



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21ST DAY OF FEBRUARY A.D., 2017, 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:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

PUBLIC COMMENTS

Jennifer Anderson – Elections Administrator spoke. Matt Ocker – Buda resident, David Crowell – Kyle resident, Sam Brannon – San Marcos resident.

32266 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$1,457,704.15 as submitted by the Hays County Auditor. All voting "Aye". MOTION PASSED

32267 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 21, 2017

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioner Court Minutes of February 21, 2017. All voting "Aye". MOTION PASSED

32268 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 IMMUNIZATION/LOCAL GRANT PROGRAM IN THE AMOUNT OF \$192,341.00

On January 10, 2017, the Commissioners' Court approved to submit a renewal grant application to the Texas Department of State Health Services (DSHS) for the FY2018 Immunization Program. Funds will be utilized to provide support of the salary and benefits of the staffs involved in this program. The grant period beings September 1, 2017 through August 31, 2018. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018 Immunization/Local Grant Program in the amount of \$192,341.00. All voting "Aye". MOTION PASSED

32269 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL FOR FY2018 STATE FUNDS IN THE AMOUNT OF \$25,875.00

DSHS provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25, 875, with a 20% match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal 2018 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2017 through August 31, 2018. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to submit a grant application to the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control for FY2018 State Funds in the amount of \$25,875.00. All voting "Aye". MOTION PASSED



32270 APPROVE THE TRANSFER OF A 2008 DODGE CHARGER AND EQUIPMENT FROM THE SHERIFF'S OFFICE TO CONSTABLE PCT. 1

The Sheriff's Office is seeking approval to transfer the following assets from the Sheriff's Office inventory to Constable Pct. 1 2008 Dodge Charger, VIN: 2B3KA43G88H180651, County Tag ID: 16704, County Tag: 16708, Mobile Camera – Serial Number: DV10 116439, County Tag ID: 16705, Radar – Serial Number: DS 24006, County Tag ID: 16706. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2008 Dodge Charger and equipment from the Sheriff's Office to Constable Pct. 1. All voting "Aye". MOTION PASSED**

32271 APPROVE THE TRANSFER OF A 2008 DODGE CHARGER AND EQUIPMENT FROM THE SHERIFF'S OFFICE TO CONSTABLE PCT. 3

The Sheriff's Office is seeking approval to transfer the following assets from the Sheriff's Office inventory to Constable Pct. 3 2008 Dodge Charger – VIN: 2B3KA43G58H180638, County Tag ID: 16716, Cage – County Tag ID: 16720, Mobile Camera – Serial Number: 10DV 116438, County Tag ID: 16591, Radar – Serial Number: DS 24025, County Tag ID: 16718, Light Bar – Serial Number: 960L 49 7F7R. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2008 Dodge Charger and equipment from the Sheriff's Office to Constable Pct. 3. All voting "Aye". MOTION PASSED**

32272 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH PLATEAU LAND & WILDLIFE MANAGEMENT IN THE AMOUNT OF \$2808.24 FOR ANNUAL WILDLIFE MANAGEMENT SERVICES CONTRACT FOR DAHLSTROM PUBLIC ACCESS AREA

Annual Wildlife Management Plan includes site monitoring visits, inspection and maintenance of nest boxes and wildlife station, spring bird survey and an annual report for CAD. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute an agreement with Plateau Land & Wildlife Management in the amount of \$2808.24 for annual wildlife management services contract for Dahlstrom Public Access Area. All voting "Aye". MOTION PASSED**

32273 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2951 FM-2001, BUDA, TX 78610

Asifali Darowalia is proposing an OSSF to serve the new Mi Rancho Meat Market located at 2951 FM-2001. This is a 5.94 acre property that will be served by a public water supply. The system designer, Russell Cain, R.S., has designed a treatment system which consist of a pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield at a maximum daily rate of 1,782 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 2951 FM-2001, Buda, TX 78610. All voting "Aye". MOTION PASSED**

32274 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL OF THE AGREEMENT BETWEEN HAYS COUNTY AND THOMSON REUTERS RELATED TO LICENSURE OF LEGAL RESEARCH SOFTWARE FOR THE DISTRICT ATTORNEY'S OFFICE AND THE OFFICE OF GENERAL COUNSEL

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a renewal of the Agreement between Hays County and Thomson Reuters related to licensure of legal research software for the District Attorney's Office and the Office of General Counsel. All voting "Aye". MOTION PASSED

32275 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (3-WAY STOP) AT THE INTERSECTION OF MESA VERDE DRIVE AND ESTES DRIVE IN BELTERRA SUBDIVISION

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to hold a public hearing to establish traffic regulations (3-way stop) at the intersection of Mesa Verde Drive and Estes Drive in Belterra subdivision. Discussion and possible action to follow. All voting "Aye". MOTION PASSED**



32276 ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR RIM ROCK SUBD. PHASE 2, SECTION 5, AND RELEASE THE MAINTENANCE BOND #PRF9153419MNT-2 IN THE AMOUNT OF \$79,245.45

Commissioner Jones spoke of staff recommendation. The Transportation Department has inspected and approved the punch list repairs. Roads include: Sapling Drive (2,736 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to discussion and possible action to consider the acceptance of the roads into the county road system for Rim Rock Subd. Phase 2, Section 5, and release of maintenance bond #PRF9153419mnt-2 in the amount of \$79,245.45. All voting "Aye". MOTION PASSED**

32277 SUB-721 MEDLIN CREEK RANCH PHASE 1 (4 LOTS) APPROVE FINAL PLAT

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Medlin Creek Ranch is proposed 4 lot subdivision located off of W Fitzhugh Road in Precinct 4. The Subdivision will be served by individual water 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 SUB-721 Medlin Creek Ranch Phase 1 (4 Lots). Discussion and possible action to approve final plat. All voting "Aye". MOTION PASSED**

32278 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INSTALLATION CONTRACT WITH PERFORMANCE SERVICES INC. RELATED TO THE ENERGY EFFICIENCY PROJECT AND THE TECHNICAL ENERGY AUDIT PERFORMED IN 2016

On July 19, 2016, Commissioners Court passed a memorandum of understanding authorizing Performance Services Incorporated to perform a technical energy audit and report back to Hays County. The audit was completed over the summer and fall. In November, 2016, the court approved a resolution pertaining to financing of the project. Staff and PSI have identified possible funding sources and are ready to move forward and begin the project. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Installation Contract with Performance Services Inc. related to The Energy Efficiency Project and the technical energy audit performed in 2016. All voting "Aye". MOTION PASSED**

32279 APPROVE RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC PROPERTY FINANCE CONTRACT WITH RESPECT TO THE ACQUISITION, PURCHASE, AND FINANCING OF A COUNTY WIDE ENERGY CONSERVATION PROJECT; AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE ALL REQUIRED DOCUMENTS

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution Authorizing the Execution and Delivery of a Public Property Finance Contract with Respect to the Acquisition, Purchase, and Financing of a County Wide Energy Conservation Project; and authorize the County Judge to execute all required documents. All voting "Aye". **MOTION PASSED**

32280 APPROVE RESOLUTION AUTHORIZING THE FINANCING OF A COUNTY WIDE ENERGY CONSERVATION PROJECT; AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE ALL REQUIRED DOCUMENTS

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution authorizing the Financing of a County Wide Energy Conservation Project; and authorize the County Judge to execute all required documents. All voting "Aye". **MOTION PASSED**

32281 APPROVE PAYMENT WITHOUT ISSUANCE OF A PURCHASE ORDER FOR SUPPLIES PURCHASED FOR THE COUNTY CLERK'S OFFICE

Liz Gonzalez, County Clerk, spoke. The County's Purchasing Policy states that a single invoice totaling \$500 or more requires a purchase order and must be issued prior to making the purchase or securing the securing the services. In order to process the invoice for payment, Commissioners' Court approval must be obtained. The County Clerk's office has a new person that is handling all purchases and wasn't aware of the County's Purchasing Policy. County Clerk respectfully asks for the Court's consideration.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payment without issuance of a purchase order for supplies purchased for the County Clerk's office. All voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 11:01 a.m. and reconvened at 11:13 a.m.

32282 HOLD A PUBLIC HEARING AND FINALIZE CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS; DISCUSSION WITH STAFF REGARDING PROPOSED CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Caitlyn Hairell, County Planner, gave highlights on the changes being proposed. Amendments to the Hays County Development Regulations are being proposed. Documentation and justification the proposed changes are provided in backup. If additional changes to the regulations are requested, they will be heard and codified at the public hearing. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to finalize changes to the Hays County Development Regulations; discussion with staff regarding proposed changes to the Hays County Development Regulations. Possible action may follow in court. All voting "Aye". MOTION PASSED**

32283 RESOLUTION OF COUNTY COMMISSIONERS COURT REGARDING THE CREATION OF ONE ADDITIONAL JUDICIAL DISTRICT COURT AND ONE ADDITIONAL COUNTY COURT-AT-LAW FOR HAYS COUNTY IN THE UPCOMING 85TH LEGISLATIVE SESSION

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant on resolution of the Hays County Commissioners Court regarding the creation of one additional Judicial District Court and one additional County Court-at-Law for Hays County in the upcoming 85th legislative session. All voting "Aye". MOTION PASSED

32284 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE SCOPE OF WORK (SOW) FROM DYNAMIC SYSTEMS, INC. FOR A HOT WATER STORAGE TANK REPLACEMENT AT THE JAIL FACILITY AND AMEND THE BUDGET ACCORDINGLY

Captain Mike Davenport of the Sheriff's Office spoke. The Sheriff's Jail Division needs to replace the 200 gallon hot water storage tank supplying hot water for sinks and showers for the inmates in Quad-C. The current storage tank is approximately 20+ years old and has a water leak. The Maintenance Director obtained three quotes, with Dynamic Systems coming in with the lowest bid. Also, included in the quote is for the vendor to configure a manual by-pass to isolate the tank for future service. Funds were budgeted during the FY 2017 budget process in County Wide for miscellaneous capital improvements for the Jail as needed. Budget Amendment: Decrease Co-Wide Misc. Capital Improvements - 001-645-00.5741; Increase Jail Misc. Equipment -001-618-03.5719_700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept the Scope of Work (SOW) from Dynamic Systems, Inc. for a Hot Water Storage Tank replacement at the Jail Facility and amend the budget accordingly.**

An amended motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept the Scope of Work (SOW) from Dynamic Systems, Inc. for a Hot Water Storage Tank replacement at the Jail Facility and amend the budget accordingly to include recommendations from Development Services and/or the County Judge. All voting "Aye". MOTION PASSED

Clerk's Note Court broke for lunch at 11:35 a.m. and reconvened at 1:26 p.m.

32285 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO OFFER A SALARY EXCEPTION FOR THE EPIDEMIOLOGIST, SLOT 1142-002 POSITION AT THE 14TH PERCENTILE (GRADE 113) EFFECTIVE MARCH 1, 2017

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Personal Health Department to offer a salary exception for the Epidemiologist, slot 1142-002 position at the 14th percentile (grade 113) effective March 1, 2017. All voting "Aye". MOTION PASSED

CLERK'S NOTE AGENDA ITEM #21 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



32286 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE COUNTY COURT-AT-LAW

Court convened into Executive session at 1:32 p.m. and reconvened into open court at 1:34 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 place Slot 0910-006 at the 32nd percentile of her grade, and to place Slot 0910-001 at the 13th percentile of her grade, utilizing salary savings associated with the County Courts- at-Law, effective March 1, 2017. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY

Court convened into Executive session at 1:34 p.m. and reconvened into open court at 1:49 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. No Action Taken.

CLERK'S NOTE AGENDA ITEM #24 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY – was pulled*

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index – 8. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

CLERK'S NOTE AGENDA ITEM #26 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adjourn court at 1:56 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 February 21, 2017.



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

