



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 2ND DAY OF JUNE A.D., 2015, 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:

Reverend Carl W. Clark, Chaplin 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

Hank Smith with Home Builders Association, and Richard Boltz – Dripping Springs resident made public comments.

30697 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve County Invoices in the amount of \$503,364.28 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

30698 APPROVE COMMISSIONERS COURT MINUTES OF REGULAR MEETING ON MAY 26, 2015 AND EMERGENCY MEETING ON MAY 29, 2015

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of regular meeting on May 26, 2015 and emergency meeting on May 29, 2015 as presented by the County Clerk. All voting "Aye". MOTION PASSED

30699 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT 2 TO THE GRANT PROJECT AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO EXTEND THE COMPLETION DATE FOR THE DAHLSTROM RANCH TRAIL CONSTRUCTION PROJECT

On January 25, 2011 the Commissioners Court accepted a grant award from the Texas Parks and Wildlife Department, Texas Recreational Trails Fund for \$100,000 for Development of the Dahlstrom Ranch Public Access Area (Trail Construction). Work on the project has been delayed due to pending negotiations with the Dahlstrom family over lease terms, which have since been resolved. The original Project Agreement was set to expire on August 31, 2014 and Amendment 1 approved by Commissioners Court on April 1, 2014 extended the Agreement termination date to July 15, 2015. The current Amendment (Number 2) will extend the project completion date to July 15, 2016. All other terms and conditions of the original Agreement remain the same. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment 2 to the Grant Project Agreement with the Texas Parks and Wildlife Department to extend the completion date for the Dahlstrom Ranch Trail Construction Project. All voting "Aye". MOTION PASSED

30700 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH M & C FONSECA CONSTRUCTION FOR THE CEDAR OAK MESA WATER LINE IMPROVEMENTS PROJECT AND AMEND THE BUDGET ACCORDINGLY

On April 28, 2015 the Commissioners Court approved a bid award to M & C Fonseca Construction for the Cedar Oak Mesa Water Line Improvements Project, in the amount of \$260,587.50. The subsequent contract was executed by the County Judge on May 13, 2015. Through negotiations between the various parties, some cost savings have been achieved in regards to the trench safety system, pavement repairs, relocation of utilities and other miscellaneous items, clean up and restoration of the site area, and the reconnection of water service to individual residences. These changes reflect a cost savings of \$36,900.00 and result in a new total contract



amount of \$223,687.50 (a 14.2% reduction). Change Order Number 1 will document these changes. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order #1 to the Construction Contract with M & C Fonseca Construction for the Cedar Oak Mesa Water Line Improvements project and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30701 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN MARCOS FOR THE DISPARATE ALLOCATION OF U.S. DEPARTMENT OF JUSTICE, 2015 JUSTICE ASSISTANCE GRANT (JAG) FUNDING

The 2015 federal JAG allocations to local jurisdictions have been announced and Hays County did not qualify for a direct award. However, the County is in a disparate funding category with the City of San Marcos, who has been awarded \$13,533, and the disparate funding category allows the County to potentially share in this award. Given that the award is relatively small, and considering grant reporting requirements, fiscal and audit administration and the limited scope of the project(s) involved should the award be divided, it is probably prudent to allow the City of San Marcos full use of the funds. The County and City have alternated receipt of the award over the past two years, with Hays County accepting the award last year. The U.S. Department of Justice requires that a formal agreement between the disparate parties be executed to determine utilization of the funding. The Interlocal Agreement proposed allocates the funding to the City of San Marcos and waives the County's interest in funding through this award. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Agreement with the City of San Marcos for the disparate allocation of U.S. Department of Justice, 2015 Justice Assistance Grant (JAG) funding. All voting "Aye". MOTION PASSED**

30702 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 601 OLD OAKS RANCH ROAD, WIMBERLEY, TX

Matthew Gorman is proposing an OSSF to serve a residential treatment house for Nova Recovery Rehabilitation Center at 601 Old Oaks Ranch Road in Precinct 3. This property is 20.004 acres in size and water will be supplied by an on-site public water supply well. The components of this on-site sewage facility will be an equalization tank and proprietary aerobic treatment unit. Effluent will be dispersed to a night time dosed surface irrigation field. The system was designed by David McGhee, R.S. for a maximum of 300 GPD. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 601 Old Oaks Ranch Road, Wimberley, TX. All voting "Aye". MOTION PASSED**

30703 APPROVE SPECIFICATIONS FOR IFB 2015-B05 FM 150 CENTER TURN LANE FOR THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve specifications for IFB 2015-B05 FM 150 Center Turn Lane for the Hays County / TxDOT Partnership Program and authorize Purchasing Manager to solicit for bid and advertise. All voting "Aye". MOTION PASSED

30704 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADVANCE FUNDING AGREEMENT AND RESOLUTION WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR BRIDGE REPLACEMENT AT THE BLANCO RIVER ON FISCHER STORE ROAD, CSJ #0914-33-071

Victor Vargas of TxDOT spoke. The bridge located at the Blanco River on Fischer Store Road is included in the approved off-state system federal aid Highway Bridge Replacement and Rehabilitation Program (HBRRP) as authorized by the Texas Transportation Commission Minute Order Number 114213. TxDot has agreed to reconstruct the bridge and waive the 10% match (\$295,000), based on the attached resolution and commitment to spend an equivalent amount of funds for structural of safety improvements on other bridge structures or other conditions as outlined in the AFA. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Advance Funding Agreement and Resolution with the Texas Department of Transportation for Bridge Replacement at the Blanco River on Fischer Store Road, CSJ #0914-33-071. All voting "Aye". MOTION PASSED**

30705 SUB-366 MAUPIN PURGATORY TRACT (1 LOT) APPROVE FINAL PLAT

Caitlyn Hairell, County Planner gave staff recommendation. Maupin Purgatory Tract is a proposed 1 lot division of 0.91 acres located off of Purgatory Road in Precinct 3. Water service is provided by a private well and wastewater treatment is accomplished by an existing conventional on-site sewage facility. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat of Sub-366 Maupin Purgatory Tract 1 Lot. All voting "Aye". MOTION PASSED**



30706 SUB-375 - KEY RANCH SECTION 2 (54 LOTS) ACCEPT FISCAL SURETY IN THE AMOUNT OF \$1,460,000.00 BY LETTER OF CREDIT

Caitlyn Hairell, County Planner gave staff recommendation. The preliminary plan for Key Ranch Subdivision was originally approved in 2011. The subdivision is located off of Trautwein Road in Precinct 4. Section 2 includes 54 lots with an average size of 1.67 acres. All lots will be served by public water provided by West Travis PUA and individual OSSF's. This plat has been reviewed under the County's 1445 agreement with the City of Dripping Springs. This action will allow the plat to move forward with City's process for final approval. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Fiscal Surety in the amount of \$1,460,000.00, by Letter of Credit, for Sub 375-Key Ranch Section 2 (54 Lots). All voting "Aye". MOTION PASSED**

30707 ACCEPT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO BOYD SHARP, OWNER OF A PORTION OF LOT 7, GREEN ACRES SUBDIVISION

Development Services Manager, Roxie McInnis gave staff recommendation. Mr. Sharp is the owner of a 2.466 acre portion of Lot 7, Green Acres Subdivision. There is an existing, permitted OSSF on the property. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements, however Mr. Sharp has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to connect his home to the existing OSSF while he prepares and submits an amended plat application. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to Boyd Sharp, owner of a portion of lot 7, Green Acres Subdivision. All voting "Aye". MOTION PASSED**

30708 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT REGARDING LA CIMA HABITAT PRESERVATION, PURGATORY CREEK PARKLAND DEDICATION, AND CENTERPOINT RIGHT-OF-WAY DEDICATION BETWEEN HAYS COUNTY AND LAZY OAKS RANCH, LP; AND TO AUTHORIZE GENERAL COUNSEL TO TAKE ANY ACTIONS AND TO SIGN ANY AND ALL DOCUMENTS INCIDENTAL TO CLOSING OF HAYS COUNTY'S PURCHASE OF A 700.2-ACRE CONSERVATION EASEMENT FROM LAZY OAKS RANCH, LP, FOR USE IN HAYS COUNTY'S REGIONAL HABITAT CONSERVATION PLAN AND AMEND THE BUDGET ACCORDINGLY

This Master Agreement between Hays County and Lazy Oaks Ranches, LP covers a variety of deal points negotiated between the Parties. The Master Agreement will result in Hays County's acquisition of a Conservation Easement that will create the mitigation bank for its Regional Habitat Conservation Plan. Amount required; \$2,000,000/\$800,000; Parks Bond / Pct.3 Roads. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an Agreement Regarding La Cima Habitat Preservation, Purgatory Creek Parkland Dedication, and Centerpoint Right-of-Way Dedication between Hays County and Lazy Oaks Ranch, LP; and to authorize General Counsel to take any actions and to sign any and all documents incidental to closing of Hays County's purchase of a 700.2-acre Conservation Easement from Lazy Oaks Ranch, LP, for use in Hays County's Regional Habitat Conservation Plan and amend the budget accordingly. All voting "Aye". MOTION PASSED**

30709 REQUEST THAT THE HAYS COUNTY APPRAISAL DISTRICT CONDUCT A RE-APPRAISAL TO THOSE PROPERTIES AFFECTED BY THE 2015 FLOODS

Luanne Caraway, Tax Assessor/Collector spoke. This re-appraisal will allow the Hays County Central Appraisal District (CAD) to re-appraise the homes severely affected by the floods in Wimberley and San Marcos. Ms. Caraway also mentioned that each governing body will have to request for a re-appraisal in order for the Central Appraisal District to conduct it. Ms. Caraway requested a list of damaged properties from the flood and tornado be sent to CAD. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to request that the Hays County Appraisal District conduct a re-appraisal to those properties affected by the 2015 floods. All voting "Aye". MOTION PASSED**

30710 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT, AS FINALIZED BY GENERAL COUNSEL, BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATED TO MUTUAL AID AND DISASTER RELIEF ACTIVITIES BY BOTH GOVERNMENTAL ENTITIES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution and authorize the County Judge to execute an Interlocal Cooperation Agreement, as finalized by General Counsel, between Hays County and the City of San Marcos related to mutual aid and disaster relief activities by both governmental entities. All voting "Aye". MOTION PASSED



30711 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT, AS FINALIZED BY GENERAL COUNSEL, BETWEEN HAYS COUNTY AND THE CITY OF WIMBERLEY RELATED TO MUTUAL AID AND DISASTER RELIEF ACTIVITIES BY THE COUNTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF WIMBERLEY

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Cooperation Agreement, as finalized by General Counsel, between Hays County and the City of Wimberley related to mutual aid and disaster relief activities by the County within the municipal limits of the City of Wimberley. All voting "Aye". MOTION PASSED

An amended motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to appoint General Counsel, Mark Kennedy, Cindy Maiorka, Purchasing Agent, and Jerry Borcharding, Director of Transportation Services to ad hoc Committee. All voting "Aye". MOTION PASSED

30712 RATIFY ACTIONS TAKEN BY THE HAYS COUNTY SHERIFF'S OFFICE RELATED TO TRANSFERS OF PRISONERS OF THE HAYS COUNTY JAIL

Mark Kennedy, General Counsel spoke of housing prisoners in other counties, namely Bastrop and Guadalupe counties. Bastrop and Guadalupe have no more room. Last week the need arose and the Sheriff's office transferred prisoners to Caldwell County. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify actions taken by the Hays County Sheriff's Office related to transfers of prisoners of the Hays County Jail. All voting "Aye". MOTION PASSED

30713 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MASTER SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TETRA TECH, INC., RELATED TO EMERGENCY MANAGEMENT CONSULTING, DEBRIS MANAGEMENT PROGRAM CONSULTING, GRANT ADMINISTRATION SERVICES, AND AFTER FLOOD-RELATED CONSULTING SERVICES

An Ad Hoc Committee was formed to consider proposals by Monitoring Companies. This Committee consisted of Cindy Maiorka, Purchasing Coordinator, and Mark Kennedy, General Counsel. A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a Master Services Agreement between Hays County and Tetra Tech, Inc., related to Emergency Management Consulting, Debris Management Program Consulting, Grant Administration Services, and after flood-related consulting services. All voting "Aye". MOTION PASSED

30714 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR DISASTER DEBRIS REMOVAL SERVICES, AS APPROVED BY GENERAL COUNSEL AND WITH THE VENDER RECOMMENDED BY THE HAYS COUNTY PURCHASING AGENT

An Ad Hoc Committee was formed to consider proposals by Debris Hauling Companies. This Committee consisted of Jerry Borcharding, Transportation Director, Cindy Maiorka, Purchasing Coordinator and Mark Kennedy, General Counsel. General Counsel and the Purchasing Agent have utilized HGAC to achieve a streamlined process for submittal of Proposals from Debris Haulers. Selection by Purchasing for recommendation to Court is expected to occur Monday afternoon (June 1, 2015). A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a contract for Disaster Debris Removal Services, as approved by General Counsel and with the vender recommended by the Hays County Purchasing Agent and for the County Judge and General Counsel to have the ability to amend the contract as needed. All voting "Aye". MOTION PASSED

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

Judge Cobb gave the Hays County Jail report. Hays County's current maximum jail capacity is 362 inmates. Jail Standards recommends holding approximately 10% of capacity open. That lowers our capacity to 311. The jail's daily average was 285 and peak was 308 on May 27th for the week of May 24 to May 30, 2015. The maximum female capacity is 76 inmates. Last week's average was 50 and peak was 52 on 5/27/2015. The maximum male capacity is 256 inmates. Last week's average was 235 and peak was 256 on 5/27/2015. Inmate at Guadalupe County: 16 Inmate at Bastrop County: 24 Inmate at Caldwell County: 9

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Kharley Smith, Emergency Management Officer, gave an update on the recent flood and tornado damage throughout Hays County.



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County Clerk's Note Agenda Item #21 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*

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adjourn court at 11:02 a.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 June 2, 2015.



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

