 253 of the Texas Transportation Code. All voting "Aye". MOTION PASSED

30232 APPROVE THE RESULTS OF THE BALLOTS RETURNED FOR BOULDER BLUFF PURSUANT TO CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE - PULLED

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. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to pull the item for additional consideration and legal purposes. All voting "Aye". MOTION PASSED

30233 APPROVE PRELIMINARY PLAN (SUB-268 * 541 LOTS) REUNION RANCH REVISED

Clint Garza Director of Community and Development Services gave staff recommendation. The original preliminary plan for the Reunion Ranch subdivision was approved in February 2005 with a total of 502 lots. Since that time, three sections with a total of 132 lots have received final plat approval. The revised preliminary plan includes a new configuration for the remaining acreage as well as an additional 39 lots. The overall subdivision will consist of 524 residential lots and 17 common area lots. All residential lots will be served by the Reunion Ranch Water Control and Improvement District for water and wastewater service. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve preliminary plan (Sub-268 * 541 Lots) Reunion Ranch Revised. All voting "Aye". MOTION PASSED

30234 CALL FOR A PUBLIC HEARING ON NOVEMBER 18, 2014: APPROVE FINAL PLAT OF THE REPLAT OF A PORTION OF LOT 62, ROLLING OAKS SECTION 4

The owner of a 5.56 acre portion of Lot 62 has proposed to divide the acreage into two lots. Each lot will be served by a private well and individual advanced on-site sewage facilities. Due to the limited acreage and oddly shaped configuration of the property, it is proposed that both lots will utilize a shared access driveway. The 2.26 acre portion of Lot 62 (contiguous on the southern boundary) has an existing driveway immediately adjacent to the proposed shared access driveway location. The Hays County Development Regulations require a 200 foot separation between shared access driveways and any other driveway therefore a variance will be requested at the time of the public hearing. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to call for public hearing on November 18, 2014: approve final plat of the replat of a portion of Lot 62, Rolling Oaks Section 4. All voting "Aye". MOTION PASSED



30235 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH HEJL, LEE & ASSOCIATES, INC., IN THE AMOUNT OF \$35,000.00, FOR ENGINEERING SERVICES ASSOCIATED WITH THE CEDAR OAK MESA WATER SUPPLY CORPORATION, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT

On October 14, 2014 the Commissioners Court approved the selection of Hejl, Lee & Associates, Inc. for engineering services for the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant program project and authorized staff to negotiate the contract. The project involves the replacement of undersized and deteriorated water supply line with approximately 3,350 linear feet of new 6" water line, four fire hydrants, and associated appurtenances. The project is funded through a grant from the Texas Department of Agriculture (TDA), Texas Community Development Block Grant program, with matching funds provided by the Cedar Oak Mesa Water Supply Corporation. The attached contract is based on the template developed by TDA with requirements specific to the program, and is within the budget and scope of the project. No County funds have been allocated for the project, although the County is serving to administer the grant. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the county Judge to execute a contract with Hejl, Lee & Associates, Inc., in the amount of \$35,000.00 for Engineering Services associated with the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant Program Project. All voting "Aye". MOTION PASSED**

30236 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH LANGFORD COMMUNITY MANAGEMENT SERVICES, IN THE AMOUNT OF \$30,000.00, FOR GRANT MANAGEMENT SERVICES ASSOCIATED WITH THE CEDAR OAK MESA WATER SUPPLY CORPORATION, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT

On October 14, 2014 the Commissioners Court approved the selection of Langford Community Management Services for grant management services for the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant program project and authorized staff to negotiate the contract. The project involves the replacement of undersized and deteriorated water supply line with approximately 3,350 linear feet of new 6" water line, four fire hydrants, and associated appurtenances, with grant administrative requirements that necessitate specialized management services. The project is funded through a grant from the Texas Department of Agriculture (TDA), Texas Community Development Block Grant program, with matching funds provided by the Cedar Oak Mesa Water Supply Corporation. The attached contract is based on the template developed by TDA with requirements specific to the program and meets the budget and scope of the project. No County funds have been allocated for the project, although the County is serving to administer the grant. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a contract with Langford Community Management Services, in the amount of \$30,000.00, for Grant Management Services Associates with the cedar Oak Mesa Water supply Corporation, Community Development Block Grant Program Project. All voting "Aye". MOTION PASSED**

30237 GRANT A VARIANCE FROM HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 715, SUBCHAPTER 4.01, TO ALLOW PERMITTING OF AN ON-SITE SEWAGE FACILITY DEVELOPMENT PERMIT TO THE OWNER OF A 3.05 ACRE PARCEL LOCATED AT 10570 B SIGNAL HILL ROAD, AUSTIN, TX 78737

Clint Garza Director of Community & Development Services gave a brief explanation of this request. Tim Peery is the owner of a 3.05 acre parcel located along Signal Hill Road in Precinct 4, in the City of Austin's extraterritorial jurisdiction. He has applied for a permit to construct an On-Site Sewage Facility on his property. He has been informed that his parcel is required to be platted under both the Local Government Code and the Hays County Development Regulations. In addition to the platting requirement, Chapter 715.4.01 of the Hays County Development Regulations prohibits the Department from issuing any development permit on a tract of land that is not in compliance with all current rules. A subdivision plat for Mr. Peery's property has been submitted to the City of Austin for review, however there are outstanding comments which are keeping the plat from being approved. Due to the requirements imposed by the City, the property owner is not able to move forward with plat approval and is requesting a variance which will allow Development Services to issue permits on his property. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a Variance from Hays County Development Regulations, Chapter 715, Subchapter 4.01, to allow permitting of an On-Site Sewage Facility Development Permit to the owner of a 3.05 acre parcel located at 10570 B Signal Hill Road, Austin, TX 78737. All 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 Executive Session at 10:10 a.m. and reconvened into opened court at 12:00 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Human Resources Director Dee Dee Baen and Veteran Services Officer Jude Prather. 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. POSSIBLE ACTION MAY FOLLOW

Lt. Eric Batch of the Sheriff's Office gave the 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 298 and peak was 307 on October 23rd for the week of October 19 to October 25, 2014. The maximum female capacity is 76 inmates. Last week's average was 56 and peak was 59 on 10/23/2014. The maximum male capacity is 256 inmates. Last week's average was 242 and peak was 248 on 10/23/2014.

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

On advice from Hays County Fire Marshall the Burn Ban will remain lifted. Judge Cobb gave the Drought Index for today, it stands at - 463. At 575, it's mandatory that the Burn Ban go into effect. Judge Cobb advised the citizens of Hays County 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. POSSIBLE ACTION MAY FOLLOW

Laura Harris of HNTB gave an update on the Pass Through Financing and TxDOT Partnership Program. Pct. 1 Completed Projects. IH-35 Ph. 2A (RM 150 Realignment), IH-35 Ph. 2B (FM 1626 to Yarrington), FM 110 (McCarty Ln. to SH 123). Pct. 2 - IH-35 Ph. 1 (Kyle Crossing (CR 210) Overpass), FM 2001 (CR 210/ IH 35 NB Frontage Road connector), IH 35 Ph. 2B (FM 1626 to Yarrington). Pass Through Program - Pct. 1 - Under Construction - Yarrington Road Bridge at IH 35. Completed/Open to Traffic FM 110 (McCarty Lane to SH 123), IH 35 Ph. 25B (RM 150 to FM 1626), IH 35 Ph. 2A (RM 150 Realignment. Partnership Program - Pct. 1 - In Design - FM 150 CTL (Lehman Rd. to SH 21), IH 35 Ramps project (FM 150 to Blanco River), FM 110 (North, Middle and South). Pass Through Program - Pct. 2 - In Design - FM 1626 South (FM 2770 to RM 967). Under Construction - FM 1626 North (RM 967 to Brodie Lane). Completed/Open to traffic - IH 35 Ph. 2B (RM 150 to FM 1626), IH 35 Ph. 1 (CR 210 Overpass), FM 2001 (IH 35 NB Frontage road connector). Partnership Program Pct. 2 - In Design - Robert S. Light Extension (IH 35 to FM 1626), RM 2001 (IH 35 to SH 21). Under Construction/Bidding - RM 967 (Cole Springs to FM 1626). Pass Through Program - Pct. 3 - No Projects. Partnership Program - Pct. 3 - Under Development - RM 12 (Junction at RM 12 to Wonder World Dr.). In Design - Pct. 3 - Posey Road at IH 35, FM 150 West nature & character study (RM 12 to FM 2770). Pass Through Program - Pct. 4 - Completed/Open to traffic - US 290 West (Trautwein Rd. to Nutty Brown Rd.). Partnership Program - Pct. 4 - In Design - FM 150 West nature and character study (RM 12 to FM 2770), FM 150 West Alignment (FM 2770 to IH 35).

County Clerk's Note Agenda Item #25 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 October 28, 2014.



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

