



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 12TH DAY OF APRIL 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:

Jim Hays, Pulpit Minister with Southern Hills Church of Christ 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.

31440 ADOPT A PROCLAMATION DECLARING THE WEEK OF APRIL 16 - 23, 2016 AS NATIONAL INFANT IMMUNIZATION WEEK

Eric Schneider with the Local Health Department spoke. Also present, representing the Health Department were, Julie Gonzales and Elsira Deleon. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring the week of April 16 - 23, 2016 as National Infant Immunization Week. All voting "Aye". MOTION PASSED**

31441 ADOPT A PROCLAMATION DECLARING APRIL 10-16, 2016 AS NATIONAL TELECOMMUNICATORS' WEEK

Erica Carpenter, Communications Director and Sheriff Gary Cutler spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring April 10-16, 2016 as National Telecommunicators' Week. All voting "Aye". MOTION PASSED**

31442 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$1,457,201.85 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

31443 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 5, 2016

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

31444 AUTHORIZE THE PURCHASE OF DELL LAPTOP, DOCKING, MONITOR AND ACCESSORIES AND AMEND THE BUDGET ACCORDINGLY

A Dell laptop and accessories are being requested for new Transportation Department Assistant Director to perform job duties. Amount required \$2808.79; line item number from 020-710-00.5351 to 020-710-00.5712_400. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of Dell laptop, docking, monitor and accessories and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31445 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY2016 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

This is a grant that the County has been receiving for a number of years to recover some jail operations expenses associated with incarceration of undocumented criminal aliens. The FY2015 amount received was \$47,154.00 and the FY2016 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before April 13, 2016. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to submit a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY2016 funding under the State Criminal Alien Assistance Program (SCAAP). All voting "Aye". MOTION PASSED**

**31446 APPROVE UTILITY PERMITS.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to issue Permit #971 on Old Bastrop Highway issued to Time Warner Cable; Permit #972 on Centerpoint Road issued to Time Warner Cable as submitted by the Transportation Department. All voting "Aye". MOTION PASSED

31447 AUTHORIZE THE PURCHASE OF VEHICLE RADIO EQUIPMENT FOR CONSTABLE PRECINCT 2 AND AMEND THE BUDGET ACCORDINGLY

This radio is for the new FY 2016 vehicle. Amount required \$2,829.00; line item number from 5413 to 5717_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the purchase of vehicle radio equipment for Constable Precinct 2 and amend the budget accordingly. All voting "Aye". MOTION PASSED

31448 AUTHORIZE THE HISTORICAL COMMISSION TO PURCHASE MISCELLANEOUS EQUIPMENT FOR KYLE DEPOT PROJECT AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission has received various donations in the past and would like to use those to purchase a pine bench for the Kyle Depot Project. Amount required \$500.00; line item number 141-676-00.5719_400. Increase Misc. Equipment; Decrease Contract Services. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Historical Commission to purchase miscellaneous equipment for Kyle Depot project and amend the budget accordingly. All voting "Aye". MOTION PASSED

31449 AUTHORIZE CONSTABLE PRECINCT 3 TO ADD A TELEPHONE ALLOWANCE EFFECTIVE APRIL 1, 2016 FOR DEPUTY CONSTABLE, SLOT 0885-008 AND AMEND THE BUDGET ACCORDINGLY

A stipend has been requested and approved for the Deputy Constable, slot 0885-008 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. A county issued phone will be turned in, offsetting the cost of the stipend. Amount required \$210.00; 001-637-00.5489 Telephone & Data Lines (\$210.00); 001-637-00.5194 Telephone Allowance \$210.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Constable Precinct 3 to add a telephone allowance effective April 1, 2016 for Deputy Constable, slot 0885-008 and amend the budget accordingly. All voting "Aye". MOTION PASSED

31450 APPROVE RENEWAL OF ANNUAL CONTRACT FOR ELECTRICAL SERVICES WITH TED BREIHAN ELECTRIC FOR ONE ADDITIONAL YEAR

All terms and conditions remain unchanged and in full force and effect as provided in original bid. No price increase. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve renewal of annual contract for Electrical Services with Ted Breihan Electric for one additional year. All voting "Aye". MOTION PASSED

31451 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE EXISTING FUNDS TO PURCHASE A SAFE FOR THE CRIME LAB

At this time the Sheriff's Office would like to use existing funds to purchase a safe for the Crime Lab. National standards requires that money, drugs, and guns are kept separately from other evidence. Currently, a small safe is being used to hold high end jewelry and money and is full. A larger safe is needed to have more room to hold such items. No additional funds are needed; funds have been identified in the Sheriff's Office Miscellaneous Equipment Operating g/l. Amount required \$1,100.00 line item number 001-618-00.5719_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize existing funds to purchase a safe for the Crime Lab. All voting "Aye". MOTION PASSED



31452 RATIFY THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) AND/OR HEALTHCARE PROGRAM FUNDS FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 5 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY5 UC 1115 waiver funds was announced on April 1st. The transfer date was April 7th for a settlement date of April 8th. All LPPF funds are collected from CTMC and Seton and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. The following funds have been budgeted and transferred during FY 2016: Healthcare Program Funds=\$2,395,000.00 budgeted; \$215,064.92 Healthcare Program Funds IGT for CTMC authorized for settlement date of 1/4/2016. The following LPPF funds have been collected and transferred for FY 2016: LPPF funds CTMC=\$4,934,458.02, Seton=\$6,163,271.16; \$1,516,471.41 LPPF funds IGT for CTMC authorized for settlement date of 10/7/2015; \$2,020,509.16 LPPF funds IGT for Seton authorized for settlement date of 10/7/2015; \$939,048.17 LPPF funds IGT for CTMC authorized for a settlement date of 2/5/2016; \$1,336,864.81 LPPF funds IGT for Seton authorized for a settlement date of 2/5/2016; For the 4/7 DY 5 UC IGT, Seton's transfer was \$1,296,775.93 and CTMC's transfer was \$1,016,992.19 per HHSC calculations. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) and/or Healthcare Program Funds for Central Texas Medical Center and Seton Medical Center Hays for DY 5 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All voting "Aye". MOTION PASSED**

31453 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE OF THE CONSTRUCTION BOND FOR KEY RANCH (A.K.A. SARATOGA HILLS) SUBDIVISION, SECTION 2

Jerry Borcharding, Transportation Director spoke and gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the ROW. The Road Department has inspected and approved the improvements. These will be privately maintained roads. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, and release of the construction bond for Key Ranch (a.k.a. Saratoga Hills) subdivision, Section 2. All voting "Aye". MOTION PASSED**

31454 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS AND ACCEPT THE MAINTENANCE BOND FOR A 2-YEAR PERIOD FOR SUNFIELD SUBDIVISION, PH. 2, SEC. 10

Caitlyn Hairell, County Planner spoke and gave staff recommendation. Staff recommends 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 Jones, seconded by Commissioner Ingalsbe to accept road construction and drainage improvements, release of the construction bond/letter of credit, and acceptance of the maintenance bond for a 2-year period for Sunfield subdivision, Ph. 2, Sec. 10. All voting "Aye". MOTION PASSED**

An Amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements and accept the Maintenance Bond for a 2 year period for Sunfield Subdivision, Ph. 2 Sec. 10. All voting "Aye"

31455 SUB-536 REPLAT OF LOT 24, HILLVIEW ADDITION SECTION 2 SUBDIVISION (2 LOTS) APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Judge Cobb opened public hearing. No public input was received. Judge Cobb closed public hearing. Caitlyn Hairell, County Planner gave staff recommendation. The Hillview Addition 2 is a recorded subdivision located off of Sycamore Creek in Precinct 4. Hillview Addition 2 was originally divided in 1981 as a 10 lot subdivision. The proposed re-plat will divide the 20.0 acre lot into 2 lots, one 5.0 acre lot and one 15.0 acre lot. 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 Whisenant, seconded by Commissioner Jones to approve SUB-536 Replat of Lot 24, Hillview Addition Section 2 Subdivision (2 Lots). All voting "Aye". MOTION PASSED**



31456 SUB-404 HOWARD RANCH, SECTION 4 (55 LOTS) APPROVE FINAL PLAT AND ACCEPT FISCAL SURETY FOR STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$53,576.50 (LETTER OF CREDIT NO: 400642000)

Caitlyn Hairell, County Planner gave staff recommendation. Howard Ranch is a platted subdivision located near the intersection of Ranch Road 12 and FM 150 in Precinct 4. The proposed Howard Ranch Section 4 will include 53 residential lots and 2 landscape lots. All lots will be served by Dripping Springs Water Supply Corporation and individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve SUB-404 Howard Ranch, Section 4 (55 lots) and accept fiscal surety for street and drainage improvements in the amount of \$53,576.50 (Letter of Credit No: 400642000). All voting "Aye". MOTION PASSED**

31457 ACCEPT A SCOPE OF SERVICES FROM TETRA TECH, INC., AND TO AUTHORIZE WORK, TO DEVELOP A STRATEGIC RECOVERY PLAN RELATED TO POTENTIAL COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVER (CDBG-DR) FUNDING AND AMEND THE BUDGET ACCORDINGLY

General Counsel Mark Kennedy spoke. Through FEMA's Hazard Mitigation Grant Program, Hays County is eligible to apply for CDBG-DR funds to assist in our recovery efforts related to the May 2015 Flood disaster DR-4223. Due to the complexity of this funding source, additional professional services are needed to lead our grant application process. Tetra Tech is currently under contract with Hays County for other services related to the May flood through the H-GAC competitive bidding process. Their expertise and knowledge in this area would be beneficial. See attached Scope of Services for details. Funds are available in the Tobacco Settlement Fund account 121-752-00.5741 and can be amended to Contract Services. Amount required \$69,200. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept a Scope of Services from Tetra Tech, Inc., and to authorize work, to develop a Strategic Recovery Plan related to potential Community Development Block Grant-Disaster Recover (CDBG-DR) funding and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31458 AUTHORIZE THE COUNTY AUDITOR TO CONTRACT WITH AN EMPLOYMENT AGENCY FOR ACCOUNTING SERVICES FOR THE AUDITOR'S OFFICE AND AMEND THE BUDGET ACCORDINGLY

The auditor's office has been trying for over a year to find good qualified applicants to fill the vacant accounting positions. We would like to contract with an employment agency to hire temporary accountants until we are able to fill the permanent full-time positions now vacant. The workload of these vacant positions has been carried by current employees for far too long. I do not want the quality of our services to be compromised or our employees to be "burned out" because of the increased workload. We will seek applicants from various employment agencies & we will contract with the agency that provides us with the best applicant. We will have Mark Kennedy review any contract required for such services. Amount required \$40,977; line item number contract services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Auditor to contract with an employment agency for accounting services for the Auditor's office and amend the budget accordingly. All voting "Aye". MOTION PASSED**

31459 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH TASER INTERNATIONAL, INC. FOR THE SHERIFF'S OFFICE TASER/BODY CAMERA PROGRAM AND AMEND THE BUDGET ACCORDINGLY

Sheriff Gary Cutler introduced Ken Carpenter and Jeff McGill, Director of Information Technology spoke. The Sheriff's Office would like the Court to consider a five year contract with Taser International, Inc. for a Taser/Body Camera Program that includes an Evidence Management System. Body-worn cameras are gaining momentum as the public demands greater transparency from their law enforcement agencies. The Sheriff's Office has a team of key personnel that have researched options for body cameras and storage and have determined that Taser has the best product at a most cost effective price point. The program is an end to end solution for capturing, protecting and storing evidence. The contract for Hays County includes 118 body cameras and tasers, and Evidence.com which is a cloud storage and evidence management system. Evidence.com reduces the daily burden from the officer by utilizing a stop and drop docking system that will upload all evidence into the cloud storage. This is a secure infrastructure that is CJIS compliant, features audit trails, customizable permissions and strict authentication protocols. Once evidence is stored end users will have the ability to, transfer, manage, retrieve or share evidence in a secure environment. The program also includes equipment discounts as well as software and camera upgrades during the five year term. Taser International, Inc. is on the Texas Buy Board #500-15. Budget Amendment: \$150k was budgeted in County Wide during the FY16 budget process for this program. Software storage and maintenance cost will be pro-rated for year one to align with the county's fiscal year, hardware costs plus shipping will be paid in full Year 1. Years two through five will be billed at \$147,684 annually, total contract cost is \$727,777. This contract is a 52 month commitment beginning June 1, 2016 through September 30, 2020. Funds for Year 1 will be amended from County Wide to the Sheriff's Office budget. Future years will be budgeted during the budget process. Amount required \$137,041- FY16; line item number 001-618-00.5718_700. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an agreement with Taser International, Inc. for the Sheriff's Office Taser/Body Camera Program and amend the budget accordingly. All voting "Aye". MOTION PASSED**



County Clerk's Note: Court took a break at 9:51 a.m. and came back into to open session at 10:02 a.m.

County Clerk's Note Item #21 was opened with Standing Agenda Item #26:

31460 ACTION RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY

The Hays County Law Enforcement Committee includes Commissioner Conley, Commissioner Ingalsbe, Hays County Sheriff Gary Cutler and Captain Mike Davenport. Emergency Coordinator Kharley Smith spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ask the Committee to bring to the court an Agenda Item as soon as possible and coordinate with General Counsel and County Judge's Office to hire a Program Manager. All voting "Aye". MOTION PASSED**

31461 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 12:02 p.m. reconvened into opened court at 12:05 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant and Judge Cobb. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a Purchase Agreement between Hays County and Robert and Belinda Gardner for the acquisition of 0.1496 acres of land along RM12, as presented in Executive Session. All voting "Aye". MOTION PASSED**

31462 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EACH INDIVIDUAL POSITION WITH THE OFFICE OF GENERAL COUNSEL

Court convened into Executive Session at 12:05 p.m. reconvened into opened court at 12:18 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. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the following Human Resource changes within the Office of General Counsel, effective April 15, 2016: 1) Re-grade Contracts Administrator, Slot 0782-001, up to a Grade 113, placing the salary at the 13.553rd percentile of that range. 2) Re-grade the Admin III position, Slot 0272-003, down to a Grade 108, and authorize Counsel to hire according to County policy. 3) Request that the County Auditor's Office establish a Temporary Personnel item within the Office of General Counsel in the amount of \$3,000, using the transfer of salary savings. 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 RENEW

Court convened into Executive Session at 10:58 a.m. reconvened into opened court at 11:02 a.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 11:05 a.m. reconvened into opened court at 12:02 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb and Chief of Staff Lon Shell. No Action Taken.



**County Clerk's Note Item #26 was opened with Agenda Item #21:
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 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 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

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*

Court was adjourned at 12:22 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 12, 2016.



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

