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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 28<sup>TH</sup> DAY OF MARCH 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>ROXANNE SANCHEZ</b>	<b>DEPUTY 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.

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller from Human Resources presented awards for years of service in Hays County. Ten Year: Juvenile Detention Center: Lieutenant, Sandra Parra. DPS: Administrative Assistant II, Angela Beatrice Nunez. Justice of The Peace 2: Justice Clerk, Daniel A. Gonzales. District Court: District Court Reporter, Grace Duncan. Fifteen Years: Sheriff: Correction Officers, Ernest Sierra and Vincent Bujnoch. Retirement: Sheriff: Captain Brad Robinson. Juvenile Detention Center: Juvenile Supervision Officer, Beverly Lee. Transportation: Road Supervisor, Benjamin Y. Picasio.

**Clerks Note Re: Item #2-** *ADOPT A PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN HAYS COUNTY - was pulled*

**32352 ADOPT A PROCLAMATION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS MONTH**

Melissa Rodriguez, Director of Community Partnership with Hays-Caldwell Women's Center spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant To approve a proclamation recognizing April as sexual assault awareness month. All present voting "Aye". MOTION PASSED**

**PUBLIC COMMENTS**

Cristin Hearne of Dripping Springs, Matt Ocker of Buda, James Meeks of Dripping Springs, Dan Lyon of San Marcos and Chisholm of Buda spoke.

**32353 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$875,916.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32354 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 21, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court minutes of March 21, 2017. All present voting "Aye". MOTION PASSED

**32355 APPROVE AND CONFIRM THE APPOINTMENT OF EARL MAYFIELD PIATT, JR. AS A REGULAR FULL-TIME DEPUTY CONSTABLE AND ROBERT GENE ELLER AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE**

Pursuant to Local Government Code Chapter 86, Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business



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originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and confirm the appointment of Earl Mayfield Piatt, Jr. As a regular full-time deputy constable and Robert Gene Eller as reserve deputy constable in the hays county constable precinct 2 office. All present voting "Aye". MOTION PASSED**

**32356 APPROVE UTILITY PERMITS.**

Permit: 1017. Road Name: Crumley Ranch Rd/Fitzhugh Rd/Trautwein Rd. Utility: AT&T (fiber optic cable line). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve utility permits. All present voting "Aye". MOTION PASSED**

**32357 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) GRANT PROGRAM IN THE AMOUNT OF \$92,662.80 AND AMEND THE BUDGET ACCORDINGLY.**

On August 30, 2016 the Commissioners Court authorized submission of a grant application to the Texas Commission on Environmental Quality (TCEQ), Local Emergency Planning Committee (LEPC) Grant Program. Hays County maintains an LEPC currently chaired by the Hays County Emergency Services Department Director with membership of numerous local jurisdictions and organization, and will serve as the lead agency for the grant. Of the total request of \$444,612.00 for various items, \$92,662.80 has been awarded by the TCEQ for the equipment and installation of four Remote Automated Weather Station (RAWS) sites for monitoring of weather conditions and advanced warning of potentially hazardous events. These sites will be located in those areas of the County currently without adequate resources to warn of such occurrences. Annual maintenance costs will be budgeted through the Emergency Services Department. The term of the grant contract will expire on December 31, 2017 and acceptance will be done through electronic submittal. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the county judge to accept a grant award from the Texas Commission on Environmental Quality (TCEQ), Local Emergency Planning Committee (LEPC) grant program in the amount of \$92,662.80 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32358 AUTHORIZE CAPITAL IMPROVEMENTS TO THE HISTORICAL COMMISSION KYLE DEPOT RESTORATION PROJECT AND AMENDMENT THE BUDGET ACCORDINGLY.**

The Historical Commission director raised additional funding to complete the stamped concrete walkways at the Kyle Depot Station. Quintero Construction preformed the initial work and was contracted to complete the project. Donated funds are available in the Historical Commission Publication fund to cover this amendment. Budget Amendment: Increase - Misc Capital Improv; Decrease - Contract Services. **A motion was made by Commissioner Conley, seconded by Whisenant to authorize a Nunc Pro Tunc to amend the amount required to \$6,250.00 for capital improvements to the Historical Commission Kyle Depot restoration project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32359 ACCEPT A DONATION OF \$150.00 ISSUED TO THE HAYS COUNTY SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY.**

The Sheriff's Office received a donation totaling \$150.00 from The Leaning Pear out of Wimberley to be utilized by the Communications Division. The donation is for supplies and materials for the 2017 National Telecommunicator Week that will occur April 9-15, 2017. Budget Amendment: \$150.00. Increase Revenue 052-618-00.4610 Contributions \$150.00. Increase Expense 052-618-00.5391 Misc \$150.00. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept a donation of \$150.00 issued to the Hays County Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32360 ACCEPT THE DELIVERY OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) STATEMENT OF FINANCIAL POSITION FOR THE FISCAL YEAR ENDING ON AUGUST 31, 2016 FOR FILING WITH THE HAYS COUNTY COMMISSIONERS COURT PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004 AND THE TEXAS**



**DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVERSIONS FINANCIAL MANAGEMENT MANUAL.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the delivery of the Community Supervision and Corrections Department (CSCD) Statement of Financial Position for the Fiscal Year ending on August 31, 2016 for filing with the Hays County Commissioners Court pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice-Community Justice Assistance Diversion Financial Management Manual. All present voting "Aye". MOTION PASSED

**32361 APPROVE AND ACCEPT THE 2016 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve and accept the 2016 Racial Profiling Report for the Hays County Sheriff's Office. All present voting "Aye". MOTION PASSED

**32362 AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT - RECYCLING AND SOLID WASTE DIVISION - TO CLOSE DRIFTWOOD AND WIMBERLEY FACILITIES FOR THANKSGIVING NOVEMBER 22-26, 2017 AND CHRISTMAS DECEMBER 22-26, 2017.**

Staff has requested that facilities be closed on Saturday during Thanksgiving and Christmas break 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to Authorize the Development and Community Services Department - Recycling and Solid Waste Division - to close Driftwood and Wimberley facilities for Thanksgiving November 22-26, 2017 and Christmas December 22-26, 2017. All present voting "Aye". MOTION PASSED

**32363 RATIFY THE COUNTY JUDGE'S EXECUTION OF THE AMENDED 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.**

The initial effective date of the Interlocal Agreement was May 1, 2017. The City of Wimberley has since requested a start date of April 1, 2017. The amended ILA is attached. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to Ratify the County Judge's execution of the amended 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. All present voting "Aye". MOTION PASSED

**32364 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE ORIGINAL AGREEMENT WITH HOK FOR PHASE 2 OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT.**

A motion was made by Commissioner Whisenant, Seconded by Commissioner Conley to Authorize the County Judge to execute an amendment to the original Agreement with HOK for Phase 2 of the Hays County Public Safety Bond project. All Present Voting "Aye". MOTION PASSED

**32365 APPROVE THE APPOINTMENT OF ERICA JEAN GALLARDO TO THE HAYS COUNTY CHILD PROTECTIVE BOARD.**

This position is for a three year term. A motion was made by Commissioner Whisenant, Seconded By Commissioner Conley to Approve the appointment of Erica Jean Gallardo to the Hays County Child Protective Board. All Present Voting "Aye". MOTION PASSED

**32366 AUTHORIZE THE COUNTY JUDGE AND COMMISSIONER JONES TO EXECUTE CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH STERLING DELAWARE HOLDING COMPANY (TEXAS STERLING) FOR THE FM 1626 SOUTH PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM WITH TXDOT IN HAYS COUNTY.**



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Jerry Borcharding of Hays County Transportation and Laura Harris of HNTB spoke. This Change Order is within the Pass-Through budget for the FM 1626 South project. Change Order No. 1 adds a new Contract Items and plan sheets for Texas Sterling to relocate portions of the City of Buda's waterline that are conflict with the proposed roadway improvements. The City of Buda waterline relocations are 100% reimbursable for their relocations based upon existing easements. The waterline plans have been reviewed and approved by the City of Buda. This Change Order is a cost savings to the County as the utility construction estimates for a separate City of Buda construction contract exceeded \$1M. Change Order No. 1 results in an increase of \$886,799.00 to the Contract amount. The original Contract totaling \$20,562,622.32 will be adjusted to \$21,449,421.32. As a result of this Change Order, \$886,799.00 has been added to the contract resulting in 4.31% net increase in Contract cost. No additional days will be added or deducted at this time as a result of this Change Order. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge and Commissioner Jones to execute Change Order No. 1 to the Construction Contract with Sterling Delaware Holding Company (Texas Sterling) for the FM 1626 South project as part of the Pass-Through Finance Program with TxDOT in Hays County. All present voting "Aye".**

**32367 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #73122809 IN THE AMOUNT OF \$529,175.62, AND ACCEPTANCE OF THE MAINTENANCE BOND #75139745 IN THE AMOUNT OF \$37,823.85 FOR A 2-YEAR PERIOD FOR BELTERRA SUBDIVISION, PHASE 4, SECTION 15.**

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to accept road construction and drainage improvements, release of the construction bond #73122809 in the amount of \$529,175.62, and acceptance of the maintenance bond #75139745 in the amount of \$37,823.85 for a 2-year period for Belterra subdivision, Phase 4, Section 15. All Present Voting "Aye". MOTION PASSED**

**32368 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR SHADOW CREEK SUBD. PHASE 4, SECTION 2B, AND RELEASE OF MAINTENANCE BONDS #4396651 & #4396652 IN THE AMOUNT TOTALING \$120,498.15.**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Roads include: Painted Desert Lane (760 ft.), Diamondback Cove (578 ft.), and the remainder of Heron Drive (855 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept roads into the county road system for Shadow Creek subd. Phase 4, Section 2B, and release of maintenance bonds #4396651 & #4396652 in the amount totaling \$120,498.15. All Present Voting "Aye". MOTION PASSED**

**32369 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE COUNTY JUDGE TO SIGN A PSA WITH GARVER LLC FOR PHASE 1 ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS TO VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2 AND AMEND THE BUDGET ACCORDINGLY.**

Jerry Borcharding, Director of Hays County Transportation Department and Adam Leach, Assistant Director of Transportation spoke. Garver LLC will, if approved, perform phase 1 engineering services on the 15 low water crossings identified throughout precincts 1 & 2. Phase 1 engineering services will consist of schematic level engineering, drainage analysis of each crossing and surveying of all 15 identified crossings. Additionally, the crossing on Chaparral Road at Bear Creek will be completely designed, and all other preliminary phase services (environmental, utility, and geotechnical) services will be performed on Cotton Gin Road near Shady Oaks. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$298,116 Increase Contract Services Consultant: .5448\_008 - \$298,116 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize County Judge to sign a PSA with Garver LLC for phase 1 engineering services for the design of improvements to various low water crossings throughout precincts 1 & 2 and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32370 DISCUSSION AND POSSIBLE ACTION 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 A 1.0 ACRE TRACT OUT OF THE JESSE B. EAVES SURVEY.**



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Caitlyn Strickland of Developmental Services spoke. The owner 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 neighbors, and they will bring all of the noncompliant parcels up to Hays County rules by platting the entirety of the parcel that was subdivided by metes and bounds. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve 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 a 1.0 acre tract out of the Jesse B. Eaves Survey. All Present Voting "Aye". MOTION PASSED**

**32371 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE 2016 BOND SUPERVISION REPORT FOR THE HAYS COUNTY PRE-TRIAL BOND PROGRAM.**

Lisa Pacheco, Deputy Director of Hays CSCD (Adult Probation) and Jason Facundo, Hays CSCD (Adult Probation) Pre-Trial Bond Officer spoke. Representatives from the Hays County Community Supervision & Corrections Department (CSCD) will present the Report during Court. See attached report. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept the 2016 Bond Supervision Report for the Hays County Pre-Trial Bond Program. All Present Voting "Aye". MOTION PASSED**

**32372 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS FOR DELL NETWORKING SWITCHES AND AMEND THE BUDGET ACCORDINGLY.**

Captain Mike Davenport of Hays County Sheriff's Office spoke. The Sheriff's Office would like to utilize salary savings to purchase four (4) network switches to add two offices for the Mental Health Taskforce division. Salary savings due to attrition are available to fund this request. Budget Amendment: Increase Computer Eqpt - .5712\_400 Decrease Staff Salaries - .5021 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize salary savings for Dell Networking Switches and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32373 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO UTILIZE AUCTION PROCEEDS FOR REPLACEMENT VEHICLES AND HEAVY EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY.**

The Transportation Department would like to utilize a portion of the last auction proceeds to replace two (2) half ton pick-up trucks, one (1) single axle dump truck and one (1) new sand spreader insert. The two pick-up trucks are high mileage vehicles that will be scheduled for replacement in the next budget cycle. These units are #154 and #146 with 234,252 & 293,000 miles respectively. Additionally, the single axle dump truck unit #207 is 25 years old, has over 118k miles and has ongoing maintenance issues. The new sand spreader requested will be utilized in precinct 4, which would ensure that all precincts have this equipment available for use Funds are available from the December auction to fund 100% of this request. Also, if approved the replacement equipment will be placed in the next auction generating additional revenue Budget Amendment: Increase Revenue-Auction Sales: .4635 - \$143,929 Increase Expense-Vehicles: .5713\_700 - \$50,660- Heavy Eqpt: .5714\_700 - \$93,269 **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Transportation Department to utilize auction proceeds for replacement vehicles and heavy equipment and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32374 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE FISCAL YEAR 2016 HAYS COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AS AUDITED BY ABIP, PC CERTIFIED PUBLIC ACCOUNTANTS.**

Janet Pitman spoke. A representative of ABIP, PC will be present to discuss the report and to answer any questions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept the Fiscal Year 2016 Hays County Comprehensive Annual Financial Report (CAFR) as audited by ABIP, PC Certified Public Accountants. All Present Voting "Aye". MOTION PASSED**

**32375 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN UPDATED FEE SCHEDULE FOR THE RECYCLING AND SOLID WASTE FACILITIES LOCATED IN DRIFTWOOD AND WIMBERLEY, EFFECTIVE JUNE 1, 2017.**

Clint Garza, Director of Developmental Services spoke. Staff performed a rate survey in Q4, 2016, to develop a comprehensive update the existing price and fee schedule for the recycling and solid waste facilities. The most recent changes to fee schedule occurred in 2010, since that time, Hays County has seen price increases in disposal fees as well as the fees of other locations providing similar services to our Recycling and Solid Waste



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Centers. Due to price increases to the County, staff would like to change fee schedule to reflect price increase for solid waste disposal. Recyclables will still be accepted for no fee. Fee waiver will be issued to the Wimberley Fire Department for debris disposal. Existing and proposed fees included along with comparative pricing for other solid waste facilities in the area. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt an updated fee schedule for the Recycling and Solid Waste facilities located in Driftwood and Wimberley, Effective June 1, 2017. All Present Voting "Aye". MOTION PASSED**

**32376 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ENGAGEMENT LETTER BETWEEN HAYS COUNTY AND DAVIS KAUFMANN PLLC RELATED TO THE 85TH LEGISLATIVE SESSION OF THE TEXAS LEGISLATURE.**

Marisol Alonzo, Hays County Auditor spoke. Funds will be coming from Tobacco Settlement Fund. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an engagement letter between Hays County and Davis Kaufmann PLLC related to the 85th legislative session of the Texas Legislature. All Present Voting "Aye". MOTION PASSED**

**32377 DISCUSSION AND POSSIBLE ACTION TO APPOINT JOHN MCGLOTHLIN TO THE BOARD OF SAN MARCOS TAX INCREMENT REINVESTMENT ZONE NO.5, EFFECTIVE UPON APPROVAL OF THE SAN MARCOS CITY COUNCIL.**

Since Ed Mihalkanin was elected to the San Marcos City Council, he is no longer able to serve as the 5th neutral appointee to the TIRZ No. 5 Board. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to appoint John McGlothlin to the Board of San Marcos Tax Increment Reinvestment Zone No.5, effective upon approval of the San Marcos City Council. All Present Voting "Aye". MOTION PASSED**

**32378 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATED TO SAN MARCOS TEXAS TAX INCREMENT REINVESTMENT ZONE NO.5.**

Mark Kennedy of General Counsel spoke. This first amendment to the San Marcos TIRZ No.5 ILA extends the term of the TIRZ and establishes qualifications for expenditures of County-contributed funds from the Effective Date of the Amendment. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute the First Amendment to Interlocal Agreement Between Hays County and the City of San Marcos Related to San Marcos Texas Tax Increment Reinvestment Zone No.5. All Present Voting "Aye". MOTION PASSED**

**32379 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HALFF AND ASSOCIATES TO STUDY AND UPDATE FLOODPLAIN MODELS, AS NECESSARY, IN AND AROUND HAYS COUNTY OWNED PROPERTIES AND AMEND THE BUDGET ACCORDINGLY.**

Clint Garza, Director of Developmental Services spoke. Staff wishes to enter into a Professional Services Agreement with Halff and Associates to create a 2D hydraulic model of areas in and around Hays County owned properties. Halff and Associates is an approved vendor on the County's pre-certified list. Additionally, this group worked on the 1 dimensional model with AECOM and FEMA as part of the current map revision and is familiar with the process, site conditions, and models. Savings within the County Wide misc capital improvement projects are available to fund this request. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Professional Services Agreement with Halff and Associates to study and update floodplain models, as necessary, in and around Hays County owned properties and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #31 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT - was pulled**

**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW.**

Court convened into Executive Session at 11:15 a.m. and went into recess at 12:17 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy of General Counsel, Tammy Crumley, Vickie Dorsett, Hays County Auditor Assistant,



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Jerry Borcharding, Director of Hays County Transportation Department, Adam Leach, Assistant Director of Transportation and Stewart Whitehead of Winstead P.C. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Counsels and Consultants to coordinate with the Auditors Office to establish and make final payment, if any, to SEMA Construction for construction work on FM 1626 North, funds to be paid out of line item 030-802-96-629.5611-40.**

Court reconvened into Executive session at 12:17 p.m. and reconvened into open court at 12:40 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy of General Counsel, Tammy Crumley, Vickie Dorsett, Hays County Auditor Assistant, Jerry Borcharding, Director of Hays County Transportation Department and Adam Leach, Assistant Director of Transportation. No Motion Made.

**CLERK'S NOTE RE: ITEM #33 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.**

Judge Cobb gave an update on the burn ban. The drought index is at 140 and the burn ban will remain lifted.

**CLERK'S NOTE RE: ITEM #35-** *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 Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:44 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 March 28, 2017.



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

