



DECEMBER 15, 2015

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VOLUME V PG 755

STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 15<sup>TH</sup> DAY OF DECEMBER 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>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

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 United States and Texas flags. Judge Cobb called the meeting to order.

#### PUBLIC COMMENTS

David Crowell - Kyle resident made a public comment.

#### PRESENTATION OF A DONATION TO CASA

Becky Collins, General Manager of Walton Development and management in the Austin-San Marcos Region, presented CASA with a challenge gift. CASA's Trailblazer/Stakeholders are the first donors to make a gift or pledge in support of Superheroes Capital Campaign. Trailblazers are – Irma Adams, Joan Bancroft, J.L. Barlow, Norma Castilla-Blackwell, Carola & John Davis, Nancy Deckard, Kathy Dial, Donna & Archie Dishman, Rep. Lloyd & Libby Doggett, Debbie & Joe Engbrock, Hays County Sheriff – Gary Cutler, Hays Energy, LLC, Mallory & Shane Hines, Rach Jacobson, Karen Sleighter John, Teresa & David Junkin, JoAnne Germer, Becky Lake, Carolyn & Ren Liner, Lynda & Robert McNab, Jan & Bill Morton, Jacqueline Phillips, Dave Pfeifer, Jeremiah Pizana, Susie Russell, Sal Salazar, San Marcos Lions Club, Tricia & Mike Schneider, Charlotte Shields, Tomblin Family Foundation, Martha Walker, Robert, Williams, Walton Development & Management. Trailblazers/Stakeholders are working towards acquiring a new facility for CASA.

#### PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller of Human Resources presented the Hays County Service Awards. 10 years – Blaine Hamilton, Constable Pct. 4, Mark Lenstra Juvenile Detention. 15 years – Mark Chambers, Fire Marshall, Ryan Gonzales, Sheriff's Department. 20 years – Timothy Shaffer, District Judge's office.

#### PRESENTATION ON THE HAYS COUNTY-TEXAS DEPARTMENT OF TRANSPORTATION PARTNERSHIP PROGRAM FM 150 WEST CHARACTER PLAN PROJECT

Joe Canteloupo of K Friese & Associates gave a power point presentation. The Hays County-Texas Department of Transportation Partnership Program was formalized by an Advance Funding Agreement (AFA) executed between Hays County and the Texas Department of Transportation on December 18, 2013 and Texas Transportation Commission action on August 29, 2013 identifying project development funding (corridor study, schematic development, right-of-way preservation) for the FM 150 West Character Plan for FM 150 between Arroyo Ranch Road and RM 12. On January 13, 2015, the first Presentation to the Commissioners Court was made to provide project status overview and anticipated progress schedule for the project. Since that presentation, the County has conducted two Public Workshops and nine Citizen Advisory Panel (CAP) meetings. The presentation provided updated information regarding Phase 1 progress and findings for this project.

#### 31165 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,199,182.68 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to add an invoice in the amount of \$2,998.99 for Data Recovery Services. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED

#### 31166 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 8, 2015

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court minutes of December 8, 2015 as presented by the County Clerk. All voting "Aye". MOTION PASSED



**31167 AUTHORIZE THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION ACCEPT A DONATION OF \$700.00 FROM THERMON MANUFACTURING COMPANY AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received a donation of \$700.00 from Thermon Manufacturing Company to be used towards supplies and materials for various programs held by the Community Outreach Division. Budget Amendment: Increase 052-618-00.4610 Contributions \$700.00. Increase 052-618-00.5222 Special Projects \$700.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office Community Outreach Division accept a donation of \$700.00 from Thermon Manufacturing Company and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31168 AUTHORIZE TWO COMMERCIAL OSSF PERMIT AT 5401 FITZHUGH RD., DRIPPING SPRINGS, TX**

Caroline Bradford is proposing a weekend rental residence to serve up to 16 people for two days or 11 people for 3 days in Precinct 4. The on-site sewage facility was designed by Greg Johnson, P.E. for a daily flow rate of 300 gallons. This system was originally permitted as a single family residence and is being converted to commercial use. The property is 7.593 acres in size. This on-site sewage facility is composed of pretreatment tank, equalization tank, and a 600 gallon per day aerobic treatment unit. A pump tank will dose the metered flow to a spray irrigation dispersal field. The water supply will be private water well Caroline Bradford is also proposing ten one bedroom cabins in Precinct 4. The on-site sewage facility was designed by Greg Johnson, P.E. for a daily flow rate of 1000 gallons. The property is 7.593 acres in size. This on-site sewage facility is composed of pretreatment tank, equalization tank, and a 1500 gallon per day aerobic treatment unit. A pump tank will dose the metered flow to a drip irrigation dispersal field. The water supply will be private water well. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize two Commercial OSSF permit at 5401 Fitzhugh Rd., Dripping Springs, TX. All voting "Aye". MOTION PASSED**

**31169 APPROVE OUT OF STATE TRAVEL FOR CRIME ANALYST ASHLEY GREENFEATHER TO ATTEND THE FOUNDATION OF INTELLIGENCE ANALYSIS TRAINING IN SACRAMENTO, CALIFORNIA**

Out of state travel is needed to send Crime Analyst Ashley Greenfeather to the Basic Foundations of Intelligence Analysis Training in Sacramento California on February 8-12, 2016. This training will give Ashley a wide range of knowledge in the History and Purpose of Intelligence analysis to Fundamentals of Logic, Critical and Creative thinking to Crime Pattern Analysis, Financial Analysis and Reports and Presentations. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. Austin Regional Intelligence Center is sponsoring Ms. Greenfeather and has agreed to reimburse the County for all fees encumbered. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve out of state travel for Crime Analyst Ashley Greenfeather to attend the Foundation of Intelligence Analysis training in Sacramento, California. All voting "Aye". MOTION PASSED**

**31170 AUTHORIZE COMMISSIONER CONLEY TO EXECUTE SUPPLEMENTAL NO. 1 TO THE HDR ENGINEERING, INC. PROFESSIONAL SERVICES AGREEMENT FOR THE CENTERPOINT ROAD PRELIMINARY PLANNING AND ROUTE STUDY PROJECT**

The Professional Services Agreement for HDR Engineering, Inc. to provide preliminary planning and route study for the possible extension of Centerpoint Road from RM 12 to FM 2439 was approved by Commissioner's Court on October 7, 2014. The termination date of this Agreement was May 31, 2015. Therefore HDR is requesting to extend the termination date for the Professional Services Agreement to May 31, 2016. No additional funds are being requested at this time. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Commissioner Conley to execute Supplemental No. 1 to the HDR Engineering, Inc. Professional Services Agreement for the Centerpoint Road preliminary planning and route study project. All voting "Aye". MOTION PASSED**

**31171 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A BUSINESS ASSOCIATE AGREEMENT WITH SHRED-IT USA, LLC FOR SHREDDING SERVICES AT THE LOCAL HEALTH DEPARTMENT**

As a condition of different grants and contacts Hays County has with the State of Texas, the County is required to execute a business associate agreement with Shred-it USA, LLC. HIPAA Privacy Rule requires that a written assurance be obtained to ensure that selected business associate will appropriately safeguard the protected health information it receives or creates on behalf of the Local Health Department. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a business associate agreement with Shred-It USA, LLC for shredding services at the Local Health Department. All voting "Aye". MOTION PASSED**

**31172 RATIFY THE COUNTY JUDGE'S EXECUTION OF RIGHT OF ENTRY AGREEMENTS FOR FEMA TO ENTER UPON HAYS COUNTY PROPERTIES**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the County Judge's execution of right of entry agreements for FEMA to enter upon Hays County properties. All voting "Aye". MOTION PASSED**

**31173 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Permit 956 (revised) on Winters Mill Parkway for an Electric Line (PEC) and Permit 965 on Old Oaks Ranch Rd for a Communication line (TWC). All voting "Aye". MOTION PASSED

**31174 RATIFY THE COUNTY JUDGE'S EXECUTION OF AN AGREEMENT WITH PICTOMETRY INTERNATIONAL CORP. FOR AERIAL IMAGERY OF THE BLANCO RIVER AREAS AFFECTED BY THE MEMORIAL DAY 2015 FLOOD**

Commissioners Court previously approved an agreement for imagery; however this vendor can deliver at a lower cost and faster. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the County Judge's execution of an agreement with Pictometry International Corp. for Aerial Imagery of the Blanco River areas affected by the Memorial Day 2015 flood. All voting "Aye". MOTION PASSED

**31175 AMEND THE BUILDING MAINTENANCE BUDGET FOR REPAIRS AT THE HAYS COUNTY GOVERNMENT CENTER AS RECOMMENDED AFTER A COMPREHENSIVE RISK ANALYSIS**

Initial repairs include handrails at the main entrance and curb painting in the parking lot/walkways. Budget Amendment: Decrease 001-645-00.5399 Contingencies (\$7000.00). Increase 001-695-00.5451, Building Maintenance and Repair \$7000.00. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the building maintenance budget for repairs at the Hays County Government Center as recommended after a comprehensive risk analysis. All voting "Aye". MOTION PASSED

**31176 RATIFY THE PURCHASE AND INSTALLATION OF AN AV SOUND SYSTEM AND COMPONENTS FOR THE COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY**

Funds were budgeted during the FY16 budget process and donations received for general supplies related to events held at the Courthouse. Related equipment was purchased for an event that should be capitalized per County policy. Budget Amendment: Decrease General Supplies - .5201. Increase Misc. Equipment - .5719\_400. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the purchase and installation of an AV Sound System and Components for the Courthouse and amend the budget accordingly. All voting "Aye". MOTION PASSED

**31177 AMEND VARIOUS DEPARTMENTAL BUDGETS IN PREPARATION FOR THE COUNTY'S FY2015 YEAR-END PROCESS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend various departmental budgets in preparation for the County's FY2015 Year-End process. All voting "Aye". MOTION PASSED

**31178 AUTHORIZE COMMISSIONER CONLEY TO EXECUTE SUPPLEMENTAL NO. 4 TO WORK AUTHORIZATION NO. 1 OF HDR ENGINEERING, INC. PROFESSIONAL SERVICES AGREEMENT FOR PROGRAM MANAGEMENT SERVICES ON THE PRIORITY ROAD BOND PROGRAM**

The Professional Services Agreement (PSA) and Work Authorization No. 1 (WA1) for HDR Engineering, Inc. to provide program management services to Hays County for the Priority Road Bond Program was approved by Commissioner's Court on April 7, 2009. The termination date of WA1 was extended to December 31, 2015 by Supplement No. 3. Currently there are two on-going projects that still require oversight (RM 12 Parkway ROW & Dacy Lane ROW) and one project awaiting final closeout by the Texas Department of Transportation (RM 1826 @ Darden Hill). Therefore HDR is requesting to extend the termination date for WA1 to December 31, 2016. No additional funds are being requested at this time. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commissioner Conley to execute Supplemental No. 4 to work authorization No. 1 of HDR Engineering, Inc. Professional Services Agreement for program management services on the Priority Road Bond Program. All voting "Aye". MOTION PASSED

**31179 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR A 3-YEAR PERIOD FOR REUNION RANCH SUBDIVISION, PH. 2, SEC. 3**

Jerry Borcharding, Transportation Director gave staff recommendation for the acceptance of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the road construction and drainage improvements, release the Construction Bond, and accept the Maintenance Bond for a 3-year period for Reunion Ranch Subdivision, Ph. 2, Sec. 3. All voting "Aye". MOTION PASSED



**31180 AUTHORIZE COUNTY JUDGE TO ACCEPT A RIGHT OF WAY DEDICATION DEED FOR PROPERTY OWNED BY SUNFIELD MUD #4 AND ON BEHALF OF HAYS COUNTY TO ADD ALL OR A PORTION OF OVERPASS ROAD TO THE COUNTY'S ROADWAY SYSTEM FROM THE OVERPASS ROAD/FM 2001 INTERSECTION TO EXISTING FM 2001 AT STATION 93+65.63**

Mike Weaver of Prime Strategies spoke. The property proposed to be donated is all or a portion of the existing Overpass Road ROW from the Overpass Road/FM 2001 intersection to Sunbright Blvd. and property from Sunbright Blvd. to existing FM 2001 at Station 93+65.63. This property owned by Sunfield MUD #4 represents ROW for the County's proposed FM 2001 realignment project from I-35 to SH 21, an element of the County's Partnership Program with the Texas Department of Transportation (TxDOT). The County formalized development of the FM 2001 realignment project with TxDOT on December 18, 2013. The County is funding schematic development, environmental clearance, and ROW mapping. TxDOT will fund, let and manage construction. Strategic Priority construction funding for Phase I improvements is identified in TxDOT's approved 2016 Unified Transportation Program. The property being donated to the County represents over 17% of the identified required ROW for the proposed FM 2001 realignment project. Should the roadway not be constructed within five (5) years of the effective date of the dedication deed, or if the ROW property is not used, maintained, and open to the public for vehicular traffic, the donated property will revert to Sunfield MUD #4. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize County Judge to accept a right of way dedication deed for property owned by Sunfield MUD #4 and on behalf of Hays County to add all or a portion of overpass road to the County's Roadway system from the Overpass Road/FM 2001 intersection to existing FM 2001 at Station 93+65.63. All voting "Aye". MOTION PASSED**

**31181 CALL FOR A PUBLIC HEARING ON JANUARY 5, 2016 TO ESTABLISH A "NO PARKING" ZONE ON THE WESTERN SEGMENT OF SUFFIELD DRIVE ROW, FROM THE NORTHBOUND IH-35 FRONTAGE ROAD EASTWARD TO THE SECOND INTERSECTION WITH CIRCLE DRIVE**

Jerry Borcharding, Transportation Director spoke. This action will be to establish a "No Parking" zone on Suffield Drive ROW between IH-35 and the eastern intersection with Circle Drive. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on January 5, 2016 to establish a "No Parking" zone on the western segment of Suffield Drive Row, from the Northbound IH-35 Frontage Road eastward to the second intersection with Circle Drive. All voting "Aye". MOTION PASSED**

**31182 SUB 406- PINKERTON ADDITION (1 LOT) APPROVE FINAL PLAT**

Caitlyn Hairell, Count Planner spoke. The proposed Pinkerton Addition is a 1 lot subdivision of 4.01 acres located off of Hilliard Road in Precinct 3. The subdivision will be served by a private well. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat of Sub-406 Pinkerton Addition (1 Lot). All voting "Aye". MOTION PASSED**

**31183 SUB-489 SHADOW CREEK PHASE 12 SECTION 1 (1 LOT) APPROVE FINAL PLAT**

Judge Cobb declared this item a Nunc Pro Tunc. Item read Ph. 11 Sec. 1. Caitlyn Hairell, County Planner spoke. The preliminary plan for the Shadow Creek Subdivision was originally approved on June 15, 2004 as a 1440 lot subdivision located off of Windy Hill Road in Precinct 2. Since that time, seventeen sections have been platted totaling 931 lots. This section includes 1 greenspace/drainage lot. All lots will be served by public water and sewer provided by Goforth Special Utility District and North Hays County Municipal Utility District Number 1. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat of Sub-489 Shadow Creek Phase 12 Section 1 (1 Lot). All voting "Aye". MOTION PASSED**

**31184 AUTHORIZE THE COUNTY JUDGE TO SIGN RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG), REGIONAL SOLID WASTE GRANT PROGRAM, FOR \$25,329.00**

Jeff Nauf, Grants Director spoke. Grant funds in the amount of \$25,329.00 will be requested from the CAPCOG, FY2016-2017 Regional Solid Waste Grants Program for the acquisition of a new forklift to replace the failing 18+ year-old unit now on site. Needed repair costs and the advanced age of the current forklift make it nearly obsolete, and a new forklift is essential for economic and efficient operations at the site. Matching funds, although not required for this grant, are strongly encouraged and will be in the form of in-kind services the County already supports for the transfer stations. The grant application is due to CAPCOG by electronic submission on or before December 16, 2015. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to sign resolution and submit a grant application to the Capital Area Council of Governments (CAPCOG), Regional Solid Waste Grant Program, for \$25,329.00. All voting "Aye". MOTION PASSED**



**31185 AUTHORIZE AN INTERGOVERNMENTAL TRANSFER OF \$215,064.92 FOR CENTRAL TEXAS MEDICAL CENTER AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)**

A total of \$2,395,000 was approved during the budget process for FY 2016 Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver) payments. The 1st opportunity to transfer funds during FY 2016 will occur on Jan 4, 2016. At this time Central Texas Medical Center (CTMC) is authorized for a transfer of \$215,064.92 by Hays County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize an intergovernmental transfer of \$215,064.92 for Central Texas Medical Center as part of the Texas Healthcare Transformation and Quality improvement program (1115 Waiver). Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**

**31186 CALL FOR A PUBLIC HEARING ON JANUARY 19, 2016 TO HEAR AND FINALIZE CHANGES TO THE HAYS COUNTY FOOD ESTABLISHMENT REGULATIONS; DISCUSSION WITH STAFF REGARDING PROPOSED CHANGES TO THE HAYS COUNTY FOOD ESTABLISHMENT REGULATIONS**

Roxie McInnis, Development Services Manager, spoke. The rules which govern retail food establishments in Texas (the Texas Food Establishment Regulations - TFER) were revised in October of 2015. The proposed changes to the Hays County Rules reflect a number of the changes passed down from the State as well as an additional requirement which will allow for greater transparency to potential public health concerns at the food establishments in Hays County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to call for a public hearing on January 19, 2016 to hear and finalize changes to the Hays County Food Establishment Regulations; discussion with staff regarding proposed changes to the Hays County Food Establishment Regulations. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**

**31187 PURCHASE WORKERS' COMPENSATION INSURANCE**

Dee Dee Baen, Human Resources Director spoke and introduced Cynthia Bentley and Loe Wiggins to the court. Workers' compensation is a statutory and state-regulated insurance program that provides employees with income and medical benefits if they sustain a work-related injury or illness. The Hays County Workers' Compensation premium for calendar year 2015 was \$422,536. We went out for bids for workers compensation insurance in the fall of 2015 for CY 2016. An ad hoc committee, consisting of Commissioner Debbie Ingalsbe; Bill Herzog, Auditor; Lon Shell, Chief of Staff; Lori Wiggins, Risk Manager; and Dee Dee Baen, HR Director met with each bidder in panel for presentation and interview. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to purchase workers' compensation insurance with DP Texas Self Insurance Fund at a cost of \$314,999.00 for 5 years beginning in 2016. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**

**31188 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE A NEW CONTROL PANEL SYSTEM FOR THE JAIL FACILITY AND AMEND THE BUDGET ACCORDINGLY**

Captain Mike Davenport with the Hays County Sheriff's office spoke. The current control panels at the Jail Facility are over 27 years old and in need of replacement. Due to the age, the system has functionality issues that have become non-repairable as parts are obsolete creating safety issues. The vendor is on State Contract, TXMAS company #9-84060. Funds were budgeted during the FY 2016 budget process in County Wide (\$250k) for miscellaneous capital improvements for the Jail as needed. Budget Amendment: Decrease Co Wide - 001-645-00.5741. Increase Jail - 001-618 03.5741. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's office to purchase a new control panel system for the jail facility and amend the budget accordingly. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**

**31189 AUTHORIZE THE JUSTICE OF THE PEACE, PRECINCT 5 TO PROMOTE JUSTICE CLERK, SLOT 0855-013 TO THE VACANT JUSTICE COURT ADMINISTRATOR, SLOT 0860-006 AT THE 25TH PERCENTILE**

Justice of the Peace Scott Cary spoke and would like to offer the vacant Justice Court Administrator position to one of his current Justice Clerk's with a salary exception at the 25th percentile. This employee is a Level II Master Certified Texas Justice Clerk and was recognized by the Texas Justice Court Training Center for her exceptional scores. She continues to attend training and seminars in order to broaden her knowledge in Juvenile Law and Truancy Issues. Due to periodic unexpected leave of the previous Administrator, this candidate volunteered to take on additional duties related to financial reporting and has continued to perform those duties to date. Judge Cary would ask the Court's permission for a salary exception to promote to the 25th percentile. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Justice of the Peace, Precinct 5 to promote Justice Clerk, slot 0855-013 to the vacant Justice Court Administrator slot 0860-006 at the 25<sup>th</sup> percentile. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**



**31190 SET A PLACE – COMMISSIONERS' COURTROOM, DATE – APRIL 5, 2016, AND TIME 10:00 A.M., FOR A PUBLIC HEARING TO CONSIDER THE PETITION FOR THE CREATION OF EMERGENCY SERVICES DISTRICT NO. 9 IN ACCORDANCE WITH CHAPTER 775 OF THE TEXAS HEALTH AND SAFETY CODE**

Chief David Smith, Hays County San Marcos EMS, and General Counsel Mark Kennedy spoke. The Hays County Judge was presented with a petition for creation of Emergency Services District No. 9 on December 10, 2015. Chapter 775 of the Texas Health and Safety Code requires the Commissioners Court to schedule a hearing to consider the petition at the next regular or special meeting. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to set a place – Commissioners' Courtroom, date – April 5, 2016, and time – 10:00 a.m., for a public hearing to consider the petition for the creation of Emergency Services District No. 9 in accordance with Chapter 775 of the Texas Health and Safety Code. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb 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 DAMAGED BY THE 2015 FLOODS IN HAYS COUNTY**

Court convened into Executive session at 11:36 a.m. and reconvened into open court at 12:10 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, Chief of Staff Lon Shell, General Counsel Mark Kennedy, Eric Schneider from Environmental Health, and Jerry Borchering, Transportation Director. 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 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 290 and peak was 302 on December 9th for the week of December 6 to December 12, 2015. The maximum female capacity is 76 inmates. Last week's average was 69 and peak was 70 on 12/11/2015. The maximum male capacity is 256 inmates. Last week's average was 221 and peak was 232 on 12/10/2015. Inmate at Guadalupe County: 28. Inmate at Bastrop County: 18. Inmate at Caldwell County: 48. Inmate at Walker County: 1.

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

Judge Cobb gave the current Drought Index – 8 as of December 14, 2015. Burn Ban will remain lifted.

**DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR**

Laura Harris of HNTB, gave a brief powerpoint update on the Pass Through Financing and TXDot Partnership Programs. Pass Through Program – Completed Projects – Pct. 1 – IH 35 Ph. 2A (RM 150 Realignment), IH 35 Ph. 2B (FM 1626 to Yarrington), FM 110 (McCarty Lane to SH 123). Pct. 2 – IH 35 Ph. 1 (Kyle Crossing (CR 210) Overpass), FM 2001 (CR 210/IH 35 NB Frontage Road Connector), IH 35 Ph. 2B (FM 1626 to Yarrington), FM 1626 North (from Brodie Lane to RM 967). Pct. 3 – No projects. Pct. 4 – US 29 West (Trautwein Road to Nutty Brown Road). Pass Through Program – Under Construction/Bidding – Pct. 1 Yarrington Road Bridge (IH 35). Partnership Program – Pct. 1 Planning/In Design – FM 110 (North, Middle, and South), IH 35 @ Posey Road. Under Construction/Bidding – FM 150 CTL (Lehman Rd. to SH 21), IH 35 Ramps Project (FM 150 to Blanco River). Pct. 2 – In Design – FM 1626 South (FM 2770 to RM 967). Partnership Program – Planning/In Design – Robert S. Light Extension (IH 35 to FM 1626), FM 2001 (IH 35 to SH 21), FM 150 West Alignment (from IH 35 to Arroyo Ranch Rd.). Pct. 3 – Partnership Program – Planning/In Design – RM 12.

**A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:15 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 December 15, 2015.**



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