

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME V PG 772

JANUARY 19, 2016

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19TH DAY OF JANUARY A.D., 2016, 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 SANCHEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Gregory Ross with the First Christian Church 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.

31237 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 \$590,907.69 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

31238 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 12, 2016

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of January 12, 2016 as presented by the County Clerk. All voting "Aye". MOTION PASSED

31239 APPROVE AND CONFIRM THE APPOINTMENT OF JESSICA MONTANA AS DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 19, 2016

Hays County Precinct 1 Constable, David Peterson spoke and introduced Jessica Montana to the Court. Pursuant to Local Government Code Chapter 86 Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve and confirm the appointment of Jessica Montana as Deputy Constable in the Hays County Constable Precinct 1 Office, effective date January 19, 2016. All voting "Aye". MOTION PASSED

31240 APPROVE THE REAPPOINTMENT OF PAUL TERRY TO THE ESD #5 FOR AN ADDITIONAL TWO YEAR TERM

Paul Terry has agreed to serve a two-year term beginning January 1, 2016 and ending December 31, 2017. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the reappointment of Paul Terry to the ESD #5 for an additional two year term. All voting "Aye". MOTION PASSED

31241 APPROVE THE REAPPOINTMENT OF JOHN RODRIGUEZ, JR. TO THE ESD #5 FOR AN ADDITIONAL TWO YEAR TERM

John Rodriguez, Jr. has agreed to serve an additional term, beginning January 1, 2016 and ending December 31, 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of John Rodriguez, Jr. to the ESD #5 for an additional two year term. All voting "Aye". MOTION PASSED

31242 APPROVE THE REAPPOINTMENT OF BETH SMITH TO THE ESD #5 BOARD FOR AN ADDITIONAL TWO YEAR TERM

New term will end on 12/31/2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Beth Smith to the ESD #5 Board for an additional two year term. All voting "Aye". MOTION PASSED



31243 APPROVE THE REAPPOINTMENTS OF CAROL KAY CONWAY GREAVES AND JOE SEGOVIA TO THE ESD #8 FOR AN ADDITIONAL TWO YEAR TERM

Carol Kay Conway Greaves and Joe Segovia have agreed to serve an additional two-year term ending December 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointments of Carol Kay Conway Greaves and Joe Segovia to the ESD #8 for an additional two year term. All voting "Aye". MOTION PASSED

31244 APPROVE THE REAPPOINTMENT OF HALLY ORTIZ TO THE ESD #2 FOR AN ADDITIONAL TWO YEAR TERM

Halley Ortiz has agreed to serve an additional two-year term ending December 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Hally Ortiz to the ESD #2 for an additional two year term. All voting "Aye". MOTION PASSED

31245 APPROVE THE REAPPOINTMENTS OF WALTER KRUDOP, ROBERT CHAFFEE AND WALT GRANER TO THE ESD #1 BOARD FOR AN ADDITIONAL TWO YEAR TERM

This term is for 2 years ending on 12/31/2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointments of Walter Krudop, Robert Chaffee and Walt Graner to the ESD #1 Board for an additional two year term. All voting "Aye". MOTION PASSED

31246 APPROVE THE REAPPOINTMENTS OF STEVE JANDA AND MARILYN MILLER TO THE ESD #6 BOARD FOR AN ADDITIONAL TWO YEAR TERM

This term is for 2 years ending on 12/31/2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointments of Steve Janda and Marilyn Miller to the ESD #6 Board for an additional two year term. All voting "Aye". MOTION PASSED

31247 AUTHORIZE COMMERCIAL OSSF PERMIT AT 3815 HUNTER ROAD, SAN MARCOS, TEXAS

Redbird Trucking is proposing an OSSF to serve an 1800 square foot office building that will serve 6 employees. This property is Lot 1 in the Redbird Subdivision and will be served by a public water supply. The system designer, Kyle DeHart, R.S. has designed a treatment system which consists of a flow equalization tank, which will dose to an aerobic treatment unit. After treatment, the effluent will be dispersed by surface application with a maximum daily usage rate of 300 gallons. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 3815 Hunter Road, San Marcos, Texas. All voting "Aye". MOTION PASSED

31248 AUTHORIZE COMMERCIAL OSSF PERMIT AT 24700 RANCH ROAD 12, DRIPPING SPRINGS, TX

Bruce Bebee is proposing an Office/Warehouse building in Precinct 4. The on-site sewage facility was designed by Kyle DeHart, R.S. for a daily flow rate of 180 gallons. The property is 18.3 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 surface irrigation dispersal field. The water supply will be private water well. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 24700 Ranch Road 12, Dripping Springs, TX. All voting "Aye". MOTION PASSED

31249 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2804 GOFORTH RD, KYLE, TEXAS

Baldemar Espinoza is proposing an OSSF to serve a 4500 square foot building that will host wedding receptions and Quinceaneras on weekends. This property is over 18 acres and will be served by a public water supply. The system designer, Stan Burrier, P.E. has designed a treatment system that will use the existing standard septic system and add an additional septic tank and a pump tank. After treatment, the effluent will be dispersed to a low pressure dosed dispersal system. This system is designed for a daily usage rate of 340 gallons. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 2804 Goforth Rd, Kyle, Texas. All voting "Aye". MOTION PASSED



31250 AMEND THE LOCAL HEALTH DEPARTMENT PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FOR CONTINUING EDUCATION

Staff would like to funds available to cover travel expenses associated with the attendance of the National Association of County and City Health Officials Preparedness Summit. The Preparedness Summit is the premier national conference in the field of public health and healthcare preparedness and one of the only cross-disciplinary learning opportunities to address issues such as recovery and resiliency after any type of disaster or emergency. Amount required \$2,800.00. Increase Expense 120-675-99-095.5551 Continuing Education \$2,800; Decrease Expense 120-675-99-095.5231 Medical and Safety Supplies \$2,800. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Local Health Department Public Health Emergency Preparedness grant for continuing education. All voting "Aye". MOTION PASSED**

31251 ACCEPT DONATIONS RELATED TO THE MAY 2015 FLOOD TO ASSIST IN FUNDING THE FLOOD WARNING SYSTEMS AND AMEND THE BUDGET ACCORDINGLY

As a result of the Memorial Day Weekend flood, a "Go Fund Me Account" was set up for Hays County. Additional funds have been received to be used for flood warning systems or to address other safety related issues. Amount required \$248.00; Increase Contributions - \$248; Increase Professional Services - \$248. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept donations related to the May 2015 Flood to assist in funding the flood warning systems and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31252 AUTHORIZE THE COUNTY JUDGE'S OFFICE TO DISTRIBUTE ADDITIONAL ONE-TIME SALARY ADJUSTMENT FUNDS

Funds were budgeted during the FY 2016 (\$50k) budget process for one-time payments to be distributed to select personnel. The County Judge's Office has met with Department Heads and authorized a total of \$36,000 to date. The final distribution has been identified; however an additional \$13k (base) is needed to complete this initiative. The final distribution will be processed on the 1/31/16 payroll. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judges to distribute additional one-time salary adjustment funds. All voting "Aye". MOTION PASSED**

31253 RATIFY THE EXECUTION OF CHANGE ORDER AUTHORIZATION NO. 1 FOR TASK ORDER THREE BETWEEN HAYS COUNTY AND TETRA TECH, INC. FOR THE PRIVATE PROPERTY DEBRIS REMOVAL PROJECT IMPLEMENTATION ASSISTANCE (PPDR PROGRAM) RELATED TO THE MAY 2015 FLOOD

Task Order #3 - CO 1: Scope: Private Property Debris Removal Assistance. New Effective Date: January 1, 2016 to December 31, 2016; Increased by: \$151,536; New NTE Budget: \$455,506. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to ratify the execution of Change Order Authorization No. 1 for Task Order Three between Hays County and Tetra Tech, Inc. for the Private Property Debris Removal Project Implementation Assistance (PPDR Program) related to the May 2015 Flood. All voting "Aye". MOTION PASSED**

31254 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATED TO THE TAX INCREMENT REINVESTMENT ZONE NO.4

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute an amendment to the Interlocal Agreement between Hays County and the City of San Marcos related to the Tax Increment Reinvestment Zone No.4. All voting "Aye". MOTION PASSED

31255 ADOPT A RESOLUTION OF THE HAYS COUNTY COMMISSIONERS COURT TO DECLARE AN EXEMPTION FOR TAXATION OF FREEPORT GOODS WITHIN HAYS COUNTY PURSUANT TO SECTION 11.251 OF THE TEXAS TAX CODE

General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a Resolution of the Hays County Commissioners Court to declare an exemption for taxation of Freeport Goods within Hays County pursuant to Section 11.251 of the Texas Tax Code. All voting "Aye". MOTION PASSED**



31256 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A VEHICLE USE AGREEMENT BETWEEN HAYS COUNTY AND TRAVIS COUNTY RELATED TO THE AUTO THEFT TASK FORCE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Vehicle Use Agreement between Hays County and Travis County related to the Auto Theft Task Force. All voting "Aye". MOTION PASSED

31257 SUB 430- DANZE ESTATES (3 LOTS) APPROVE FINAL PLAT

Caitlyn Hairell, County Planner spoke and 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 Whisenant, seconded by Commissioner Jones to approve final plat of Sub 430- Danze Estates (3 lots). All voting "Aye". MOTION PASSED**

31258 SUB 481- RAISCH SUBDIVISION (4 LOTS) APPROVE FINAL PLAT

Caitlyn Hairell, County Planner spoke and 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 private wells. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Sub 481- Raisch Subdivision (4 Lots). All voting "Aye". MOTION PASSED**

31259 APPROVE AN ORDER AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF HAYS COUNTY, TEXAS LIMITED TAX REFUNDING BONDS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERING THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS; AUTHORIZING AN ESCROW AGREEMENT AND PAYING AGENT/REGISTRAR AGREEMENT; AND OTHER MATTERS RELATED THERETO

Dan Wegmiller, Managing Director of Specialized Public Financing, Inc. spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an order authorizing the issuance of one or more series of Hays County, Texas Limited Tax Refunding Bonds; establishing procedures for selling and delivering the Bonds; delegating the authority to certain County officials and County staff to execute certain documents related to the sale of the Bonds; authorizing an Escrow Agreement and Paying Agent/Registrar Agreement; and other matters related thereto. All voting "Aye". MOTION PASSED**

31260 ACTION TO FINALIZE CHANGES TO THE HAYS COUNTY FOOD ESTABLISHMENT REGULATIONS; HOLD A PUBLIC HEARING

Judge Cobb opened public hearing, No public input. Judge Cobb closed public hearing. Roxie McInnis, Development and Community Services and Eric Schneider 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 Whisenant, seconded by Commissioner Jones to finalize changes to the Hays County Food Establishment Regulations. All voting "Aye". MOTION PASSED**

31261 APPOINT BISHOP GENE MASSEY TO ACT AS THE CHAPLAIN FOR HAYS COUNTY COMMISSIONERS COURT, EFFECTIVE IMMEDIATELY AND ENDING ON DECEMBER 31, 2017

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to appoint Bishop Gene Massey to act as the Chaplain for Hays County Commissioners Court, effective immediately and ending on December 31, 2017. All 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

Judge Cobb gave the Hays County Jail Population. 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 302 and peak was 310 on January 15th for the week of January 10 to January 16, 2016. The maximum female capacity is 76 inmates. Last week's average was 67 and peak was 71 on 1/13/2016. The maximum male capacity is 256 inmates. Last week's average was 235 and peak was 245 on 1/15/2016. Inmate at Guadalupe County: 33; Inmate at Bastrop County: 15; Inmate at Caldwell County: 38; Inmate at Walker County: 0.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb gave the current Drought Index – 48. The Burn Ban will remain lifted

County Clerk's Note Agenda Item #28 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 9:38 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 19, 2016.



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

