



JUNE 30, 2015

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VOLUME V PG 645

STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 30<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 CLERK</b>

**AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Reverend Carl W. Clark, Chaplin gave the invocation and 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**

Ted Breihan - San Marcos resident made a public comment. Judge Cobb presented a Retirement Certificate to Reverend Carl W. Clark, Chaplain.

#### **30755 ACCEPT A DONATION OF \$40,942 FROM KVUE FOR THE FUNDING OF FLOOD WARNING SYSTEMS, EARMARK \$2,000 FOR THE WIMBERLEY VOLUNTEER FIRE DEPARTMENT, AND AMEND THE BUDGET ACCORDINGLY**

Tyler Sieswerda and Terri Gruca with KVUE spoke. As a result of the Memorial Day Weekend flood, KVUE created a "GoFundMe" page and started collecting money for the "Help Hays County" fund. In 30 days KVUE collected \$40,942 from individual KVUE viewers and small businesses that wanted to help. KVUE has determined that the most effective way to use these donated funds would be for improved flood warning systems and emergency responder rescue gear. They would like to put \$38,942 of these funds in an account with the county while waiting on the findings and suggestions from the GBRA and other agencies currently assessing the river. Once river assessments are complete, KVUE would like to advise the county on which project(s) to use the donated funds for. They have also requested that a portion of these funds (\$2,000) be forwarded to the Wimberley Volunteer Fire Department for new water rescue dry suits. KVUE recognizes the Blanco River area as an important natural resource that we all love and rely on and hopes that these funds will help improve safety for the people who live and visit the Blanco River in the future. Line Item; Flood Warning Systems - Increase Contributions - \$38,942; Increase Professional Services - \$38,942; Water Rescue Gear - Deposit \$2,000 into liability account and process payment to Wimberley Volunteer Fire Dept. **A motion was made by Judge Cobb, seconded by Commissioner Conley to accept a donation of \$40,942 from KVUE for the funding of flood warning systems, earmark \$2,000 for the Wimberley Volunteer Fire Department, and amend the budget accordingly. All voting "Aye". MOTION PASSED**

#### **30756 ADOPT A PROCLAMATION DECLARING THE MONTH OF JULY, 2015 AS NATIONAL PARK AND RECREATION MONTH IN HAYS COUNTY**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring the Month of July, 2015 as National Park and Recreation Month in Hays County. All voting "Aye". MOTION PASSED**

#### **PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller of Human Resources Department gave out the Service Awards. 5 year award Analisa Rodriguez - District Attorney Office, Deborah Skruhak - Sheriff Office, Manuel Olivas - Sheriff Office, Patrick Segler - Sheriff Office. 10 year award: Tom Wallace - Constable Pct .3, Elisa Barrera - Sheriff. 20 year award; Rebecca L Herring - Local Health, 25 year award; Severa Valdez - Transportation and 30 year award Bill Herzog - County Auditor.

#### **30757 APPROVE PAYMENTS OF COUNTY INVOICES**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of County Invoices in the amount of \$997,542.35 as submitted by the County Auditor. All voting "Aye". MOTION PASSED**

**30758 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 23, 2015**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 23, 2015 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**30759 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY16 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM IN THE AMOUNT OF \$122,790.00**

On April 21, 2015 the Commissioners Court authorized submission of a grant application with the Department of Health Services (DSHS), Public Health Emergency Preparedness (PHEP) program. Funds are used to support the salary and benefits of the Emergency Preparedness Coordinator and SNS Coordinator in the Hays County Local Health Department. This grant requires a 10% match, with match met through in-kind contributions from the health department operating funds for a total project amount of \$135,069.00. The term for this grant is July 1, 2015 through June 30, 2016. The contract will be signed electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY16 Public Health Emergency Preparedness (PHEP) Program in the amount of \$122,790.00. All voting "Aye". MOTION PASSED**

**30760 APPROVE RENEWAL OF IFB 2014-B06 ROAD BUILDING MATERIALS FOR ONE ADDITIONAL YEAR AS PROVIDED FOR IN ORIGINAL BID. ALL TERMS AND CONDITIONS REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve renewal of IFB 2014-B06 Road Building Materials for one additional year as provided for in original bid. All terms and conditions remain unchanged and in full force and effect. All voting "Aye". MOTION PASSED

**30761 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit 946 on Old Black Colony Rd for Commons Investments City of Buda as submitted by the County Transportation Department. All voting "Aye". MOTION PASSED

**30762 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION OF FIVE YETI TUNDRA COOLERS VALUED AT \$1,850 AND AMEND THE BUDGET ACCORDINGLY**

During the flood event the Sheriff's Office received a total of five Yeti Tundra Coolers from an anonymous source. The coolers were being used to provide water to Deputies during the day while working the flood event. Amount required \$1,850; (3) White Yeti "45" Tundra Cooler @ \$350.00 = \$1,050; (2) White Yeti "65" Tundra Cooler @ \$400.00 = \$ 800. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to accept a donation of five Yeti Tundra Coolers valued at \$1,850 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**30763 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH REYNOLDS, SMITH AND HILLS CS, INCORPORATED FOR THE FM 1626 NORTH PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$175,000.00 FROM \$2,285,000.00 TO \$2,460,000.00**

The additional authorized money will allow for the execution of a supplemental #3 to Work Authorization #1 for FM 1626 North construction management services. Amount required \$175,000.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Supplemental Agreement No. 2 to the Professional Services Agreement with Reynolds, Smith and Hills CS, Incorporated for the FM 1626 North project as part of the Pass-Through Finance Program in Hays County, increasing the Compensation Cap by \$175,000.00 from \$2,285,000.00 to \$2,460,000.00. All voting "Aye". MOTION PASSED**



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**30764      AUTHORIZE THE SHERIFF'S OFFICE ANIMAL CONTROL DIVISION TO CREATE A SCHEDULE OF FEES ASSOCIATED TO AGRICULTURE CODE 142.005 ESTRAYS**

These fees are monies the Sheriff's Office can collect as allowed by Section 142.005 of the Agriculture Code. These fees will be utilized to offset the expenses that come from corralling, hauling, storing, feeding, tending and finding the owners of the animals. These fees are consistent with charges currently charged by surrounding counties. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office Animal Control Division to create a schedule of fees associated to Agriculture Code 142.005 Estrays. All voting "Aye". MOTION PASSED**

**30765      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE EXISTING FUNDS TO PURCHASE REPLACEMENT COMPUTER EQUIPMENT AND A NEW BULLET PROOF VEST AND AMEND THE BUDGET ACCORDINGLY**

The S.O. would like to utilize existing funds to purchase a replacement laptop. The existing laptop is unable to run the current operating system. It is on the FY16 replacement schedule but can be purchased now with savings in the computer equipment general ledger. The total cost of the laptop is \$1,598.03. IT agrees to the replacement, no budget amendment is needed. The S.O. would like to purchase a new Bullet Proof Vest for a newly hired Deputy. The current loaner vest issued to this employee does not fit properly and poses a life safety risk. No additional funds are needed; we are requesting to use savings from L.E. Equipment. Line Item number 001-618-00.5717\_400; L.E. Equipment Operating (\$863.00); 001-618-99-001.5717\_400 L.E. Equipment Operating \$863.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize existing funds to purchase replacement computer equipment and a new bullet proof vest and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**30766      AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 13526 W HIGHWAY 290, AUSTIN, TX**

Lasco Polo Club Partners, LTD is proposing an OSSF to serve a Children's Learning Center child care facility at 13526 W Highway 290 in Precinct 4. This property is 12.07 acres in size and water will be supplied by public water supply. The components of this on-site sewage facility will be a grease interceptor, pretreatment tank, equalization tanks, and 2 aerobic treatment units. After treatment, effluent will be dispersed to a drip irrigation field. The system was designed by Erin Banks for an equalized flow of 2743 GPD over a 7 day period. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 13526 W Highway 290 , Austin, TX. All voting "Aye". MOTION PASSED**

**30767      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE WIMBERLEY VOLUNTEER FIRE DEPARTMENT FOR PASS THROUGH DONATED FUNDS FROM KVUE RELATED TO THE MEMORIAL DAY WEEKEND FLOOD**

As outlined in the KVUE presentation, \$2,000 of the donated funds through the "GoFundMe" and "Help Hays County" fund will be passed on to the Wimberley Volunteer Fire Department for emergency responder rescue gear. The interlocal agreement outlines the specific use of those funds for the purchase of new water rescue dry suits as requested by the donating agency. Water Rescue Gear; Deposit \$2,000 into liability account and process payment to Wimberley Volunteer Fire Dept. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Agreement with the Wimberley Volunteer Fire Department for pass through donated funds from KVUE related to the Memorial Day Weekend Flood. All voting "Aye". MOTION PASSED**

**30768      ACTION TO ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR A 3-YEAR PERIOD FOR STONEFIELD SUBDIVISION, SEC. 8**

Commissioner Jones spoke and gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. The County has asked for a 3-year maintenance bond to cover for not being notified of construction activities after work had already begun. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe accept road construction and drainage improvements, release of the Construction Bond, and acceptance of the Maintenance Bond for a 3-year period for Stonefield Subdivision, Sec. 8. All voting "Aye". MOTION PASSED**



**DISCUSSION TO APPROVE A NEW WRECKER POLICY FOR USE BY THE HAYS COUNTY SHERIFF'S OFFICE**

Hays County Sheriff's Office Lt. Jeri Skroci spoke. Comal Trucking, Mike Saucedo, Thomas Saucedo with Saucedo Towing, Drippings Springs Towing, Garrison Maurer, Romero Amaya and Esther Garcia made public comments. Hays County, pursuant to the authority granted by state law, in order to protect the public to protect the rights of persons whose vehicles may be towed. There will be a meeting schedule on Wednesday, July 15<sup>th</sup> at 1 p.m. to discuss the new wrecker policy and bring back to court on July 21, 2015.

**30769 ACTION TO SALE OF LOT 21, WOODCREEK SECTION 8, PROPERTY THAT HAS BEEN HELD IN TRUST BY HAYS COUNTY SINCE MARCH 6, 1997**

Luanne Caraway, Tax Assessor/Collector spoke. This property was offered for public sale on March 6, 1997, where we received no bids. Since that time this property has been off of the tax rolls. Taxes are due on this property from 1994 - 2006 in the total amount of \$2,850.63. We have received an offer of \$882.95 from Melissa E. Williams, who owns Lot 22, this amount represents the base tax due on the property, however, there is \$972.00 due in court costs which must be paid prior to any recovery of taxes. So the taxing units would actually receive \$0 and the full bid amount would go to court costs. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant sale of Lot 21, Woodcreek Section 8, property that has been held in trust by Hays County since March 6, 1997. All voting "Aye". MOTION PASSED**

**30770 ACTION RELATED TO THE POSITION OF JP 1-2, INCLUDING BUT NOT LIMITED TO THE FORMATION OF A COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE NEED FOR TWO JUSTICE COURTS WITHIN JUSTICE OF THE PEACE, PRECINCT 1**

Becky Sierra – San Marcos resident, Jon Leonard – San Marcos resident, Jacob Montoya – San Marcos resident, Gloria Salazar – San Marcos resident made public comments. During the May 12th Court date the Commissioners Court adopted a resolution regarding the Justice of the Peace Precinct 1, Place 2 office. The resolution addressed the Court's desire to form a committee that could provide guidance regarding the need for two Justice Courts within JP Precinct 1. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley that the JP 1-2 not to be abolish or filled and allow the voters to determined who will filled the position in the next General Election to be held in 2016 and also look at the operations of the office . All voting "Aye". MOTION PASSED**

**30771 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LICENSE AGREEMENT BETWEEN HAYS COUNTY AND CASA OF CENTRAL TEXAS, INC. FOR USE OF APPROXIMATELY 1100 SQUARE FEET WITHIN SUITE 201 LOCATED AT 111 EAST SAN ANTONIO STREET, SAN MARCOS, TEXAS**

Executive Director, Norma Castilla-Blackwell spoke. CASA of Central Texas is in need of temporary office space while planning and construction of their new office is completed. Currently suite 201 of the Courthouse is unoccupied and is available for their use. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a License Agreement between Hays County and CASA of Central Texas, Inc. for use of approximately 1100 square feet within Suite 201 located at 111 East San Antonio Street, San Marcos, Texas. All voting "Aye". MOTION PASSED**

**DISCUSSION REGARDING UPDATES TO THE HAYS COUNTY VEHICLE USE POLICY**

Constable Pct. 3 Darrell Ayers spoke. The transportation committee has reviewed the Transportation Policy of Hays County. A draft policy which includes suggested edits has been attached. Changes and additions include - Requirements for the installation of GPS tracking devices on all new vehicles -The addition of driving record review guidelines for employees that drive county vehicles - Detailed description of accident reporting guidelines - Addition of an assigned vehicle list - Additional guidelines for employees that are authorized to take vehicles home.

**30772 ACTION TO SELECT A PROPOSAL AND CONTRACTOR FOR AN UPDATE TO THE CRIMINAL JUSTICE SYSTEM ASSESSMENT AND JAIL POPULATION STUDY AND AUTHORIZE GENERAL COUNSEL TO NEGOTIATE A CONTRACT**

General Counsel Mark Kennedy spoke. During the April 7, 2015 Commissioners Court meeting, specifications for an RFP regarding an update to a Criminal Justice System Assessment and Jail Population study were approved. The Purchasing department advertised the RFP, Proposals were received, and the responses were reviewed. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to select a proposal and contractor GMJ for an update to the Criminal Justice System Assessment and Jail Population Study and authorize General Counsel to negotiate a contract. All voting "Aye". MOTION PASSED**



**30773 AUTHORIZE AN ADDITIONAL INTERGOVERNMENTAL TRANSFER OF UP TO \$30,000 FOR THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER) AND AMEND THE BUDGET ACCORDINGLY**

Lon Shell, Chief of Staff spoke. A total of \$2,707,775 was approved during the budget process for FY 2015 Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver) payments. Payments have been made as follows; Uncompensated Care (UC) Hospital \$24,214 12/5/2014; Delivery System Reform Incentive Payment (DSRIP) \$2,676,749.88 1/5/2015; DSRIP monitoring \$6,811.12 1/5/2015. The proposed additional \$30,000 will allow CTMC to take advantage of additional capacity in approved DSRIP funds. Hays County will reduce FY 2016 budgeted funds by \$30,000 resulting in no increased cost for the program to the County. Savings in County Wide Misc. Capital Improvements are available to fund this request. Amount required \$30,000.00; Increase Health Care Program Services - 001-645-00.5801 - \$30,000; Decrease Misc. Capital Improvements - 001-645-00.5741 - (\$30,000). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize an additional intergovernmental transfer of up to \$30,000 for the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver) and amend the budget accordingly. 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 FM 110 OF HAYS COUNTY**

Court convened into Executive Session at 12:00 p.m. and reconvened into opened court at 12:08 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 Lori Bible. 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**

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 301 and peak was 321 on June 25th for the week of June 21 to June 27, 2015. The maximum female capacity is 76 inmates. Last week's average was 64 and peak was 72 on 6/25/2015. The maximum male capacity is 256 inmates. Last week's average was 237 and peak was 249 on 6/25/2015. Inmate at Guadalupe County: 15; Inmate at Caldwell County: 24.

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

Judge Cobb said the Burn Ban will remain lifted at this time.

**County Clerk's Note Agenda Item #26 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 Whisenant to adjourn court at 12:26 p.m.**

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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 June 30, 2015.**




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

