



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 18TH DAY OF NOVEMBER 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 flags. Judge Cobb called the meeting to order.

PUBLIC COMMENTS

Will Taff – San Marcos resident made a public comment on Agenda Item #27.

30252 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER, 2014 AS NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring the Month of November, 2014 as National Alzheimer's Disease Awareness Month. All voting "Aye". MOTION PASSED

30253 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER, 2014 AS NATIONAL CAREGIVER AWARENESS MONTH

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring the Month of November, 2014 as National Caregiver Awareness Month. All voting "Aye". MOTION PASSED

30254 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 \$2,079,818.07 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

30255 APPROVE COMMISSIONERS' COURT MINUTES OF NOVEMBER 4, 2014

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners' Court Minutes of November 4, 2014 as presented by the County Clerk. All voting "Aye". MOTION PASSED

30256 ACCEPT A \$1,500.00 DONATION TO THE SHERIFFS' OFFICE COMMUNITY OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a \$1,500.00 donation to the Sheriffs' Office Community Outreach Program and amend the budget accordingly. All voting "Aye". MOTION PASSED



30257 APPROVE OUT OF STATE TRAVEL FOR CAPTAIN MICHAEL DAVENPORT TO ATTEND THE FBI NATIONAL ACADEMY IN QUANTICO, VA

Out of state travel is being requested for Michael Davenport who has been approved by the National Academy Unit (NAU) to attend the FBI National Academy. No additional funds are needed; funds have been identified in the Sheriff's Federal Discretionary with no cost to the County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve out of state travel for Captain Michael Davenport to attend the FBI National Academy in Quantico, VA. All voting "Aye". MOTION PASSED**

30258 Authorize the County Judge to execute a resolution authorizing certain individuals as signatories for contract and financial documents associated with the Texas Department of Agriculture, Texas Community Development Block Grant Program award for the Cedar Oak Mesa Water System Improvement Project, Phase III

On October 7, 2014 the Commissioners Court accepted a grant award of \$275,000 from the Texas Department of Agriculture, Texas Community Development Block Grant program for Phase III water system improvements (water line and associated appurtenances) for the Cedar Oak Mesa Water Supply Corporation (WSC), serving approximately 300 lots in the Campfire No. 2 subdivision near Wimberley. Local matching funds in the amount of \$13,750 have been provided by the Cedar Oak Mesa WSC. Contracts have been awarded for both project administration and engineering services for this project. The attached resolution, upon execution, will allow the designated officials to sign contractual documents and documents for requesting funds related to the grant. These are standard forms associated with the award and execution of this grant, as required by the Texas Department of Agriculture. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Resolution authorizing certain individuals as signatories for contract and financial documents associated with the Texas Department of Agriculture, Texas Community Development Block Grant Program Award for the Cedar Oak Mesa Water System Improvement Project, Phase III. All voting "Aye". MOTION PASSED**

30259 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A REQUEST FOR EXEMPTION FROM SHPO (STATE HISTORIC PRESERVATION OFFICE) REVIEW ASSOCIATED WITH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AWARD FOR THE CEDAR OAK MESA WATER SYSTEM IMPROVEMENT PROJECT, PHASE III

On October 7, 2014 the Commissioners Court accepted a grant award of \$275,000 from the Texas Department of Agriculture, Texas Community Development Block Grant program for Phase III water system improvements (water line and associated appurtenances) for the Cedar Oak Mesa Water Supply Corporation (WSC), serving approximately 300 lots in the Campfire No. 2 subdivision near Wimberley. The current project will complete the rehabilitation of a looped water system with the installation of approximately 3,350 linear feet of new 6" water line, fire hydrants, and associated appurtenances. Local matching funds in the amount of \$13,750 have been provided by the Cedar Oak Mesa WSC. Contracts have been awarded for both project administration and engineering services for this project. The Request for Exemption from SHPO Review provides a determination that significant culture resources will not be impacted by the proposed project because the water line will be located within a previously disturbed area (pipeline trench) and be underneath an existing roadway. This will allow the project to proceed without the normally required cultural resource survey and review by the Texas Historical Commission, State Historic Preservation Office (SHPO). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Request for Exemption from SHPO (State Historic Preservation Office) review associated with the Texas Department of Agriculture, Texas Community Development Block Grant Program Award for the Cedar Oak Mesa Water System Improvement Project, Phase III. All voting "Aye". MOTION PASSED**

30260 ACCEPT HAYS COUNTY'S EQUAL EMPLOYMENT OPPORTUNITY PLANS

In compliance with the Code of Federal Regulations, Title 28, Chapter 1, Section 42.301, Subpart E, and as a recipient of law enforcement administrative assistance, accept updated EEOP plans effective through September 30, 2016. As a recipient agency, we continuously self evaluate whether any of our recruitment, selection activities have the effect of denying Equal Employment Opportunities to minorities and women. The approval of this EEOP will allow the County to remain in compliance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept Hays County's Equal Employment Opportunity Plans. All voting "Aye". MOTION PASSED**

**30261 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve permit #935 on Marks Way issued to Goforth SUD, permit #936 on Trinity Hills Drive issued to Hays County Water Control & Improvement District No. 1 as presented by the Transportation Department. All voting "Aye". MOTION PASSED

30262 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY DISPUTE RESOLUTION CENTER (HCDRC) AND HAYS COUNTY RELATED TO ALTERNATIVE DISPUTE RESOLUTION SERVICES

This is the master contract between Hays County and HCDRC for ADR services, which provides access to the ADR system fund. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract between Hays County Dispute Resolution Center (HCDRC) and Hays County related to Alternative Dispute Resolution Services. All voting "Aye". MOTION PASSED

30263 AUTHORIZE THE COUNTY JUDGE AND THE CRIMINAL DISTRICT ATTORNEY TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY, HAYS COUNTY DISPUTE RESOLUTION CENTER (HCDRC), AND THE HAYS COUNTY DISTRICT ATTORNEY'S OFFICE REGARDING ALTERNATIVE DISPUTE RESOLUTION IN CHILD PROTECTIVE SERVICE CASES

HCDRC shall extend professional services and duties to the DA's Office with regards to CPS cases. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge and the Criminal District Attorney to execute a contract between Hays County, Hays County Dispute Resolution Center (HCDRC), and the Hays County District Attorney's Office regarding alternative Dispute Resolution in Child protective Service Cases. All voting "Aye". MOTION PASSED

30264 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO SUBAWARD AGREEMENT 14012-82073-1 WITH TEXAS STATE UNIVERSITY IN SUPPORT OF THE ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING (ALERRT), VALOR PROGRAM ACTIVITIES

The Texas State University, Advanced Law Enforcement Rapid Response Training (ALERRT) Program has received project funding through the U.S. Department of Justice, Office of Justice Programs to provide training and support to the ALERRT, "Preventing Violence Against Law Enforcement & Ensuring Officer Resilience & Survivability (VALOR)" project. TSU issued a Subaward Agreement for funding to Hays County that was accepted by the Commissioners Court on April 8, 2014. The term of the award was from August 1, 2013 through September 30, 2014. The Amendment to the Subaward Agreement will extend the grant term to end on March 31, 2016 and increase funding by \$30,885, for a new total funding award of \$46,890.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Amendment to Subaward Agreement 14012-82073-1 with Texas State University in support of the Advanced Law Enforcement Rapid Response Training (ALERRT), Valor Program Activities. All voting "Aye". MOTION PASSED

30265 APPROVE AND EXECUTE THE SHERIFF'S OFFICE EQUITABLE SHARING AND AGREEMENT CERTIFICATION IN ACCORDANCE WITH THE STATUTES AND GUIDELINES THAT GOVERN THE FEDERAL EQUITABLE SHARING PROGRAM

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve and execute the Sheriff's Office Equitable Sharing and Agreement Certification in accordance with the statutes guidelines that govern the Federal Equitable Sharing Program. All voting "Aye". MOTION PASSED

30266 APPROVE THE SHERIFF'S OFFICE CHAPTER 59 ASSET FORFEITURE REPORT IN ACCORDANCE WITH FORFEITURE ACCOUNTS EXISTING UNDER CHAPTER 59 OF THE TEXAS CODE OF CRIMINAL PROCEDURES, AS REQUIRED BY THE TEXAS ATTORNEY GENERAL

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the Sheriff's Office Chapter 59 Asset Forfeiture Report in accordance with Forfeiture Accounts existing Under Chapter 59 of the Texas Code of Criminal Procedures, as required by the Texas Attorney General. All voting "Aye". MOTION PASSED



30267 AUTHORIZE THE HUMAN RESOURCES OFFICE TO HIRE A TEMPORARY ADMINISTRATIVE POSITION FOR 80 HOURS AT \$10 PER HOUR FOR THE BENEFITS OPEN ENROLLMENT PERIOD

The Human Resources Office is in need of temporary help to perform administrative duties to support staff during the annual open enrollment for benefits. The H/R Director will work towards saving funds within her operating budget to cover this cost and amend at a later date. Other funding possibilities would be County Wide Salary Adjustments - \$10k is set aside for small offices to hire temporary help. The Auditor's Office will evaluate each budget prior to this fiscal year end to determine funding. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Human Resources Office to hire a temporary Administrative position for 80 hours at \$10 per hour for the Benefits Open Enrollment Period. All voting "Aye". MOTION PASSED**

30268 ACCEPT ADDITIONAL FUNDING FROM THE US SECRET SERVICE FOR THE HAYS COUNTY SHERIFF'S OFFICE, CENTRAL TEXAS FINANCIAL CRIME TASK FORCE OVER-TIME GRANT AND AMEND THE BUDGET ACCORDINGLY

The United States Secret Service has increased the grant funding from \$2k to \$3k for over-time and training. Additional funding is anticipated to be used for over-time expenses related to this award. Increase Revenue: 001-618-99-077.4301 - \$1,000 Increase Overtime: 001-618-99-077.5031 - \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept additional funding from the US Secret Service for the Hays County Sheriff's Office, Central Texas Financial Crime Task Force Over-Time Grant and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30269 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO DOUBLE-FILL ATTORNEY I, SLOT 0790-002 FOR A THREE WEEK PERIOD EFFECTIVE DECEMBER 16, 2014

The current employee's last day will be December 31, 2014. The District Attorney would like to hire the replacement on December 16th and double-fill the position to allow time for cross training. Salary savings within their operating budget has been identified to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the District Attorney's Office to double-fill Attorney I, Slot 0790-002 for a three week period effective December 16, 2014. All voting "Aye". MOTION PASSED**

30270 AMEND THE CONSTABLE PRECINCT 1 BUDGET FOR THE TLO RESEARCH DATABASE SERVICES FOR FY 2015

On June 17, 2014 the Commissioner's Court approved a contract for the Constable Pct. 1 Office to use TLO research database service to aid in warrant fee recovery. The Auditor's Office was already in the FY15 budget process; therefore the funds were set aside in a county-wide line item and did not get moved over to the Constable's budget. These funds need to be moved to Constable 1 for invoice processing. Budget Amendment: Decrease Co-Wide - 001-645-00.5471 (\$1,320) Increase Constable 1 Contract Svcs - 001-635-00.5448 - \$1,320. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Constable Precinct 1 Budget for the TLO Research Database Services for FY 2015. All voting "Aye". MOTION PASSED**

30271 ACCEPT THE RECOMMENDATIONS OF THE INSURANCE COMMITTEE TO BEGIN THE TOBACCO USE FEE OF \$30 PER MONTH EFFECTIVE APRIL 1, 2015

In order to give our employees who use tobacco products a reasonable amount of time to cease tobacco use before the charge takes effect; and also to utilize the smoking cessation program effective with Humana on 1/1/15, it is the recommendation of the insurance committee to re-announce the tobacco use cessation programs available to all employees and delay the \$30 tobacco use fee until April 1, 2015. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the recommendations of the Insurance Committee to begin the Tobacco Use Fee of \$30 per month effective April 1, 2015. All voting "Aye". MOTION PASSED**



30272 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE DRUG FORFEITURE FUNDS FOR SUPPLEMENTAL PAY FOR FOUR POSITIONS FOR A THREE MONTH PERIOD AND AMEND THE BUDGET ACCORDINGLY

The Sheriff is requesting supplemental pay for four positions to cover the Captain, slot 0470-001 vacancy who will be attending a three month FBI training course. Four command staff positions will be temporarily re-assigned to fill this gap effective December 15, 2014 through March 15, 2015. Drug Forfeiture funds are available to fund this request. Budget Amendment: Increase Staff Salaries - \$11,639 Increase FICA - \$722 Increase Medicare - \$169 Increase Retirement - \$1,398 Decrease Criminal Investigation - (\$4,000) Decrease Misc Expense - (\$9,928). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize Drug Forfeiture Funds for supplemental pay for four positions for a three month period and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30273 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CP&Y, INC. FOR THE IH 35 @ YARRINGTON ROAD PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$100,000.00 FROM \$2,800,000.00 TO \$2,900,000.00

The additional authorized money will allow for the execution of a supplemental to Work Authorization #5 for IH35 @ Yarrington Road construction phase services and utility coordination. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County judge to execute a Supplemental Agreement No. 2 to the Professional Services Agreement with CP&Y, Inc. for the IH 35 @ Yarrington road Project as part of the Pass-Through Finance Program in Hays County, increasing the compensation cap by \$100,000.00 from \$2,800,000.00 to \$2,900,000.00. All voting "Aye". MOTION PASSED**

30274 AUTHORIZE THE COUNTY JUDGE AND COMMISSIONER JONES TO EXECUTE CHANGE ORDERS NO. 8 AND NO. 9 TO THE CONSTRUCTION CONTRACT WITH SEMA CONSTRUCTION FOR THE FM 1626 NORTH PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY

Change Order No. 8 adds a detour at Sta 217 to allow for simultaneous construction of the remainder of Phase 4 and Phase 5 work on the project. The detour will be accomplished through additional existing Contract items and new Contract items for additional mobilization for subcontractors. The detour is considered a benefit to both the Contractor and Hays County and is anticipated to decrease the remaining duration of construction operations on FM 1626 North. Change Order No. 9 adds a new Contract Item 9009-0508 for a revision to Detour 225 in order to create a left turn lane at the FM 1626 and Bliss Spillar intersection. The increased detour area was necessary to maintain traffic flow through the project. Change Order No. 9 also adjusts plan quantities for Item 508 Constructing Detour for Phase II Step I Detour 74, Phase III Detour 225 and Phase III Detour 248. Quantity changes for this item are as measured and verified in the field. Change Order No. 8 results in a net increase of \$79,233.45 and Change Order No. 9 results in a net increase of \$73,602.53.45 to the Contract amount for a revised total construction Contract amount of \$17,355,152.49. The original Contract amount was \$17,235,782.15. As a result of this and all Change Orders to date, \$119,370.34 has been added to the Contract resulting in a 0.7% net increase in Contract cost. No additional days will be added or deducted as a result of these Change Orders. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge and Commissioner Jones to execute Change Orders No. 8 and No. 9 to the Construction Contract with SEMA Construction for the FM 1626 North Project as part of the Pass-Through Finance Program in Hays County. All voting "Aye". MOTION PASSED**

30275 ACCEPT FISCAL SURETY FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE UNIPROP SUBDIVISION IN THE AMOUNT OF \$708,530.75

The final plat for the Uniprop Subdivision has been reviewed under the interlocal cooperation agreement with the City of San Marcos and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Ingalsbe, Jones seconded by Commissioner to accept Fiscal Surety for street and drainage improvements for the Uniprop Subdivision in the amount of \$708,530.75. All voting "Aye". MOTION PASSED**



30276 SUB-216 REUNION RANCH PHASE 2 SECTION 2 (143 LOTS) APPROVE FINAL PLAT; ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,668,304.00

This section includes 140 single family residential lots, three open space lots, and 7,051 linear feet of roadway. All lots will be served by the Reunion Ranch Water Control and Improvement District. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final plat and accept Fiscal Surety for the construction of street and drainage improvements in the amount of 41,668,304.00 for SUB-216 Reunion Ranch Phase 2 Section 2 (143 Lots). All voting "Aye". MOTION PASSED**

30277 SUB-164 REPLAT OF A PORTION OF LOT 62, ROLLING OAKS SECTION 4 (2 LOTS) GRANT A VARIANCE FROM SECTION 721.5.07(C) OF THE HAYS COUNTY DEVELOPMENT REGULATIONS AND APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Judge Cobb opened the public hearing. Judge Cobb read an email from William Nestlerode. Stephanie Nestlerode – Driftwood resident, James Paul Howard – Driftwood resident, Larry Walker – Driftwood resident, Susan Walker – Driftwood resident, Sheri Overton – Driftwood resident made public comments. Judge Cobb closed the public hearing. 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 has been requested. Commissioner Conley requested staff review Traffic Safety specifications regarding driveways in neighborhoods versus off major highways, and bring back revisions for the court to consider. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to grant a variance from Section 721.5.07(c) of the Hays County Development Regulations and approve final plat of SUB-164 Replat of a portion of Lot 62, Rolling Oaks Section 4 (2 Lots). All voting "Aye". MOTION PASSED**

ACCEPT A PETITION FOR THE CREATION OF A LOCAL GOVERNMENT CORPORATION PURSUANT TO CHAPTER 431 OF THE TEXAS TRANSPORTATION CODE, TO BE CALLED THE "CENTRAL TEXAS WATER DEVELOPMENT CORPORATION;" APPROVING THE ARTICLES OF INCORPORATION, THE BYLAWS, AND THE DIRECTORS OF SAID LOCAL GOVERNMENT CORPORATION; AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, TRAVIS COUNTY, AND THE CITY OF LEANDER, RELATED TO SAID LOCAL GOVERNMENT CORPORATION

Pix Howell gave a powerpoint presentation. Joseph Browning – Kyle resident, Matt Ocker – Buda resident, David Crowell – Kyle resident made public comments. The proposed creation of the Central Texas Water Development Corporation is the culmination of a series of meetings between representatives of Hays County and representatives from other central Texas entities. The purpose of this local government corporation is to educate and inform citizens, and local, state and federal officials regarding insufficient water sources; to collectively express the need to develop additional water options; and to advocate for the authority to recharge aquifers, develop and obtain water facilities to serve the region. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a petition for the creation of a Local Government Corporation Pursuant to Chapter 432 of the Texas Transportation Code, to be called the "Central Texas Water Development Corporation": approving the Articles of Incorporation, the Bylaws, and the Directors of said Local Government Agreement between Hays County, Travis County, and the City of Leander, related to said Local Government Corporation. Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Ingalsbe, Commissioner Jones, and Commissioner Conley voting "No". MOTION FAILED**

UPDATE FROM STAFF REGARDING THE IMPLEMENTATION OF THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN

Clint Garza Director of Development & Community Services gave a powerpoint presentation on the Hays County Regional Habitat Conservation Plan (RHCP). Commissioners Court last saw an implementation presentation on July 9, 2013. Since that time, the USFWS has reviewed implementation documents and the County has been in conversations with a property owner to establish the first preserve parcel. During that time, interest has been generated from developers who wish to participate in the RHCP. The USFWS has reviewed and approved baseline evaluations of the potential preserve parcel at La Cima and has tentatively awarded credits to Hays County.

**30278 CANVASS ELECTION RESULTS FOR THE GENERAL ELECTION HELD ON NOVEMBER 4, 2014**

Joyce Cowan, Elections Administrator provided a finalized report of the election totals. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Canvass Election Results for the General Election held on November 4, 2014. All voting "Aye". MOTION PASSED**

30279 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: DISCUSSION OF ISSUES RELATED TO A RIGHT OF WAY ACQUISITION OF PARCELS ON FM 1626

Court convened into Executive Session at 1:35 p.m. and reconvened into opened court at 1:42 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy, General Counsel, and Lon Shell, Chief of Staff. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Purchase Agreement between Hays County and Walter and Judith Pearson, as presented and discussed in Executive Session, and related to 0.526 acres of property for additional Right of Way along FM 1626 in Precinct 2. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT GEM

Court convened into Executive Session at 1:42 p.m. and reconvened into opened court at 1:55 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy, General Counsel, Lon Shell, Chief of Staff. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT ORANGE

Court convened into Executive Session at 1:55 p.m. and reconvened into opened court at 2:08 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel, Mark Kennedy and Lon Shell, Chief of Staff. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ACQUISITION OF INTERESTS IN REAL PROPERTY PURSUANT TO THE HAYS COUNTY HABITAT CONSERVATION PLAN

Court convened into Executive Session at 2:15 p.m. and reconvened into opened court at 3:00 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Clint Garza, Director of Community & Development Services and Lon Shell, Chief of Staff. No action taken.

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 2:08 p.m. and reconvened into opened court at 2:10 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy, General Counsel, and Lon Shell, Chief of Staff. 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

Lt. Eric Batch 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 305 and peak was 313 on November 14th for the week of November 9 to November 15, 2014. The maximum female capacity is 76 inmates. Last week's average was 59 and peak was 64 on 11/13/2014. The maximum male capacity is 256 inmates. Last week's average was 246 and peak was 253 on 11/13/2014.



ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb spoke of the conditions in Hays County. Currently, the conditions are favorable to continue keeping the Burn Ban lifted. Judge Cobb recommended the public 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 the November update. Pass Through Program – Pct. 1. Yarrington Road Bridge (@ IH 35) – under construction/bidding. Completed/Open to Traffic – FM 110 (Mc Carty Lane to SH 123), IH 35 Ph. 2B (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 (RM 967 to Brodie Lane). Complete/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 Rd. Connector). Partnership Program – Pct. 2. In Design – Robert S. Light Extension (IH 35 to FM 1626), FM 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 – 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 & Character Study (RM 12 to FM 2770), FM 150 West Alignment (FM 2770 to IH 35).

Clerk’s Note Agenda Item #38 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 adjourned at 3:01 p.m.

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 NOVEMBER 18, 2014.



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

