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**STATE OF TEXAS \***  
**COUNTY OF HAYS \***

**ON THIS THE 28<sup>TH</sup> DAY OF FEBRAURY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<b>ALBERT H. COBB JR</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILL CONLEY</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RAY O. WHISENANT JR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

**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**

John Leonard – San Marcos resident, Matt Ocker – Buda resident, Craig Young – Wimberley resident, James Kohler – Kyle resident, Sam Brannon – San Marcos resident, Dan Lyon – San Marcos resident, Ariel Axelrod – Driftwood resident, Ashley Whittenberger, Dwaine York – Wimberley resident, and Naomi Narvaiz – San Marcos resident, spoke.

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller of Human Resources presented the Hays County Service Awards. 10 Years – Eliseo Galarza, Jr, Juvenile Detention Center – Leticia Romo De Narvaiz. 15 Years – Transportation, Joseph Delarosa, Sheriff, Rogelio Ramirez. 20 Years – Starlene Varnell. Commissioners Court thanked all the recipients for the hard work and dedication to Hays County.

**PRESENTATION FROM THE HAYS COUNTY ELECTIONS ADMINISTRATOR REGARDING HER PRESS RELEASE OF FEBRUARY 20, 2017, AS WELL AS OTHER QUESTIONS RECENTLY POSED ABOUT LOCAL ADMINISTRATION OF THE NOVEMBER 8, 2016 ELECTION.**

Jennifer Anderson, Elections Administrator presented the Court with findings of investigation done regarding the November 8, 2016 Election. Ms. Anderson’s findings indicate that an MBB (??) was found returned and not counted during the election totals. Ms. Anderson then contacted the Elections Committee and the Secretary of State (SOS). Secretary of State advised that those votes could not be included in the November 8, 2016 Election, since those votes had already been canvassed.

**Clerk’s Note Court took break at 10:45 a.m. and reconvened at 11:00 a.m.**

**32287 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 \$676,828.26 as presented by the County Auditor. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting “Aye”. Commissioner Conley not present for vote. MOTION PASSED

**32288 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 21, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 21, 2017 as submitted by the County Clerk. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting “Aye”. Commissioner Conley not present for vote. MOTION PASSED



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**32289 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1007 on Graef Rd. issued to Goforth SUD as presented by the Transportation Department. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32290 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 1 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 1 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Hays County Flood Debris Removal Program. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32291 AUTHORIZE THE DISTRICT COURT TO HIRE THE BAILIFF, SLOT 1153-007 POSITION AT THE 45TH PERCENTILE EFFECTIVE MARCH 1, 2017**

The District Court is seeking approval to hire the Bailiff position at the 45<sup>th</sup> percentile of the pay grade (\$50,500 annually). This is a new position that was created and approved during the FY17 budget process. They currently have a candidate within Hays County with over 10 years of County law enforcement experience. This experience will be an asset to the department, allowing the individual to transition into the role more effectively with his knowledge of County policies and procedures and familiarity with the court processes. The employee's current salary is at \$47,919 with an annualized fiscal impact of \$3,096 (includes fringe). Savings within their operating budget salary line items are available due to the delayed start date of this new position. No additional funds are needed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the District Court to hire the Bailiff, Slot 1153-007 position at the 45<sup>th</sup> percentile effective March 1, 2017. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

**32292 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HARRIS COUNTY DEPARTMENT OF EDUCATION (HCDE) TO BECOME A MEMBER WITH CHOICE PARTNERS COOPERATIVE FOR COUNTY WIDE PROCUREMENT AND CONTRACT SOLUTIONS**

Choice Partners Purchasing Cooperative offers procurement and contract solutions to meet government purchasing requirements. The contracts are awarded by the HCDE governing board of trustees, and Interlocal agreements are between HCDE and the government entity wishing to use the Choice Partners Cooperative Contract. Because Choice Partners is a division of HCDE, it meets all legal requirements per Local Government Code, Chapter 262. Membership with Choice Partners Cooperative will allow the County to access over 600 contracts that have already gone through the appropriate competitive process. There is no membership fee associated with this Cooperative Agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Agreement with the Harris County Department of Education (HCDE) to become a member with Choice Partners Cooperative for County-Wide Procurement and Contract Solutions. All voting "Aye". MOTION PASSED**

**32293 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO PURCHASE TWO DELL PRECISION LAPTOPS UTILIZING DEPARTMENT OF STATE HEALTH SERVICES (DSHS) EBOLA GRANT FUNDS AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Personal Health Department to purchase two Dell Precision Laptops utilizing Department of State Health Services (DSHS) Ebola Grant Funds and amend the budget accordingly. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED



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**32294 AUTHORIZE THE COUNTY JUDGE TO ACCEPT THE NOTICE OF GRANT AWARD FROM THE NATURAL RESOURCES CONSERVATION SERVICE FOR AUXILIARY SPILLWAY REPAIRS ON THE UPPER SAN MARCOS DAM SYSTEM**

On February 7<sup>th</sup> the Commissioner's Court authorized the submittal of a grant application to NRCS for auxiliary spillway repairs on the Upper San Marcos Dam System. The grant funds have been awarded for a total cost of \$8,463,375 with a 25% local match. Potential sources for matching funds are the Texas State Soil and Water Conservation Board, the City of San Marcos, the Upper San Marcos Watershed and Hays County reserves. The project budget will be established once entities share of local match are determined. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to accept the Notice of Grant Award from the Natural Resources Conservation Service for Auxiliary Spillway repairs on the Upper San Marcos Dam System. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

**32295 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON EAGLE NEST DRIVE, LEWIS LANE & LONGLEY TRACE IN CIMARRON PARK SUBDIVISION NEAR FM 1626**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. This action will establish a new stop sign on Eagle Nest Drive at Lewis Lane, a new stop sign on Longley Trace at Lewis Lane, and to remove an existing stop sign on Eagle Nest Drive at Longley Trace as a result of the completion of construction on FM 1626 and the new orientation of the roads within the subdivision. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish traffic regulations on Eagle Nest Drive, Lewis Lane & Longley Trace in Cimarron Park Subdivision near FM 1626. All voting "Aye". MOTION PASSED**

**GRANT A REQUEST FOR WAIVER OF PENALTY AND INTEREST ON ONE PROPERTY TAX ACCOUNT - R40989**

Luanne Caraway, Hays County Tax Assessor/Collector, spoke. David Valle, Chief Appraiser, Hays Central Appraisal District, sent letter to the tax office dated February 16, 2017, stating that his office failed to change the ownership on an account when the deed was filed on 11/20/15. Due to this clerical error in his office, the correct owner did not receive the appraisal notice or tax bill for the 2016 tax year. The correct owner of the property paid the 2016 taxes on 2/14/17 and also paid the penalty and interest due at that time. The property owner is now requesting a refund of the penalty and interest that he paid that day. This item will be brought back next week.

**32296 ADOPT A RESOLUTION IN SUPPORT OF A LEGISLATIVE BILL RELATED TO WINE PRODUCTION AND RETAIL OPERATIONS WITHIN THE DRIFTWOOD ECONOMIC DEVELOPMENT MUNICIPAL MANAGEMENT DISTRICT**

Legislation has been filed as HB 1429 and SB 590 which are identical. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a Resolution in support of Legislative Bill related to Wine Production and Retail Operations within the Driftwood Economic Development Municipal Management District. All voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #14 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*

**CLERK'S NOTE AGENDA ITEM #15 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 – 25. Burn Ban will remain lifted. Judge reminded the citizens of Hays County to use extreme caution while conducting outdoor burning.



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**CLERK'S NOTE AGENDA ITEM #17 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 Conley to adjourn court at 11:17 a.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 February 28, 2017.



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

