



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12TH DAY OF JANUARY A.D., 2016, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR. AND COMMISSIONER PCT. 4, RAY O. WHISENANT, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

General Counsel, Mark Kennedy introduced the Commissioners Court new Chaplin. Bishop Gene Massey of the Church of Jesus Christ of Latter Day Saints gave the invocation. Commissioner Pct. 1, Debbie Gonzales Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

31214 ADOPT A PROCLAMATION DECLARING JANUARY 18, 2016 AS DR. MARTIN LUTHER KING, JR. DAY

Constable Pct. 1, David Peterson introduced Rose Brooks. Ms. Brooks and Ollie Giles spoke. A motion was made by Commissioner Conley, seconded by Commissioner Jones to adopt a proclamation declaring January 18, 2016 as Dr. Martin Luther King, Jr. Day. All present voting "Aye". MOTION PASSED

31215 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve payments of County Invoices in the amount of \$1,512,198.49 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

31216 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 5, 2016

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Commissioners Court Minutes of January 5, 2016 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

31217 APPROVE THE REAPPOINTMENTS OF CARL SCUDDER AND CHUCK WARE TO THE HAYS COUNTY EMERGENCY SERVICE DISTRICT #4

All terms expired at the end of December and all wish to continue to serve. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve the reappointments of Carl Scudder and Chuck Ware to the Hays County Emergency Service District #4. All present voting "Aye". MOTION PASSED

31218 APPROVE THE REAPPOINTMENTS OF LEIGHTON STALLONES AND LEA ANN KENWORTHY TO THE HAYS COUNTY ESD #3 FOR ADDITIONAL 2 YEAR TERMS

Leighton Stallones and Lea Ann Kenworthy have agreed to serve an additional term, beginning January 1, 2016 and ending December 31, 2017. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve the reappointments of Leighton Stallones and Lea Ann Kenworthy to the Hays County ESD #3 for additional 2 year terms. All present voting "Aye". MOTION PASSED

31219 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR FEDERAL FUNDING FOR THE TUBERCULOSIS PROGRAM IN THE HAYS COUNTY LOCAL HEALTH DEPARTMENT IN THE AMOUNT OF \$26,756

On August 11, 2015 the Commissioners Court authorized submission of a grant application to the Texas Department of State Health Services for funding for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The Hays County Local Health Department has participated in this program for over 12 years, providing services to those affected by this disease. The available federal funding for the TB program is \$22, 297, with a 20% match (\$4,459) required of the County for participation in the program. The match will be budgeted within the Health Department for fiscal year 2015 from existing personnel, fringe, and contractual services line items. The contract period will be from January 1, 2016 through December 31, 2016.



A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute a contract with the Texas Department of State Health Services (DSHS) for Federal funding for the Tuberculosis program in the Hays County Local Health Department in the amount of \$26,756. All present voting "Aye". MOTION PASSED

31220 ACCEPT A DONATION RECEIVED ON DECEMBER 30, 2015, IN THE AMOUNT OF \$25,000.00 FROM THE BURDINE JOHNSON FOUNDATION TO BE USED FOR THE BUCK WINN MURAL RESTORATION PROJECT FOR THE HISTORICAL COMMISSION AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission received a donation in December to be used for the restoration of the Buck Winn murals. Amount required \$25,000.00; 4614 Increase Capital Revenue - \$25,000; 5719_700 Increase Capital Expense - \$25,000. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept a donation received on December 30, 2015, in the amount of \$25,000.00 from The Burdine Johnson Foundation to be used for the Buck Winn Mural restoration project for the Historical Commission and amend the budget accordingly. All present voting "Aye". MOTION PASSED

31221 AUTHORIZE THE COUNTY JUDGE TO SUBMIT PROJECT WORKSHEETS TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG), HOMELAND SECURITY DIVISION FOR CONSIDERATION AND PRIORITIZATION FOR SUBMISSION FOR FUNDING UNDER THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY DIVISION, STATE HOMELAND SECURITY GRANT PROGRAM

The CAPCOG Homeland Security Division, in conjunction with the Homeland Security Task Force, is soliciting grant project worksheets for review and priority ranking within the region and then will submit selected projects to the Governor's Office, Homeland Security Division for funding consideration under the State Homeland Security Grant Program. Allocations are set aside for each COG region in the state for project funding under the Program. The following potential projects have been identified by Hays County staff and will be submitted for consideration (1) Mass care equipment and supplies for schools - \$62,555 (2) Rescue task force personal protective equipment - \$87,500 (3) SWAT tactical operations response vehicle - \$294,150 (4) SWAT terrestrial robotic equipment - \$145,697 (5) SWAT night vision surveillance binoculars - \$173,800. Once the ranking by the CAPCOG region staff has been completed, Hays County will be contacted regarding projects selected to go forward in the funding process and we will certify that we want to proceed with the project. Submission to CAPCOG is done electronically on or before Friday, January 15, 2016. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to submit project worksheets to the Capital Area Council of Governments (CAPCOG), Homeland Security Division for consideration and prioritization for submission for funding under the Office of the Governor, Homeland Security Division, State Homeland Security Grant Program. All present voting "Aye". MOTION PASSED

31222 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A REQUEST FOR PUBLIC ASSISTANCE TO THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER DISASTER DECLARATION 4245

At the request of Governor Abbott, the President has included Public Assistance in the Federal Disaster Declaration 4245 which will afford Hays County the opportunity to apply for a partial reimbursement of expenses as a result of the All Saints Weekend Flood. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a request for Public Assistance to the Texas Division of Emergency Management and the Federal Emergency Management Agency under Disaster Declaration 4245. All present voting "Aye". MOTION PASSED

31223 AUTHORIZE THE SHERIFF'S OFFICE JAIL DIVISION TO PURCHASE AN ADDITIONAL IP DOWNLOAD FOR THE GUARD 1 TRACKING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

In FY 2013 the Jail Division purchased a Guard 1 Tracking System to document hourly inmate cell checks as required by Jail Standards. At this time, the Jail is requesting to purchase an additional IP Downloader to be used for additional downloads and to be used as a spare in the event the current device breaks. No additional funds are needed; funds have been identified in the Jail Budget. \$705.00; Decrease 001-618-03.5391 Miscellaneous (\$705.00); Increase 001-618-03.5712_400 Software Capital \$705.00. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office Jail Division to purchase an additional IP Download for the Guard 1 Tracking System and amend the budget accordingly. All present voting "Aye". MOTION PASSED



31224 RATIFY AN AMENDED FORM OF POSSESSION AND USE AGREEMENT RELATED TO POSSESSION AND USE OF A PARCEL ON FM1626 SOUTH, IN PCT 2 (THE MEADOR PROPERTY)

A motion was made by Commissioner Conley, seconded by Commissioner Jones to ratify an amended form of Possession and Use Agreement related to possession and use of a parcel on FM1626 South, in Pct. 2 (The Meador Property). All present voting "Aye". MOTION PASSED

31225 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT FOR COUNTY JAIL FUNCTIONS BETWEEN HAYS COUNTY AND BLANCO COUNTY

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement for County Jail Functions between Hays County and Blanco County. All present voting "Aye". MOTION PASSED

31226 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT FOR PRISONER HOUSING BETWEEN HAYS COUNTY AND GILLESPIE COUNTY

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement for Prisoner Housing between Hays County and Gillespie County. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #14 RE: *APPROVE AND CONFIRM THE APPOINTMENT OF JESSICA MONTANA AS DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 19, 2016 – was pulled*

31227 FINAL DEPARTMENTAL BUDGET AMENDMENTS IN PREPARATION FOR THE COUNTY'S FY2015 YEAR-END PROCESS

A motion was made by Commissioner Conley, seconded by Commissioner Jones to finalize departmental budget amendments in preparation for the County's FY2015 year-end process. All present voting "Aye". MOTION PASSED

31228 ACCEPT THE RACIAL PROFILE REPORT FROM CONSTABLE RON HOOD IN PRECINCT 4

A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept the Racial Profile report from Constable Ron Hood in Precinct 4. All present voting "Aye". MOTION PASSED

31229 APPROVE THE NAMING OF A PRIVATE ROAD AS ROY BREED ROAD

This road is access to six homesites. Naming of the road will assist Emergency Services in locating these homesites. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve the naming of a private road as Roy Breed Road. All present voting "Aye". MOTION PASSED

31230 SUB 430- DANZE ESTATES (3 LOTS) APPROVE PRELIMINARY PLAN

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Danze Estates is a 3 lot subdivision across 9.09 acres located off of Trail Driver in Precinct 4. The subdivision will be served by a private wells. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve Preliminary Plan of Sub 430- Danze Estates (3 Lots). All present voting "Aye". MOTION PASSED

31231 SUB 481- RAISCH SUBDIVISION (4 LOTS) APPROVE PRELIMINARY PLAN

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Raisch Subdivision is a 4 lot subdivision across 14.312 acres located off of Barton Bend in Precinct 4. The subdivision will be served by a private wells. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Preliminary Plan of Sub 481 – Raisch Subdivision (4 Lots). All present voting "Aye". MOTION PASSED



31232 CALL FOR A PUBLIC HEARING ON JANUARY 26, 2016 TO FINAL PLAT APPROVAL OF THE REPLAT OF THE EAST PORTION OF LOT 15B, HURLBUT RANCH WEST

Hurlbut Ranch West is a recorded subdivision located off of McGregor Lane in Precinct 4. Lot 15B was divided by metes and bounds shortly after the plat was recorded. The proposed re-plat will divide a 21.99 acre portion of the original 57.39 acre lot into 3 lots, reflecting the survey which divided the original lot, thereby bringing these portions into compliance with Hays County Development Regulations. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to call for a public hearing on January 26, 2016 to discuss final plat approval of the Replat of the east portion of Lot 15B, Hurlbut Ranch West. All present voting "Aye". MOTION PASSED**

31233 SUB-497 CAMPBELL ADDITION (2 LOTS) ACCEPT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

Caitlyn Hairell, County Planner spoke. Campbell Addition is a new subdivision located off of FM 1826 in precinct 4. The proposed plat will divide a 7.746 acre parcel into two lots (Lot 1: 7.198 acres, Lot 2: .056 acres). Water service for lot 1 will be provided by a private well and wastewater treatment will be accomplished by an existing OSSF. 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 minimum lot size requirement will be met by lot 1, which is 7.198 acres. The .056 acre Lot 2 does not meet the minimum lot size and will not use utility services. Lot 2 will be used for an existing cell tower. 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 Conley, seconded by Commissioner Jones to approve SUB-497 Campbell Addition (2 lots) and accept a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye". MOTION PASSED**

31234 SUB-490 TRACT 12, WIMBERLEY HEIGHTS RANCHES (2 LOTS) APPROVE FINAL PLAT

Caitlyn Hairell, County Planner gave staff recommendation. Wimberley Heights Ranches is an unrecorded subdivision located off of Limestone Trail and Ranch Road 12 in Precinct 3. The owner of Tract 12 is proposing to divide the 14.486 acre tract into two lots: Lot 12A being 7.486 acres and Lot 12B being 7.00 acres. Lot 12A will be served by an existing private well and on-site sewage facility. Lot 12B will also utilize a private well and OSSF at the time of development. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve final plat of SUB-490 Tract 12, Wimberley Heights Ranches (2 lots). All present voting "Aye". MOTION PASSED**

31235 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACTS WITH TIME WARNER CABLE AND MOUNTAIN CITY OAKS WATER SYSTEM ON BEHALF OF THE HAYS COUNTY CITIZENS EMERGENCY RESPONSE TEAM

These services will be utilized at the old Mountain City hall building, which Hays County CERT leases for \$1 annually. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute contracts with Time Warner Cable and Mountain City Oaks Water System on behalf of the Hays County Citizens Emergency Response Team. All present voting "Aye". MOTION PASSED**

31236 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AGREEMENTS WITH EXISTING LOCAL BUSINESSES RELATED TO THE EXEMPTION OF FREEPORT TAXES UNDER SECTION 11.251 OF THE TEXAS TAX CODE

The County and the Greater San Marcos Partnership have been working toward achieving a viable means of granting the Freeport Tax exemption to local businesses that handle Freeport goods as described in Chapter 11 of the Texas Tax Code. The above-referenced agreements provide a means for granting the exemption while gradually deescalating the impact of no collections from existing businesses within Hays County. Court convened into Executive session at 9:38 a.m. and reconvened into open court at 9:46 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, General Counsel Mark Kennedy, Chief of Staff Lon Shell, County Auditor Bill Herzog, Victor Garza, Adriana Cruz, and Mike Kamenlander. Dan Lyon – San Marcos resident made a public comment. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute agreements with existing local businesses related to the exemption of Freeport Taxes under Section 11.251 of the Texas Tax Code. All present 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

Commissioner Ingalsbe 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 300 and peak was 308 on January 5th for the week of January 3 to January 9, 2016. The maximum female capacity is 76 inmates. Last week's average was 71 and peak was 77 on 1/6/2016. The maximum male capacity is 256 inmates. Last week's average was 230 and peak was 238 on 1/8/2016. Inmate at Guadalupe County: 33; Inmate at Bastrop County: 14; Inmate at Caldwell County: 47; Inmate at Walker County: 0.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the current Drought Index – 23. The Burn Ban will remain lifted. Commissioner Ingalsbe advised the public to use extreme caution when conducting outdoor burning.

Clerk's Note Agenda Item #27 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 Conley to adjourn court at 10:01 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 January 12, 2016.



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

