



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 5TH DAY OF MA 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
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Bishop Gene Massey of the Church of Jesus Christ of Latter Day Saints, 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.

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

Michael J. Weaver, Prime Strategies, Inc., introduced Joe Cantaloupo of K. Friese & Associates. Mr. Cantaloupo gave a brief presentation on FM 150 West Character Plan Project. Dennis Dement, Hays County resident. 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 May 20, 2014, the County entered into a professional services agreement with K. Friese & Associates for the development of a Corridor Plan and Nature & Character Plan for the FM 150 corridor from Arroyo Ranch Road northwest through the County to RM 12 in Dripping Springs. Since that time, the County established a Phase 1 Citizen Advisory Panel (CAP) which met 11 times, and hosted three Public Meetings. Presentations to the Court on the status of the project were made on January 13, 2015 and December 15, 2015. This presentation will provide information regarding the findings of Phase 1, acknowledge the CAP for their efforts on the completion of Phase 1, and request that the Court acknowledge and accept the final report of Phase 1, the "FM 150 West Character Plan: Features and Themes Report."

31423 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 \$534,462.96 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

31424 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 29, 2016

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of March 29, 2016 as presented by the County Clerk. All voting "Aye". MOTION PASSED

31425 AUTHORIZE COMMERCIAL OSSF PERMIT AT 802 BELL SPRINGS RD, DRIPPING SPRINGS, TEXAS, 78620

Kevin & Tara Donahue are proposing an OSSF to serve 4 short-term rental cabins and an RV to be used as an office. Each cabin is 336 square feet. The property is located just south of Hamilton Pool Road. The property is 23.30 acres in size and will be served by rainwater collection for a potable water supply. System designer, Jon Maass, R.S., has designed a system which consists of standard treatment with dispersal by a low pressure pipe drainfield at a daily usage rate of 450 gallons. The treatment tanks have been oversized to accommodate possible future cabins. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 802 Bell Springs Rd, Dripping Springs, Texas, 78620. All voting "Aye". MOTION PASSED

31426 ACCEPT A DONATION FOR THE HISTORICAL COMMISSION MEMORIAL DAY 2015 FLOOD DOCUMENTARY AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission has received a donation from the Harry L. Willett Foundation for the Memorial Day 2015 flood documentary. Amount required \$25,000; \$25k - Increase Contributions; \$20k - Increase Contract Services; \$5k - Increase Misc. Expenses.



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation for the Historical Commission Memorial Day 2015 Flood documentary and amend the budget accordingly. All voting "Aye". MOTION PASSED

31427 AUTHORIZE THE PURCHASE OF A SECURITY CAMERA SYSTEM, FROM THE COURT SECURITY FUND, FOR THE JUSTICE OF THE PEACE OFFICE IN THE PRECINCT 5 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Justice of the Peace Precinct 5 would like to purchase a security camera system for the front office clerk space, common employee entrances, and the courtroom. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a security camera system, from the Court Security Fund, for the Justice of the Peace Office in the Precinct 5 Office and amend the budget accordingly. All voting "Aye". MOTION PASSED

31428 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT CONTRACT (1) ONE TO THE RLHS 2016 CPS/HAZARD- PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS)

The Amendment is to amend certain contractual language as set forth on the attached amendment summary that takes effect on 03-11-16 for Public Health Emergency Preparedness (PHEP) program. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Amendment Contract (1) one to the RLHS 2016 CPS/Hazard- Public Health Emergency Preparedness (PHEP) contract with the Department of State Health Services (DSHS). All voting "Aye". MOTION PASSED

31429 APPROVE A TRANSFER REQUEST OF ONE VEHICLE AND VEHICLE EQUIPMENT FROM THE SHERIFF'S OFFICE FLEET TO CONSTABLE PCT. 1 OFFICE

Vehicle and equipment is being requested for transfer from the Sheriff's Office Fleet to Constable Pct. 1 Office. Equipment Transfer; 2008 Dodge Charger Tag #: 16710, Serial #: 2B3KA43G68H180650; Radar Tag #: 16712, Serial #: DS23974; Partition Tag #: 16714, Serial #: NA; Light Bar Tag #: 16713, Serial #: NA. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve a transfer request of one vehicle and vehicle equipment from the Sheriff's Office Fleet to Constable Pct. 1 Office. All voting "Aye". MOTION PASSED

31430 APPROVE BID AWARD FOR IFB 2016-PO6 BANK DEPOSITORY TO SAGE CAPITAL BANK

Award the Bank Depository Bid IFB 2016-PO6 to Sage Capital Bank. Accept the bid presented by Sage Capital Bank as the Depository Contract beginning May 1, 2016 through April 30, 2020 with an option to renegotiate May 1, 2018. Purchasing received two bids (1) SAGE CAPITAL BANK and (2) FROST NATIONAL BANK. The bid award is for a 4 year depository contract for Hays County. The proposers were evaluated on types of services provided, Cost of services provided, adherence to application requirements, vendors past performance record with Hays County, financial condition of bidder, and interest on deposits. The bid packets are extensive and include the banks proposals as well as the bank's financial reports and Federal Financial Institutions Examination reports. After an evaluation of these factors on both bids, the evaluation committee has determined that Sage Bank has the best offer for the County. The evaluation committee consists of Michele Tuttle, Bill Herzog, Britney Richey and Cindy Maiorka. Both proposers offered a very competitive bid. It was very obvious the time and effort that went into each bid and the County appreciates the very competitive/excellent offers from each bank. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve bid award for IFB 2016-PO6 bank depository to Sage Capital Bank. All voting "Aye". MOTION PASSED

31431 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Permit #970 on Tiger Lane issued to Dripping springs Water Supply Corp. as submitted by Hays County Transportation Department. All voting "Aye". MOTION PASSED

31432 AUTHORIZE THE PURCHASE OF A 2016 CHEVROLET 1500 SILVERADO 4X2 DOUBLE CAB AND AMEND THE BUDGET ACCORDINGLY

A new Assistant Director of Transportation has recently been hired and will need the vehicle for transportation to perform his job duties. Amount required \$25,770; Line item number \$25,770 from 020-710-00.5351 to 020-710-00.5713_700.



A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of a 2016 Chevrolet 1500 Silverado 4X2 double cab and amend the budget accordingly. All voting "Aye". MOTION PASSED

31433 AUTHORIZE THE COUNTY CLERK'S OFFICE TO PURCHASE THREE SERVERS AND AMEND THE BUDGET ACCORDINGLY

The County Clerk's office was approved to utilize a new software provider for land and vital statistics records as well as a new redaction system. These additional programs will require internal servers to be installed and managed by the county IT department. Funds within the County Clerk's Records Management Fund are available for this purchase. Amount required \$20,005; Line item number 101-617-11.5712_700; Decrease Contract Services; Increase Computer Equipment_Capital. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Clerk's Office to purchase three servers and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31434 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE APRIL 1, 2016 FOR THE ASSISTANT TRANSPORTATION DIRECTOR, SLOT 1024-001 AND AMEND THE BUDGET ACCORDINGLY

A stipend has been requested and approved for the new Asst. Director position via the Request/Justification Form for Electronics and Related Equipment/Services. This position requires travel throughout the County and region. It is imperative that he is available to staff, supervisors as well as the community in order to remain productive and perform duties effectively. Savings in the telephone expense account have been identified to fund this request. Amount required \$210.00; 020-710-00.5489 Telephone & Data Lines (\$210.00); 020-710-00.5194 Telephone Allowance \$210.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Department to add a telephone allowance effective April 1, 2016 for the Assistant Transportation Director, slot 1024-001 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31435 AUTHORIZE THE DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT TO PROCURE A CREDIT CARD IN AN AMOUNT NOT TO EXCEED \$1,500, FROM THE COUNTY DEPOSITORY BANK

The Development & Community Services Department is requesting a Hays County credit card for making department purchases, travel reservations and other miscellaneous expenses that would normally be charged to the Countywide credit card, held by the Purchasing Department. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Development & Community Services department to procure a credit card in an amount not to exceed \$1,500, from the county depository bank. All voting "Aye". MOTION PASSED**

31436 ABANDON PLATTED BUT NON-EXISTING ROADWAYS WITHIN THE WOOD RIDGE SUBDIVISION (RIDGWAY DRIVE, FIELD CREST DRIVE, AND REBEL DRIVE) WITHIN PRECINCT 1, PURSUANT TO CHAPTER 251 OF THE TEXAS TRANSPORTATION CODE

The Wood Ridge Subdivision, which was originally platted in 1979 and is now located within the municipal limits of the City of Kyle, was never built out. Landowners would like to start their planning process over again. For good measure, Landowners and the City of Kyle have asked Hays County to abandon the "paper streets" to ensure the dedication made via the plat is rescinded. Sec. 251.051. GENERAL AUTHORITY OF COMMISSIONERS COURT. (a) The commissioners court of a county shall: (1) order that public roads be laid out, opened, discontinued, closed, abandoned, vacated, or altered; and (2) assume control of streets and alleys in a municipality that does not have an active de facto municipal government. (b) A unanimous vote of the commissioners' court is required to: (1) close, abandon, or vacate a public road; or (2) alter a public road, except to shorten it from end to end. (c) The commissioners court of a county may not discontinue a public road until a new road designated by the court as a replacement is ready to replace it (d) The commissioners court may not discontinue, close, or abandon an entire first-class or second-class road unless the road has been vacated or unused for at least three years. Acts 1995, 74th Leg., Ch. 165, Sec. 1, eff. Sept. 1, 1995. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to abandon platted but non-existing roadways within the Wood Ridge Subdivision (Ridgeway Drive, Field Crest Drive, and Rebel Drive) within Precinct 1, pursuant to Chapter 251 of the Texas Transportation Code. Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley and Commissioner Whisenant voting "Aye". Judge Cobb not present for vote. MOTION PASSED**

Clerk's Note Agenda Item #16 RE: SUB-533 COMPTON SUBDIVISION (4 LOTS) ACTION TO APPROVE FINAL PLAT - was pulled



31437 SUB-472 SHADOW CREEK PHASE 7, SECTION 3 (66 LOTS) APPROVE FINAL PLAT; ACCEPT MAINTENANCE BOND NO. K09324653 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$441,440.74

Caitlyn Hairell, County Planner gave staff recommendation. 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. This section includes 64 single-family residential lots and 2 greenspace/drainage lots. All lots will be served by GoForth Special Utility District and sewer provided by North Hays County Municipal Utility District Number 1. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final plat of SUB-472 Shadow Creek Phase 7, Section 3 (66 lots) accept Maintenance Bond No. K09324653 for the construction of street and drainage improvements in the amount of \$441,440.74. Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley and Commissioner Whisenant voting "Aye". Judge Cobb not present for vote. MOTION PASSED**

Clerk's note: Court took a break at 9:57 a.m. and reconvened into open session at 10:11 a.m.

31438 REVIEW AND APPROVE A PRELIMINARY HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2017

Hays County Auditor Bill Herzog spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a preliminary Hays County Budget Calendar for Fiscal Year 2017. All voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #19 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE A BUSINESS PRIVATE SWITCH AGREEMENT BETWEEN HAYS COUNTY AND THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT ("CAECD"), RELATED TO THE OPERATION OF 9-1-1 EMERGENCY SERVICES – was pulled

10:00 A.M. -- HOLD A PUBLIC HEARING, PURSUANT TO §775.016 OF THE TEXAS HEALTH AND SAFETY CODE, RELATED TO A PETITION PROPOSING THE CREATION OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #9. POSSIBLE ACTION MAY FOLLOW THE HEARING, INCLUDING CONDITIONAL RESOLUTION(S) OF COURT TO FIND THAT 1) CREATION OF THE DISTRICT IS FEASIBLE OR NOT FEASIBLE AND 2) THAT THE CREATION OF THE DISTRICT WILL OR WILL NOT PROMOTE THE PUBLIC SAFETY, WELFARE, HEALTH, AND CONVENIENCE OF PERSONS RESIDING WITHIN THE PROPOSED DISTRICT. IF THE COURT FINDS IN FAVOR OF DISTRICT CREATION, IT SHALL ALSO TAKE ACTION TO GRANT THE PETITION, FIX THE DISTRICT'S BOUNDARIES, ORDER AN ELECTION TO CONFIRM THE DISTRICT'S CREATION, AND IMPOSE ADDITIONAL CONDITIONS, IF ANY

Judge Cobb opened public hearing. Ken Strange of Wimberley EMS, Julia Ramsay New President of Wimberley ESD #7, and Chief Dave Smith of San Marcos/Hays County EMS spoke. Court set to re-open this item on May 24, 2016, at 10:00 a.m.

31439 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 RIGHT OF WAY ALONG RM12 IN PCT 3

Court convened into Executive Session at 12:32 p.m. and reconvened into opened court at 12:35 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a Purchase Agreement between Hays County and John and Jalanna Reed for the purchase of 0.2828 acres & Right of Way; as presented in Executive Session. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT ULTRA AND/OR PROJECT RENEW

Court convened into Executive Session at 11:45 a.m. and reconvened into opened court at 12:32 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 Mike with Econ Development. No Action Taken.



EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING COLLECTIVE BARGAINING

Court convened into Executive Session at 12:37 p.m. and reconvened into opened court at 1:00 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 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY INCLUDING THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES

Court convened into Executive Session at 1:00 p.m. and reconvened into opened court at 1:10 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.

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 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 308 and peak was 316 on March 31st for the week of March 27 to April 2, 2016. The maximum female capacity is 76 inmates. Last week's average was 56 and peak was 59 on 3/31/2016. The maximum male capacity is 256 inmates. Last week's average was 252 and peak was 257 on 4/1/2016. Inmate at Guadalupe County: 35; Inmate at Bastrop County: 0; Inmate at Caldwell County: 38; Inmate at Walker County: 10.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb gave current drought index – 111. Judge Cobb urged the citizens of Hays County to use extreme caution when conducting outdoor burning. The Burn Ban will remain lifted.

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 Judge Cobb to adjourn court at 1:14 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 April 5, 2016.



Liz Q Gonzalez

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

