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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 4<sup>TH</sup> DAY OF OCTOBER 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
OSCAR MEJIA	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Janice Jones with Christ the Redeemer Church of San Marcos 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.

**PUBLIC COMMENTS**

David Crowell-resident of Kyle spoke.

**31890 ADOPT A PROCLAMATION DECLARING OCTOBER 17, 2016 AS HAYS COUNTY CRIME STOPPERS, INC. AWARENESS DAY.**

Gary Tucker, Vice Chairman of Crimestoppers Inc. and Don Arledge, Executive Director spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Adopt a Proclamation declaring October 17, 2016 as Hays County Crime Stoppers, Inc. Awareness Day. All voting "Aye". MOTION PASSED

**31891 ADOPT A PROCLAMATION DECLARING THE MONTH OF OCTOBER, 2016 AS NATIONAL BREAST CANCER AWARENESS MONTH**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Adopt a Proclamation declaring the month of October, 2016 as National Breast Cancer Awareness Month. All voting "Aye". MOTION PASSED

**31892 APPROVE PAYMENTS OF COUNTY INVOICES**

Judge Cobb introduced the new Hays County Auditor, Marisol Villarrel-Alonzo and new Hays County Auditor Assistant Vickie Dorsett to the court and public. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$565,896.81 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**31893 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 27, 2016**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of September 27, 2016 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**31894 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE 3 PORTABLE SCENE LIGHTS WHICH WERE OBTAINED WITHOUT A PURCHASE ORDER**

3 Portable Scene lights were purchased on an account at GT Distributor's. Each item was \$489.50 totaling \$1,468.50. A line item transfer was approved prior to the purchase but no requisition was created by the Office of Emergency Management. Amount required \$1,468.50. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to purchase 3 portable scene lights which were obtained without a purchase order. All voting "Aye". MOTION PASSED

**31895 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT CONTRACT TWO (2) TO THE FY17 EBOLA PUBLIC HEALTH PREPAREDNESS**



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**PROGRAM WITH THE DEPARTMENT STATE HEALTH SERVICES (DSHS) TO INCREASE AMOUNT TO \$26,525 AND EXTEND CONTRACT TERM AND AMEND THE BUDGET ACCORDINGLY**

On August 23, 2016, the Commissioners Court executed Contract One (1) for the Ebola Public Health Preparedness Program with DSHS. Amendment Two (2) will modify grant number 2015-003617-01 (contract) and increase funding from \$24,325 to \$26,525, and extend the contract term to expire on June 30, 2017. Amendment Two (2) and acceptance is done electronically. Budget Amendment: Line item number Increase Intergovernmental Revenue .4301 - \$2,200; Increase General Supplies .5201 - \$2,200. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute Amendment Contract Two (2) to the FY17 Ebola Public Health Preparedness Program with the Department State Health Services (DSHS) to increase amount to \$26,525 and extend contract term and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31896 APPROVE AWARD FOR IFB 2016-B10 ROAD BUILDING MATERIALS TO MULTIPLE VENDORS IN ORDER TO COVER ALL ROAD BUILDING MATERIALS UTILIZED BY THE TRANSPORTATION DEPARTMENT AND AUTHORIZE COUNTY JUDGE TO EXECUTE SAME**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve award for IFB 2016-B10 Road Building Materials to multiple vendors in order to cover all road building materials utilized by the Transportation Department and authorize County Judge to execute same. All voting "Aye". **MOTION PASSED**

**31897 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE TEXAS INDIGENT DEFENSE COMMISSION FOR UP TO \$125,002.00**

This is a formula grant available annually to the County to assist in the implementation of the provision of the Fair Defense Act (FDA) and improve the indigent defense system. The funds can be used for investigator expenses, attorney fees, and expert witness expense incurred by the County on criminal indigent cases. The grant application is submitted through an on-line electronic process with the Resolution e-mailed for verification authorization. The grant amount is an estimate at this time based on previous award and will be finalized upon grant award. The funding period for this grant is October 1, 2016 through September 30, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a Resolution and submit a grant application to the Texas Indigent Defense Commission for up to \$125,002.00. All voting "Aye". MOTION PASSED**

**31898 AUTHORIZE COMMERCIAL OSSF PERMIT AT 721 ROHDE ROAD, KYLE, TEXAS 78640**

David Cuddy is proposing an OSSF to serve 10 office/warehouse buildings. This property is 22.93 acres and will be served by a public water system. The system designer, Sergio Lozano, P.E., has designed a system which consists of standard treatment with dispersal by a low pressure pipe drain field at a daily usage rate of 2000 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 721 Rohde Road, Kyle, Texas 78640. All voting "Aye". MOTION PASSED**

**31899 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH WEST THOMPSON REUTERS FOR LEGAL RESEARCH IN THE HAYS COUNTY DISTRICT COURTS**

Per Section 323.023(b)(3) of the Texas Local Government Code, Law Library funds may be used for purchasing electronic research subscriptions for use by judges in the county. The District Courts office previous 3-year subscription ended in August 2016 and only allowed access for one staff member. At the recommendation of the Law Librarian, the District Courts offices will use Westlaw Next services for FY17. This is a one-year renewable contract. Content use will be monitored during the year to determine future needs and the availability of funds. The subscription cost includes access for 4 judges and up to 5 administrative staff employees. Funds to cover the subscription cost were budgeted for FY17. Line item 084-680-00.5448. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a contract with West Thompson Reuters for legal research in the Hays County District Courts. All voting "Aye". MOTION PASSED**



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**31900 APPROVE SPECIFICATIONS FOR IFB 2017-B01, EMERGENCY WATERSHED PROTECTION RIVER DEBRIS & OBSTRUCTION REMOVAL/DISPOSAL BLANCO AND SAN MARCOS RIVERS, AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for IFB 2017-B01, Emergency Watershed Protection River Debris & Obstruction Removal/Disposal Blanco and San Marcos Rivers, and authorize purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**31901 APPROVE OUT OF STATE TRAVEL FOR THE EMERGENCY PREPAREDNESS COORDINATOR FOR THE PPHR FALL 2016 REVIEW MEETING, OCTOBER 17TH THROUGH 19TH IN NEW ORLEANS, LA**

The Texas Department of State Health Services implements a program called Public Health Ready, which allows jurisdictions to analyze plans, workforce competency, and training evaluation. Their goal is to strengthen each jurisdictions preparedness programs by identifying gaps, creating connectivity between training and plans, and providing peer review. The National Association of City and County Health Officials (NACCHO) reviews applications for the program and has requested assistance in reviewing applications for the current year Public Health Ready participants. All travel expenses associated with the assignment are paid for by NACCHO. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for the Emergency Preparedness Coordinator for the PPHR Fall 2016 review meeting, October 17th through 19th in New Orleans, LA. All voting "Aye". MOTION PASSED**

**31902 ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS AND RELEASE OF THE LETTER OF CREDIT #LOC #400642000 FOR \$53,576.50 FOR HOWARD RANCH SUBDIVISION, SEC. 4**

Jerry Borcharding, Transportation Director gave staff recommendation for 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 Ingalsbe to accept road construction and drainage improvements and release of the Letter of Credit #LOC #400642000 for \$53,576.50 for Howard Ranch Subdivision, Sec. 4. All voting "Aye". MOTION PASSED**

**31903 ACTION TO CONSIDER NAMING A PRIVATE DRIVEWAY IN PRECINCT 3, AQUIFER OAKS TRAIL**

Clint Garza, Director of Development and Community Services gave staff recommendation. The owners of property located at the end of North LBJ in Precinct 3, would like to name their private driveway, Aquifer Oaks Trail. Each property owner has signed the request and has communicated with the Hays County GIS Analyst to coordinate 911 address assignments. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve naming a private driveway in Precinct 3, Aquifer Oaks Trail. All voting "Aye". MOTION PASSED**

**31904 ACCEPT THE RECOMMENDATIONS OF THE BENEFITS COMMITTEE FOR THE 2017 MEDICAL PLANS**

Dee Dee Baen, Human Resources Director and Scott Yarborough - Consultant Agency spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept the recommendations of the Benefits Committee for the 2017 Medical Plans. All voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, ELECTIONS ADMINISTRATOR, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR, CHIEF JUVENILE PROBATION OFFICER AND JUVENILE FACILITY ADMINISTRATOR**

Court convened into Executive Session at 10:45 a.m. and reconvened into open court at 11:07 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb and Director of Transportation Jerry Borcharding. No Action Taken



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Court convened into Executive Session at 11:37 a.m. and reconvened into open court at 12:50 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Whisenant, Judge Cobb, Elections Administrator Joyce Cowan and Veterans Service Officer, Judge Prather. 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 RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1**

Commissioner Ingalsbe gave an update on the Right of Way along FM110.

**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 RELATED THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN**

Court convened into Executive Session at 11:08 a.m. and reconvened into open court at 11:35 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley, Director of Development and Community Services, Clint Garza 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**

Captain Mike Davenport spoke and Hays County Sheriff Gary Cutler 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 recommendation to 311. The jail's daily average was 238 and peak was 252 on September 29th for the week of September 25 to October 1, 2016. The maximum female capacity is 76 inmates. Last week's average was 66 and peak was 71 on 9/29/2016. The maximum male capacity is 256 inmates. Last week's average was 173 and peak was 181 on 9/29/2016. Inmate at Guadalupe County: 80; Inmate at Caldwell County: 0; Inmate at Bastrop County: 25; Inmate at Walker County: 7; Inmate at Gillespie County: 7; Inmate at Blanco County: 3 Inmate at Burnet County: 65.

**ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Burn Ban will remain lifted. Today's drought index is 179.

**DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR**

Commissioner Precinct 2 Mark Jones gave an update on SH150.

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adjourn court at 1:05 p.m.

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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 October 4, 2016.



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

