



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 20TH DAY OF OCTOBER 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
ROXANNE N SANCHEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb 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.

PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE HAYS COUNTY AUDITOR'S OFFICE, FROM THE GOVERNMENTAL FINANCE OFFICERS ASSOCIATION

Ms. Martie Simpson who is the Treasurer for the Government Finance Officers Association of the United States and Canada (GFOA) presented the Certificate of Achievement for Excellence in Financial Reporting to Hays County for FY 2014. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting.

31050 PROCLAMATION DECLARING NOVEMBER 1ST-7TH, 2015 AS HIGHER EDUCATION ACT 50TH ANNIVERSARY COMMEMORATION WEEK

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring November 1st-7th, 2015 as higher education act 50th anniversary commemoration week. All voting "Aye". MOTION PASSED

PRESENTATION OF RETIREMENT GIFT TO REBECCA HERRING, R.N

Margie Rodriguez spoke and presented an award to Rebecca Herring.

PUBLIC COMMENTS

Dan Lyon, a San Marcos resident spoke on agenda item #15.

31051 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$721,513.25 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

31052 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 13, 2015

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of October 13, 2015. All voting "Aye". MOTION PASSED

31053 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 904 CANYON WREN, BUDA, TX

Jane Fish is proposing an OSSF to serve a pet kennel facility for Onion Creek Kennels in Precinct 2. This property is 1.49 acres. The system designer, Russell Cain, R.S., has designed a treatment system which consists of pretreatment and an equalization tank that will control flow to 3 aerobic treatment units. Effluent will be dispersed to a drip irrigation field at a daily rate of 1300 gallons. Water is supplied by private wells. There are no variances requested. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize institutional OSSF permit at 904 Canyon Wren, Buda, TX. All voting "Aye". MOTION PASSED



31054 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 18059-A FM 1826, DRIFTWOOD, TX

Susan Auler is proposing an OSSF to serve the Fall Creek Vineyard Wine Tasting Venue in Precinct 4. This is Lot 1 of the Grand Cypress at Onion Creek Subdivision. Water will be supplied by a public well. This on-site sewage facility consists of a pretreatment tank that discharges to an equalization tank which time doses out to an aerobic treatment plant. Effluent will be chlorinated and dispersed via surface irrigation. The system is designed by Jon Maass, R. S. to treat a maximum of 300 gpd. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize institutional OSSF permit at 18059-A FM 1826, Driftwood, TX. All voting "Aye". MOTION PASSED**

31055 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO ESTABLISH A PETTY CASH FUND PER LOCAL GOVERNMENT CODE 130.909 IN ORDER TO COMPENSATE HOSTILE WITNESSES TO APPEAR IN COURT FOR TESTIMONY PER THE TEXAS CIVIL PRACTICE & REMEDY CODE 22.001

The DA's Office is in need of a petty cash fund in order to provide the ten dollar fee for any hostile witness that is likely to not appear in Court. This will allow the judge to issue a writ of attachment and force the witness to appear and testify per the Texas Civil Practice & Remedy Code 22.001. The funds will be withdrawn from the DA pre-trial/trial expense budget. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the District Attorney's office to establish a petty cash fund per local government code 130.909 in order to compensate hostile witnesses to appear in court for testimony per the Texas civil practice & remedy code 22.001. All voting "Aye". MOTION PASSED**

31056 AUTHORIZE THE JUSTICE OF THE PEACE, PRECINCT 2 TO INSTALL GLASS PARTITIONS IN THEIR MAIN LOBBY AREA FOR THE JUSTICE CLERK'S WORKSPACE AND AMEND THE BUDGET ACCORDINGLY

The JP Pct. 2 would like to utilize the Justice Court Building Security Fund to have glass partitions installed in their lobby area for the Justice Clerk's safety. This would eliminate the ability for defendants to have direct access to the Clerk's and ensure a safer work environment. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Justice of the Peace, Precinct 2 to install glass partitions in their main lobby area for the justice clerk's workspace and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31057 AUTHORIZE THE HAYS COUNTY AUDITOR'S OFFICE TO CONDUCT THE AUDIT REQUIRED BY ARTICLE 59.06 OF THE TEXAS CODE OF CRIMINAL PROCEDURE FOR THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S CHAPTER 59 ASSET FORFEITURE FUNDS FOR FISCAL YEAR 2015 AND FOR FUTURE FISCAL YEARS

Due to the way TCCP Section 59.06 reads, it is necessary for the Commissioners Court to grant authorization to the Auditor's Office for the performance of a Chapter 59 audit. This item will grant that authority for FY 2015 and all future Fiscal Years, unless authorization is rescinded by Commissioners Court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Hays County Auditor's office to conduct the audit required by article 59.06 of the Texas code of criminal procedure for the Hays County criminal District Attorney's chapter 59 asset forfeiture funds for Fiscal Year 2015 and for future fiscal years. All voting "Aye". MOTION PASSED**

31058 APPROVE SPECIFICATIONS FOR RFQ 2016-P01 REQUEST FOR QUALIFICATIONS FOR ENERGY SERVICES COMPANIES FOR PERFORMANCE CONTRACTING AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve specifications for RFQ 2016-P01 request for qualifications for energy services companies for performance contracting and authorize purchasing manager to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

31059 APPROVE SPECIFICATIONS FOR RFQ 2016-P02 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES ON AN AS NEEDED BASIS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve specifications for RFQ 2016-P02 request for qualifications for professional engineering services on an



as needed basis and authorize purchasing manager to solicit for qualifications and advertise. All voting "Aye". MOTION PASSED

31060 APPROVE SPECIFICATIONS FOR RFQ 2016-P03 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL LAND SURVEYING SERVICES ON AN AS NEEDED BASIS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve specifications for RFQ 2016-P03 request for qualifications for professional land surveying services on an as needed basis and authorize purchasing manager to solicit for qualifications and advertise. All voting "Aye". MOTION PASSED

31061 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE OCTOBER 1, 2015 FOR JPO SLOT 0975-005 PER THE DATA REQUEST FORM AND AMEND THE BUDGET ACCORDINGLY

A stipend has been requested and approved for a newly hired JPO position via the Request/Justification Form for Electronics and Related Equipment/Services. The position travels throughout the County and region transporting offenders, serving warrants, attending court hearings and performing school and home visits. It is imperative that the JPO be available to staff, supervisors and families as well as the community in order to remain productive and perform duties effectively. A county issued cell phone has been turned in and disconnected, replacing this cost with the monthly phone allowances. Budget Amendment Decrease - 001-686-00.5489 Telephone & Data Lines (\$420) Increase - 001-686-00.5194 Telephone Allowance \$420. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the juvenile probation department to add a telephone allowance effective October 1, 2015 for JPO slot 0975-005 per the data request form and amend the budget accordingly. All voting "Aye". MOTION PASSED

31062 AUTHORIZE PAYMENT, ON A MONTH-TO-MONTH BASIS, THE CORRECTED LEASE RATE OF \$3,855 PER MONTH FOR THE PRECINCT 3 OFFICE LEASE BETWEEN HAYS COUNTY AND J.M. KIRKPATRICK ENTERPRISES, INC

The amount authorized in the Court's motion from the 10/13/15 agenda was an incorrect calculation of the Hold Over lease rate. This item reconciles that miscalculation and give Hays County the ability to continue its lease on a month-to-month basis. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment, on a month-to-month basis, the corrected lease rate of \$3, 855 per month for the precinct 3 office lease between Hays County and J.M. Kirkpatrick Enterprises, Inc. All voting "Aye". MOTION PASSED

31063 SUB-284 SWALLOWED HOOK SUBDIVISION (2 LOTS). ACTION TO APPROVE FINAL PLAT

Swallowed Hook is a proposed 2 lot subdivision across 7.119 acres. This proposed subdivision is located off of Flite Acres Road in Precinct 3. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat of Sub-284 Swallowed Hook Subdivision. All voting "Aye". MOTION PASSED

31064 APPROVE A NEW WRECKER POLICY FOR USE BY THE HAYS COUNTY SHERIFF'S OFFICE

Clerk's Note Agenda Item #17 RE: COMMISSIONER WHISENANT MADE A MOTION FOR LUNCH BREAK, SECONDED BY COMMISSIONER CONLEY. COURT TO RECONVENED AT 1:00 P.M.

Lon Shell spoke on the changes to the wrecker policy. Mike Saucedo of Southwest Towing, Thomas Saucedo, and Esther Garcia also spoke on the new wrecker policy. Lt. Skrocki explained the changes to the wrecker policy and added Appeal Process and noted rule regarding lights on trucks. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a new wrecker policy for use by the Hays County Sheriff's office. 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 RELATED TO RIGHT OF WAY ACQUISITION ON OR NEAR RANCH ROAD 12 IN PRECINCT 3. NO ACTION IS CONTEMPLATED FOR THIS ITEM



Court convened into Executive session at 1:25 p.m. and reconvened into open court at 2:00 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 551.074 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 2:00 p.m. and reconvened into open court at 2:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant and Judge Cobb. 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

Judge Cobb gave the jail report. Hay's 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 288 and peak was 303 on October 14, 2015 for the week of October 11, 2015 to October 17, 2015. The maximum female capacity is 76 inmates. Last week's average was 61 and peak was 64 on October 14, 2015. The maximum male capacity is 256 inmates. Last week's average was 227 and peak was 239 on October 14, 2015.

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

Judge Cobb gave the Drought Index – 709. Burn Ban will remain in effect. Judge Cobb urged everyone to be very cautious.

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 gave a presentation on the continuing road projects in Hays County.

ADJOURNMENT

A motion was made by Commissioner Whisenant seconded by Commissioner Jones to adjourn court at 3:28 PM.

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 20, 2015.



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

