



JUNE 28, 2016

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STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 28TH DAY OF JUNE 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
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
OSCAR MEJIA	DEPUTY COUNTY CLERK

WITH COUNTY COMMISSIONER WILL CONLEY, COMMISSIONER, PCT 3 BEING ABSENT; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Father Will Straten of Our Lady of Wisdom Catholic Church gave the invocation and 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 OF HAYS COUNTY SERVICE AWARDS

Shari Miller from the Human Resources Department presented the Service Awards to the following employees: Five Years: Sheriff - Corrections Officer – Lisa Stoutamire, District Court - District Court Administrator - Katherine P. Whitney, Sheriff - Detective – Property Crimes – Kyle - Ryan Hayden, Sheriff - Deputy - Kyri B. Lysek; Sheriff - Corrections Officer – John Little, Sheriff - Corrections Officer - Ryan Wightman, Ten Years: District - Attorney Attorney III – Christopher Johnson, Fire Marshal – Fire- Investigator/Inspector – Carroll Czichos, Fifteen Years; Sheriff – Sergeant - Michael Alan Briggs.

31633 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of County Invoices in the amount of \$1,417,817.10 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

31634 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 21, 2016

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 21, 2016 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

31635 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT TWO (2) TO THE GRANT AGREEMENT WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR THE JACOB'S WELL NATURAL AREA TO EXTEND THE GRANT TERM

On October 1, 2013 the Commissioners Court approved acceptance of a grant from the Texas Parks & Wildlife Department (TPWD), Recreation Grants Branch for development of the Jacob's Well Natural Area, in the amount of \$100,000.00. The original grant period was extended per Amendment 1 to July 15, 2016 due to various issues including recent flooding in Hays County. TPWD has approved an additional extension of the project term to December 1, 2016 and execution of Amendment Two (2) will formalize the change. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment Two (2) to the grant agreement with the Texas Parks & Wildlife Department for the Jacob's Well Natural Area to extend the grant term. All present voting "Aye". MOTION PASSED

31636 APPROVE A TRANSFER REQUEST OF ONE VEHICLE FROM THE SHERIFF'S OFFICE TO THE GOVERNMENT CENTER BUILDING MAINTENANCE OFFICE

The following vehicle is being requested for transfer from the Sheriff's Office fleet to the Juvenile Probation Office. Equipment Transfer; 2007 Dodge Charger - Fixed Asset #: 15217. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve a transfer request of one vehicle from the Sheriff's Office to the Government Center Building Maintenance Office. All present voting "Aye". MOTION PASSED

**31637 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Permit #982 for Fischer Store Rd to PEC and Permit #983 for Redwood Rd to PEC. All present voting "Aye". MOTION PASSED

31638 AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND EXECUTE A PRE-DISASTER MITIGATION (PDM) PROGRAM SUBGRANT AGREEMENT AWARDED BY THE TEXAS DIVISION OF EMERGENCY MANAGEMENT TO UPDATE THE HAYS COUNTY HAZARD MITIGATION PLAN

On July 21, 2015 the Commissioners Court authorized submission of a grant application to the FEMA Pre-Disaster Mitigation (PDM) program - through the Texas Division of Emergency Management - for the purpose of updating the Hays County Hazard Mitigation Plan. The current plan was approved and adopted in 2012 and must be revised every five years to maintain eligibility for various federal mitigation funding programs and compliance with requirements for emergency management functions. The existing plan will expire in November, 2017. The PDM program funding award will allow the County and eleven community partners to engage a consultant to help facilitate and prepare an updated Hazard Mitigation Plan. Federal funding in the amount of \$93,750 has been awarded, with a required match of 25% (\$31,250) from the County for a total project amount of \$125,000. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to accept and execute a Pre-Disaster Mitigation (PDM) Program Subgrant Agreement awarded by the Texas Division of Emergency Management to update the Hays County Hazard Mitigation Plan. All present voting "Aye". MOTION PASSED

31639 AUTHORIZE COMMERCIAL OSSF PERMIT AT 9770 FM 967, BUDA, TEXAS

Shon and Jani Saliga are proposing to upgrade their residential on-site sewage facility to serve the Garden Grove Wedding and Event Venue. They are proposing to add a 4000 gallon equalization tank and two 1000 GPD aerobic treatment units. This property is 12.3 acres in size. This property will be served by private water well. The system designer, Hoyt Seidensticker, R.S., designed the system so that the weekend flows will be metered out to the treatment system at a rate of 600 GPD. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 9770 FM 967, Buda, Texas. All present voting "Aye". MOTION PASSED

31640 AUTHORIZE COMMERCIAL OSSF PERMIT AT 141 DOS LAGOS DRIVE, DRIPPING SPRINGS, TEXAS

David Tindol of 1521 Holdings, LLC is proposing an OSSF to serve a warehouse that will serve as a distillery tasting venue. This 4.16 acre property is Lot 2 of Block C in the Dos Lagos Subdivision. The water supply is in the process of being converted to a public water system. The system designer, Jon Maass, R.S. has designed a treatment system which consists of a pretreatment tank, a flow equalization tank, and 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 Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 141 Dos Lagos Drive, Dripping Springs, Texas. All present voting "Aye". MOTION PASSED

AUTHORIZE HAYS COUNTY CONSTABLE, PCT. 4 TO PURCHASE AN IPHONE 6+ TO REPLACE A MALFUNCTIONING COUNTY CELLULAR PHONE (SAMSUNG NOTE 4)

A motion was made by Commissioner Whisenant to authorize Hays County Constable, Pct. 4 to purchase an iPhone 6+ to replace a malfunctioning county cellular phone (Samsung Note 4). Motion Died for lack of second. MOTION FAILED

31641 APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF HEALTHCARE PROGRAM FUNDS FOR DY5 DELIVERY SYSTEM REFORM INCENTIVE POOL (DSRIP) MONITORING PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY5 DSRIP Round 1, 1115 waiver funds was announced on June 17th. The transfer date is June 30th for a settlement date of July 1st for: \$7,562.30 DY5 DSRIP Round 1 Monitoring funds IGT. 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 budgeted=\$2,395,000.00; \$215,064.92 DY4 DSRIP 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 collected: CTMC=\$4,934,458.02, Seton=\$6,163,271.16, Warm Springs=\$122,066.04;



\$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; \$1,016,992.19 LPPF funds IGT for CTMC authorized for a settlement date of 4/8/2016; \$1,296,775.93 LPPF funds IGT for Seton authorized for a settlement date of 4/8/16. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the Intergovernmental Transfer (IGT) of Healthcare Program Funds for DY5 Delivery System Reform Incentive Pool (DSRIP) Monitoring payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

31642 CALL FOR A PUBLIC HEARING ON JULY 12, 2016 TO ESTABLISH A "NO DUMPING" AREA ON DACY LANE

This action will be to establish a "No Dumping" area on Dacy Lane near address #4991. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on July 12, 2016 to establish a "No Dumping" area on Dacy Lane. All present voting "Aye". MOTION PASSED**

31643 AUTHORIZE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT (ILA) ON BEHALF OF HAYS COUNTY WITH THE CITY OF KYLE FOR THE REIMBURSEMENT OF CITY-RELATED BRIDGE AESTHETICS ON THE YARRINGTON AT IH 35 PASS THROUGH FINANCING PROJECT

Mark Kennedy, General Counsel spoke. During design, the County agreed to incorporate Bridge Aesthetics desired by the City of Kyle to replicate a portion of the aesthetics on the over IH 35 bridges within the City limits, including bridge obelisks at the corners of all 3 bridges (Yarrington, Northbound to Southbound (NBSB) Turnaround, and Southbound to Northbound (SBNB) Turnaround); decorative panels on the bridge beams and columns in the Kyle Brick pattern; precision formed recessed letters on the outside bridge beams; and ranch brands on the outside bridge beams. Total estimated cost of these aesthetic elements to be reimbursed by the City is \$53,018.88. The City of Kyle's participation will be 100% of the actual construction costs for these elements which will be invoiced to the City upon completion of construction of the elements. The ILA was approved by the City of Kyle's City Council at their June 7, 2016 meeting and has been partially executed by the Mayor. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize County Judge to execute an Interlocal Agreement (ILA) on behalf of Hays County with the City of Kyle for the reimbursement of City-related Bridge Aesthetics on the Yarrington at IH 35 Pass Through Financing Project. All present voting "Aye". MOTION PASSED**

31644 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH K FRIESE & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES ON THE FM 150 WEST (KYLE) ALIGNMENT (ARROYO RANCH ROAD TO IH-35) PROJECT

Commissioner Whisenant and Joe Cantalupo from K Friese and Associates spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental No. 1 to the Professional Service Agreement with K Friese & Associates, Inc. for professional engineering services on the FM 150 West (Kyle) Alignment (Arroyo Ranch Road to IH-35) project. All present voting "Aye". MOTION PASSED**

31645 SUB-584 GATLIN CREEK RANCH SUBDIVISION (3 LOTS) APPROVE PRELIMINARY PLAN

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Gatlin Creek Ranch Subdivision is a 3 lot subdivision located off of Gatlin Creek Road in Precinct 4. The subdivision will be served by the private wells and rainwater collection facilities. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan of Sub-584 Gatlin Creek Ranch Subdivision (3Lots). All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #16 RE: SUB-409; BELTERRA 15 (87 LOTS) GRANT A VARIANCE TO SECTION 721.4.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS – was pulled

31646 SUB-596 HILL TOP ACRES SUBDIVISION (1 LOT) APPROVE PRELIMINARY PLAN

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Hill Top Acres Subdivision is a 1 lot subdivision located off of Hugo Road in Precinct 3. The subdivision will be served by the private well. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve SUB-596 Hill Top Acres Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**



31647 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STATEMENT OF WORK RELATED TO THE MASTER SERVICES AGREEMENT WITH TASER INTERNATIONAL, INC. FOR THE SHERIFF'S OFFICE IN-CAR CAMERA PROGRAM AND AMEND THE BUDGET ACCORDINGLY

Corporal Kent Carpenter of the Hays County Sheriff's Office spoke. On April 12, 2016 the Court authorized a Master Services Agreement with Taser, International for a taser/body camera program with an Evidence Management System. Taser, Intl. also has an In-Car Camera System available that would streamline all equipment and integrate with the Evidence Management System. The Sheriff's Office would like the Court to add a five year commitment with Taser International, Inc. for the In-Car Camera Program as outlined. The Axon Fleet cameras have HD video with a wide-angle lens for quality recording. They also feature a front and rear facing camera to record critical situations happening in or out of the vehicle. Other features include wireless activation, which will trigger the camera on when the vehicles light bar is activated as well as encrypted recordings to ensure that the data is protected at all times. As with the body camera program, the in-car camera system will upload to Evidence.com with unlimited cloud storage which is a secure infrastructure that is CJIS compliant. 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 and software discounts as well as software upgrades during the five year term. Taser International, Inc. is on the Texas Buy Board #500-15. The Sheriff's Office was approved 15 replacement laptop/camera systems during the FY16 budget process. Those were provided through another vendor at a considerable higher price and have been returned unused. The funds have been credited back to the SO Operating budget (\$78,489) to cover the majority of the cost of this program with the remaining \$729 budgeted in FY17. Year 1 software storage and maintenance cost will begin 10/1; however the equipment will be shipped prior to that in order to begin installation and training. Year 1: Utilize \$78,489 savings for returned equipment as follows; \$33,330 - FY16 - Purchase cameras for 66 Patrol Vehicles; \$45,159 - FY17 - Roll remaining savings to FY17 budget for software/training; \$729 - FY17 - Budget additional funds needed for software/training; \$30,888 annually for Years 2-5 will be budgeted during the budget process, total commitment is \$202,770. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Statement of Work related to the Master Services Agreement with Taser International, Inc. for the Sheriff's Office In-Car Camera Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #19 RE: 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 PROPOSED FM110 IN PCT 1- **was pulled**

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 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 279 and peak was 285 on June 21st for the week of June 19 to June 25, 2016. The maximum female capacity is 76 inmates. Last week's average was 60 and peak was 65 on 6/21/2016. The maximum male capacity is 256 inmates. Last week's average was 218 and peak was 226 on 6/24/2016. Inmate at Guadalupe County: 99; Inmate at Bastrop County: 0; Inmate at Caldwell County: 22; Inmate at Walker County: 13.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Judge Cobb gave today's drought index: 345

County Clerk's Note Agenda Item # 22 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 9:42 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 June 28, 2016.



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