



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7TH DAY OF MARCH 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
CHRISTOPHER ALANIZ	DEPUTY 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

Matt Ocker – Buda resident, Sam Brannon – San Marcos resident, Cristin Hearne – Austin resident, Sharon Michaelis – Kyle resident, Lisa Marie Coppoletta – San Marcos resident, Dan Lyon – San Marcos resident, Rob Roark – San Marcos resident, Michael Aulick – Driftwood resident, Pat Chisholm – Buda resident, spoke

32297 ADOPT A PROCLAMATION DECLARING FEBRUARY, 2017 AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN HAYS COUNTY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a proclamation declaring February, 2017 as Dating Violence Awareness and Prevention Month in Hays County. All present voting "Aye". MOTION PASSED

32298 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$2,586,481.43 as presented by the Hays County Auditor All present voting "Aye". MOTION PASSED

32299 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 28, 2017

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 28, 2017. All present voting "Aye". MOTION PASSED

32300 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SHERIFF DRUG FORFEITURE FUNDS TO PURCHASE TWO SERVERS FOR COMPUTER FORENSIC EVIDENCE AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting an immediate on-site storage solution for computer forensic evidence. The Sheriff's Office needs to purchase two 24tb servers for the storage solution. This storage would be housed in a server rack located in the Computer Forensic Detective's Office and be used to store digital evidence collected that cannot be placed or connected to any internet based servers. The evidence by its very nature is considered extremely inappropriate for cloud-based storage solutions. One server would be used as a redundant storage, which is an industry standard, in case the original server crashed. The recommendation from County IT is to purchase The Buffalo servers, the cost of each server \$2,175.00. The Sheriff's Office will utilize Sheriff Drug Forfeiture Funds for this purchase. Budget Amendment: Decrease Criminal Investigation (\$4350.00). Increase Computer Equipment Operating \$4,350.00 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize Sheriff Drug Forfeiture Funds to purchase two servers for computer forensic evidence and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32301 APPROVE UTILITY PERMITS

Permit: 1008: Norwood Road: PEC (electric line). Permit: 1009: Williamson Road: Goforth SUD (water line). Permit: 1010: Summit Drive East: PEC (electric line). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permits. All present voting "Aye". MOTION PASSED**



32302 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE A NEW SWINGLINE 250X SHREDDER UTILIZING DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY

The District Attorney's Office is in need of a heavy duty shredder for their administrative staff. The current shredder is not functional for large jobs. The Swingline 250X Shredder features a cross-cut shred for confidentiality and PIN code access for unattended operation. The programmable 4-digit code also prevents unauthorized operation. DA Drug Forfeiture Funds are available to fund this request. Increase .5711_400 Office Eqpt. Reduce .5391 Misc Expense. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the District Attorney's Office to purchase a new Swingline 250X Shredder utilizing Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32303 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT CONTRACT AMENDMENT NO. 13 AND AMEND THE BUDGET ACCORDINGLY

The Texas Juvenile Justice Department awarded the Hays County Juvenile Probation Department an additional \$2,150 for expenses related to CPR training. Increase .5201 General Supplies. Increase .4301 Intergovernmental Revenue. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Juvenile Probation Department to accept additional grant funding from the Texas Juvenile Justice Department Contract Amendment No. 13 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32304 AUTHORIZE THE COUNTY COURT AT LAW 2 OFFICE TO PURCHASE A NEW FUJITSU SCANNER AND AMEND THE BUDGET ACCORDINGLY

The CCL2 division is in need of a new scanner for their receptionist. The additional equipment will enable the front office staff to assist with collections and other scanning projects. Savings within the operating budget are available to fund this request. Increase 001-612-00.5712_400 Computer Eqpt. Reduce 001-612-00.5493 Committals. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Court at Law 2 Office to purchase a new Fujitsu Scanner and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32305 APPROVE A TRANSFER REQUEST OF A 2010 CHEVY 1500 FROM THE TRANSPORTATION DEPARTMENT TO THE HAYS COUNTY TEXAS A&M AGRILIFE EXTENSION OFFICE

The Transportation Department is seeking approval to transfer the following asset from the Transportation Department's inventory to the Texas A&M AgriLife Extension Office: 2010 Chevy 1500 1/2 ton pickup; VIN:1GCSPEAOAZ143618; County Tag #17555. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a transfer request of a 2010 Chevy 1500 from the Transportation Department to the Hays County Texas A&M AgriLife Extension Office. All present voting "Aye". MOTION PASSED**

32306 APPROVE THE RE-APPOINTMENT OF KENNETH DOWNING AS COMMISSIONER OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #4

On February 7, 2017 Chuck Ware was mistakenly re-appointed to ESD #4. Mr. Ware did not require reappointment at that time, his term will end 12/31/2017. If approved, Mr. Downing's term will end 12/31/2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the re-appointment of Kenneth Downing as Commissioner of Hays County Emergency Services District #4. All Present Voting "Aye". MOTION PASSED**

32307 AUTHORIZE THE DESTRUCTION OF 3 MOTOR VEHICLES THAT ARE SALVAGE PROPERTY OWNED BY HAYS COUNTY (VIN#S JT2EL45F4N0110888, 1GND13S622500452 AND 1GCEC19WXWE172686), AND AUTHORIZE THAT THE PROCEEDS OF ANY CONSIDERATION PROVIDED FOR SCRAP METAL VALUE OF SAID MOTOR VEHICLES MAY BE DONATED TO THE HAYS COUNTY CRIME STOPPERS, NOTING ADOPTION OF THE FINDINGS CITED IN TEXAS LOCAL GOVERNMENT CODE SECTION 263.152 BY THE COMMISSIONERS COURT



These vehicles were awarded to the County by Court Order. However, the condition of the vehicles warrants a finding that they are Salvage Property and that appropriate action should be taken under Chapter 263 of the Texas Local Government Code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the destruction of 3 motor vehicles that are salvage property owned by Hays County (VIN#s JT2EL45F4N0110888, 1GNDS13S622500452 and 1GCEC19WXWE172686), and authorize that the proceeds of any consideration provided for scrap metal value of said motor vehicles may be donated to the Hays County Crime Stoppers, noting adoption of the findings cited in Texas Local Government Code Section 263.152 by the Commissioners Court. All present voting "Aye". MOTION PASSED**

32308 AUTHORIZE AN INCREASE IN THE LINE OF CREDIT FROM \$1,500 TO \$6,500 FOR THE CARD HELD BY THE DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

The Development & Community Services Department is requesting an increase from \$1,500 to \$6,500 for the department card they currently hold. The card is used to make purchases, travel arrangements and other miscellaneous departmental expenses. The current credit limit is not sufficient in supporting the multiple divisions/departments that comprise the Development & Community Services Department. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize an increase in the line of credit from \$1,500 to \$6,500 for the card held by the Development & Community Services Department. All present voting "Aye". MOTION PASSED**

32309 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 TUBERCULOSIS PREVENTION AND CONTROL (TB) PROGRAM, STATE PROGRAM FUNDS IN THE AMOUNT OF \$25,875.00

On February 21, 2017 the Commissioners Court approved submission of an inter-local grant application to the Department of State Health Services (DSHS) for funding under the FY16 Tuberculosis Prevention and Control (TB) program State funds. DSHS provides funding to local health departments for the identification and treatment of persons with, or exposed to, tuberculosis (TB). The funding period for this program is from September 1, 2017 through August 31, 2018. Attached is the contract for the funding and acceptance is done electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018 Tuberculosis Prevention and Control (TB) program, State program funds in the amount of \$25,875.00. All present voting "Aye". MOTION PASSED**

32310 APPROVE THE SEPTEMBER 2016 TREASURER'S REPORTS AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the September 2016 Treasurer's Reports and Investment Reports. All present voting "Aye". MOTION PASSED

32311 CALL FOR A PUBLIC HEARING ON MARCH 21, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 13, BURNET RANCH SECTION 2

Burnet Ranch Section 2 is a recorded subdivision located off of Sandy Creek Road in Precinct 3. The proposed re-plat will divide the 15.83 acre lot 13 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to call for a public hearing on March 21, 2017 to discuss final plat approval of the Replat of Lot 13, Burnet Ranch Section 2. All Present Voting "Aye". MOTION PASSED**

32312 SUB-747 TO VACATE THE AMENDED LOT 3A-1 IN THE CREEKSIDE ADDITION

Caitlyn Hairell, County Planner gave staff recommendation. The Creekside Addition is a platted subdivision located off Sycamore Creek drive in NW PCT 4. In 2011, the owners of lots 3A and 4A-2 applied for and were granted permission for an amended plat that would combine the two 4.0 acre into one 8.0 acre lot. The owner now wishes to vacate the amended plat and put the lots back to the original configurations. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to vacate the amended Lot 3A-1 in the Creekside Addition SUB-747. All present voting "Aye". MOTION PASSED**



32313 SUB-495 MOUNTAIN GATEWAY ORDER SUBDIVISION (2 LOTS). ACTION TO APPROVE PRELIMINARY PLAN

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Mountain Gateway Order Subdivision is a 2 lot subdivision located off of the private portion of Hart Lane in Precinct 4. The subdivision will be served by the private well and rainwater. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-495 Mountain Gateway Order Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

32314 CONSIDER A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF LOT 9 IN THE HAYS COUNTRY OAKS, SECTION 2 SUBDIVISION

Caitlyn Hairell, County Planner gave staff recommendation. Hays Country Oaks Section 2 is a subdivision located within in Precinct 2. The house and original septic system were built on the portion of lot 9 in 1985, prior to rules requiring a higher minimum lot size for a conventional OSSF system and a private well. The owner has applied for a permit to construct an On-Site Sewage Facility to replace the existing failing system. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to replace his failing OSSF. The property owner has been made aware of the platting requirement, and is already working on meeting the Hays County requirements. He has spoken with his neighbor, and they will bring both portions up to Hays County rules by replatting the entirety of lot 9 together. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to consider a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of a portion of lot 9 in the Hays Country Oaks, Section 2 Subdivision. All present voting "Aye". MOTION PASSED**

32315 CONSIDER THE APPOINTMENT OF DANIEL O'BRIEN AND GEOFFREY TAHUAHUA TO THE BOARD OF COMMISSIONERS FOR ESD #1

Resume is attached for these appointments. Daniel O'Brien will fill the unexpired term of Walter Graner and Geoffrey Tahuahua will fill the unexpired term of Robert Chaffee. Both will serve with terms ending December 31, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to consider the appointment of Daniel O'Brien and Geoffrey Tahuahua to the board of Commissioners for ESD #1. All present voting "Aye". MOTION PASSED**

32316 AUTHORIZE THE TAX ASSESSOR COLLECTOR TO CONVERT THE LEAD CUSTOMER SERVICE REPRESENTATIVE SLOT 0339-004 TO A SUBSTATION CHIEF DEPUTY FOR THE WIMBERLEY SATELLITE OFFICE EFFECTIVE APRIL 1, 2017

Luanne Caraway, Hays County Tax Assessor/Collector, spoke. The Tax Assessor Collector is seeking court approval to convert the Lead CSR position to a Substation Chief Deputy for the Wimberley Satellite office. This is a new position that was created and approved during the FY17 budget process. The position was requested and approved as a Lead CSR, however, this was an oversight as the intention was to fill the position as a Substation Chief Deputy. This level of position is needed due to the level of responsibility required. Those duties include all daily functions at the satellite office; supervising employees, reconciling and depositing all funds received, securing inventory and opening and closing the office. Additionally, this organizational structure is in place at all other satellite offices. The requested base salary is \$34,091 (annualized impact of \$3,099/\$3,717 with 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 Conley, seconded by Commissioner Jones to authorize the Tax Assessor Collector to convert the Lead Customer Service Representative slot 0339-004 to a Substation Chief Deputy for the Wimberley Satellite Office effective April 1, 2017. All present voting "Aye". MOTION PASSED**

32317 AUTHORIZE COMMERCIAL OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10-W(6) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 7080 WEST HIGHWAY 290, DRIPPING SPRINGS, TX 78620

Roxie Mcinnis spoke. Keith Wilcox is proposing an on-site sewage facility to serve an existing welding shop and a new building with 3 office/shop spaces. This OSSF is a standard treatment system in which the effluent will gravity flow to a leaching chamber drainfield. The system is designed for a maximum of 180 GPD. The water will be supplied by a private water well that is located on the 1.07 acre tract. The system designer, Jim Conner, R.S.



is requesting a variance to Section 10 W(6) of the Hays County rules for on-site sewage facilities which requires an effluent meter which is capable of measuring the daily flow. His justification for the variance is: "Installing flow meters on the water lines entering each building will provide equal protection to the rule. The same amount of water going through the meters will be going to the on-site sewage facility ". **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit and grant a variance to Section 10-W(6) of the Hays County Rules for On-Site Sewage Facilities at 7080 West Highway 290, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

32318 AUTHORIZE THE JUSTICE OF THE PEACE, PRECINCT 2 OFFICE TO HIRE THE JUSTICE CLERK, SLOT 0855-008 POSITION AT THE 41ST PERCENTILE EFFECTIVE MARCH 13, 2017 AND AMEND THE BUDGET ACCORDINGLY

The Justice of the Peace, Pct. 2 is seeking approval to hire a vacant Justice Clerk position at approximately the 41st percentile of the pay grade (\$34,000 annually). They currently have an applicant that was previously employed as a Justice Clerk with the JP2 Office for over 26 years. This experience will be a huge asset to the department, allowing the individual to transition into the role more effectively with her knowledge of County policies and procedures and familiarity with the court processes. The requested base salary is \$34,000 (annualized impact of \$2,412/\$2,893 with fringe); with a total FY17 impact of \$1,835. There is approximately \$750 savings within their operating budget salary line items. Possible funding for the additional \$1,085 – County Wide salary adjustments. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Justice of the Peace, Precinct 2 Office to hire the Justice Clerk, slot 0855-008 position at the 41st percentile effective March 13, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32319 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, THE HAYS COUNTY CONSTABLE FOR PRECINCT 3, AND THE CITY OF WIMBERLEY, TEXAS, RELATED TO THE PROVISION OF CERTAIN LAW ENFORCEMENT SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY AND AMEND THE BUDGET ACCORDINGLY

Constable Ray Helm, Hays County Sherriff Gary Cutler, Mayor of the City of Wimberley Mac McCullough, Wimberley City Councilmen Craig Fore, John White and Gary Barchfield spoke on the matter. The City of Wimberley recently requested that the Hays County Constable for Pct.3 consider providing dedicated law enforcement within the corporate limits of Wimberley. The City primarily wants a dedicated Deputy Constable to provide traffic enforcement, select code enforcement, and otherwise be present for general peace keeping during peak business periods in the Wimberley Valley. The attached ILA is reflective of that agreement. Budget Amendment: Increase Intergovernmental Revenue Increase Salaries/Fringe. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement between Hays County, the Hays County Constable for Precinct 3, and the City of Wimberley, Texas, related to the provision of certain law enforcement services within the corporate limits of the City of Wimberley and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM #24 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled

32320 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 HUMAN RESOURCES DEPARTMENT. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 11:15 a.m. and reconvened into open court at 11:52 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 Jones, seconded by Commissioner Whisenant to approve the appointment of Shari Miller as interim Human Resources Director effective March 16, 2017, with corresponding salary at the minimum of grade 120, until such time as a permanent Director has been hired by the Commissioners Court. All voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM #26 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. POSSIBLE ACTION MAY FOLLOW – was pulled



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

Today's Drought Index – 21. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.


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. POSSIBLE ACTION MAY FOLLOW. - was pulled*

ADJOURNMENT

A motion was made by Judge Cobb, seconded by Commissioner Jones to adjourn court at 11:57 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 March 7, 2017.





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

