



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 9<sup>TH</sup> DAY OF JUNE A.D., 2015, 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>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</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>ROXANNE SANCHEZ</b>	<b>DEPUTY COUNTY CLERK</b>

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**

David Crowell – Kyle resident made public comments.

**30715 ADOPT A PROCLAMATION DECLARING JUNE 2015 AS JUNETEENTH MONTH IN HAYS COUNTY**

Constable Peterson Pct. 1 and Ollie Giles – San Marcos Resident made public comments. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a Proclamation declaring June 2015 as Juneteenth Month in Hays County. All voting “Aye”. MOTION PASSED

**30716 ADOPT A PROCLAMATION DECLARING JUNE 17, 2015 AS CLIFF CASKEY DAY**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring June 17, 2015 as Cliff Caskey Day. All voting “Aye”. MOTION PASSED

**PRESENTATION TO UPDATE THE COURT ON THE DRIPPING SPRINGS RANCH PARK**

Todd Purcell, City of Dripping Springs Mayor gave a presentation of the Dripping Springs Ranch Park. The Dripping Springs Ranch Park is owned and operated by the City of Dripping Springs and been a part of the City’s recreational facilities since 2008 with the purchase of the Harrison Family homestead and working ranch. The acquisition was made by funds from Hays County Park Bond Funds. The park has been embraced by citizens as well with generous gifts from private donors and local businesses. The Park opened in 2008 and is enjoyed by thousands of users.

**PRESENTATION ON RECENT LEGISLATION FOR LOCAL PROVIDER PARTICIPATION FUNDING TO THE 1115 WAIVER PROGRAM**

Lon Shell, Chief of Staff and Eric Weatherford with Husch Blackwell gave a powerpoint presentation. The Medicaid 1115 Wavier was implemented in 2011 to allow hospitals like CTMC and Seton Medical Center Hays to receive supplemental Medicaid payments to offset their cost of treating Medicaid and uninsured individuals. Medicaid 1115 Waiver payments include local or state dollars and federal matching funds. Federal Funds are only available if the local or state dollars are present.

**30717 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 \$530,216.63 as submitted by the County Auditor. All voting “Aye”. MOTION PASSED

An amended motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to add an invoice for Michael Aulick in the amount of \$3,000.00. All voting “Aye”. MOTION PASSED

**30718 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 2, 2015**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of June 2, 2015 as presented by the County Clerk. All voting “Aye”. MOTION PASSED



**30719 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A REVISED RESOLUTION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR GRANT FUNDING TO PURCHASE BODY CAMERAS IN THE AMOUNT OF \$74,370.00**

On February 24, 2015 the Commissioners Court approved a resolution to submit a grant application to the Office of the Governor-Criminal Justice Division (CJD) for Hays County Sheriff's Office- Patrol Division and Constable Pct. 1 and Constable Pct. 4 to purchase body cameras. The Office of the Governor (CJD) changed the Grant number and title of the original grant project and has requested an updated Resolution to complete the application process. The Resolution will be electronically uploaded into e-grants. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to submit a revised Resolution to the Office of the Governor, Criminal Justice Division (CJD) for grant funding to purchase body cameras in the amount of \$74,370.00. All voting "Aye". MOTION PASSED**

**30720 ACCEPT A DONATION OF A YETI COOLER TO THE CONSTABLE PRECINCT 3 OFFICE BY YETI CORPORATION AND AMEND THE BUDGET ACCORDINGLY**

Constable Darrell Ayers spoke. This item was donated to the Constables Office from the Yeti Corporation during time of the flood. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation of a Yeti Cooler donated by Yeti Corporation to the Constable Precinct 3 Office and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**30721 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A REVISED RESOLUTION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION FOR THE ASSOCIATED APPLICATION FOR GRANT FUNDING TO SUPPORT THE HAYS COUNTY VETERANS COURT**

On February 24, 2015 the Commissioners Court authorized submission of a grant application and accompanying resolution to the Governor's Office, Criminal Justice Division (CJD) for funding to support the second year operation of the Hays County Veterans Court. CJD has done a preliminary review of the application materials and requested some changes, including modification of the previous Resolution to include only the authorized official's title (not name) and a revised project number. The attached revised Resolution reflects those changes. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to submit a revised Resolution to the Governor's Office, Criminal Justice Division for the associated application for grant funding to support the Hays County Veterans Court. All voting "Aye". MOTION PASSED**

**30722 CONFIRM THE IDENTIFICATION OF INDIVIDUALS WORKING WITHIN GROUPS OPERATING IN SUPPORT OF THE HAYS COUNTY FLOOD RECOVERY PLAN**

For the purposes of refining communication protocols and assisting consultants and third parties in identifying individuals within the county that are taking on certain flood relief tasks, confirmation of individuals operating within the following groups would be helpful: 1) Debris Management/Road and Bridge 2) Environmental Habitat Conservation 3) Financial Management 4) Public Information 5) Animal Support 6) Donations/Volunteerism. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to confirm the identification of individuals working within groups operating in support of the Hays County Flood Recovery Plan. All voting "Aye". MOTION PASSED**

**30723 SUB-403; REPLAT OF LOT 15, DEER CREEK RANCH SECTION 1, BLOCK C (3 LOTS) HOLD PUBLIC HEARING AND APPROVE FINAL PLAT**

Judge Cobb opened public hearing. No public input. Judge Cobb closed public hearing. Caitlyn Hairell, County Planner spoke and gave staff recommendation. Deer Creek Ranch is a recorded subdivision located off of Ranch Road 12 in Precinct 4. The proposed re-plat will divide the 5.03 acre lot into three lots. Water service will be provided by Deer Creek Ranch Water and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat of SUB-403; Replat of Lot 15, Deer Creek Ranch Section 1, Block C (3 lots). Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

**30724 SUB-398 BREED PASTURES SUBDIVISION (1 LOT) AND GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES**

Caitlyn Hairell, County Planner spoke. Breed Pastures is a new subdivision located off of HWY 290 in precinct 4. The proposed plat will divide a 5 acre parcel into two lots (Lot 1: 3.0 acres, Lot 2: 2.0 acres). Water service for both lots is currently provided by a shared private well and wastewater treatment is accomplished by existing Conventional OSSFs. The Hays County minimum lot size in the Edwards Aquifer Contributing Zone for a



lot served by a private well and conventional OSSF is 3.0 acres. The property owner feels that replacing the existing functioning system on Lot 1 (2 acres) would be an undue burden and has requested a variance from this rule. Should the existing OSSF need replacement it will be replaced by an advanced OSSF. See the attached variance request for additional information. This plat has been reviewed under the County's 1445 agreement with the City of Dripping Springs. The Interlocal Agreement is written to prohibit the City from granting a variance from the County's regulations without prior consent from the County. 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 approve variance for SUB-398 Breed Pastures Subdivision (1 lot). All voting "Aye". MOTION PASSED**

**30725 SUB-376; REPLAT OF LOT 29, RIVER OAKS OF WIMBERLEY (2 LOTS) AND GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES; HOLD A PUBLIC HEARING AND APPROVE FINAL PLAT**

Judge Cobb opened public hearing. No public input. Judge Cobb closed public hearing. Caitlyn Hairell, County Planner spoke. River Oaks of Wimberley is a recorded subdivision located off of Oak Run Drive in Precinct 3. The proposed re-plat will divide the 4.576 acre lot 29 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. Lot 29A is currently served by a conventional OSSF; however the Hays County minimum lot size for a lot served by a private well and conventional OSSF is 3.00 acres. The property owner feels that replacing the existing functioning system would be an undue burden and has requested a variance from this rule. Should the existing OSSF need replacement it will be replaced by an advanced OSSF. The owner's justification for the variance is included in backup. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat of SUB-376; Replat of lot 29, River Oaks of Wimberley (2 lots). All voting "Aye". MOTION PASSED**

**30726 SUB-395; THE SETTLEMENT AT SAN MARCOS, REPLAT OF THE HAYS TRACT (2 LOTS) AND GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES**

The Settlement at San Marcos Subdivision is located off of RR 12 in precinct 2. The proposed plat will bring the Hays Tract into compliance with state platting requirements as the 5.04 acre lot was split by metes and bounds into two lots in 1978. Water service is provided by private wells and wastewater service is accomplished by existing conventional OSSFs. The Hays County minimum lot size for a lot served by a private well and conventional OSSF is 3.0 acres. The lot was split in 1978, before current minimum lot size requirements were enacted. Given the date that the parcels were created, a variance to the county's minimum lot size requirement has been requested. When the conventional systems require replacement, the homeowners agree to install advanced OSSFs which will bring the lots into compliance with current Hays County minimum lot size requirements. This plat has been reviewed under the County's 1445 agreement with the City of San Marcos. The Interlocal Agreement is written to prohibit the City from granting a variance from the County's regulations without prior consent from the County. This action will allow the plat to move forward with City's process for final approval. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve variance of SUB-395 The Settlement at San Marcos, Replat of the Hays Tract (2 lots). All voting "Aye". MOTION PASSED**

**DISCUSSION AND CONSIDERATION OF PRELIMINARY OFFICIAL STATEMENT FOR SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2015, INCLUDING FORMS OF INDENTURE, SERVICE AND ASSESSMENT PLAN, AND FINANCING AGREEMENT, AND RELATED DOCUMENTS, FOR LA CIMA PUBLIC IMPROVEMENT DISTRICT**

Sharon Smith of Armbrust & Brown gave a Powerpoint Presentation. This item relates to the agenda items calling for Resolution Approving the Preliminary Service and Assessment Plan and Proposed Assessment Roll and Providing Notice of Hearing, and Resolution approving the form and authorizing the distribution of a Preliminary Official Statement. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve Preliminary Official Statement for Special Assessment Revenue Bonds, Series 2015 including forms of Indenture, service and Assessment Plan, and Financing Agreement, and related documents, for La Cima Public Improvement District. An amended motion was made by Commissioner Conley, seconded by Commissioner Jones to withdraw all motions.

**30727 ACTION ON RESOLUTION APPROVING PRELIMINARY SERVICE AND ASSESSMENT PLAN AND PROPOSED ASSESSMENT ROLL, AND PROVIDING FOR NOTICE OF HEARING FOR LEVY OF ASSESSMENTS IN LA CIMA PUBLIC IMPROVEMENT DISTRICT**

This Resolution approves the Preliminary Service and Assessment Plan and proposed assessment roll, provides for a public hearing to be held to consider the proposed assessments, and requires notice of the public hearing to be published and to be mailed to property owners in the District. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve Preliminary Service and Assessment Plan and Proposed Assessment Roll, and Providing for Notice of Hearing for Levy of Assessments in La Cima Public Improvement District with the modifications to section 4 and section 5. All voting "Aye". MOTION PASSED**



**30728 ACTION ON RESOLUTION APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR "HAYS COUNTY, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2015 (LA CIMA PUBLIC IMPROVEMENT DISTRICT MAJOR PUBLIC IMPROVEMENT PROJECT)"**

This Resolution approves the Preliminary Official Statement and authorizes the underwriter to use the Preliminary Official Statement in the offering and sale of the "Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project). Included as appendices to the Preliminary Official Statement are the following documents: Form of Indenture, Form of Service and Assessment Plan, Form of Bond Counsel Opinion, Form of County Disclosure Agreement, Form of Landowner Disclosure Agreement, Appraisal, Market Study, and PID Financing Agreement. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant of approving the form and authorizing the distribution of a Preliminary Official Statement for "Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project)". All voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED TO RIGHT OF WAY ACQUISITION ALONG OR NEAR DACY LANE, FM 110 AND FM1626 IN HAYS COUNTY**

Court convened into Executive Session at 12:20 p.m. and reconvened into opened court at 12:32 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy and Chief of Staff Lon Shell. 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 PROJECTS HUMPTY DUMPTY AND ENDURANCE**

Court convened into Executive Session at 11:08 a.m. and reconvened into opened court at 11:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE FREEPORT EXEMPTION PURSUANT TO SECTION 11.251 OF THE TEXAS TAX CODE**

Court convened into Executive Session at 11:43 a.m. and reconvened into opened court at 12:19 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 Adriana Cruz. 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**

County Judge gave the jail population 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 273 and peak was 282 on June 03th for the week of May 31 to June 6, 2015. The maximum female capacity is 76 inmates. Last week's average was 58 and peak was 62 on 6/3/2015. The maximum male capacity is 256 inmates. Last week's average was 215 and peak was 225 on 6/2/2015. Inmates at Guadalupe County: 16; Inmates at Caldwell County: 23.

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

Judge Cobb was advised by Hays County Fire Marshall that the Burn Ban will remain lifted.

**County Clerk's Note Agenda Item #23 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**



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A motion was made by Commissioner Jones, seconded by Commissioner Conley to adjourn court at 12:36 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 June 9, 2015.



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

