



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11TH DAY OF APRIL 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
CHRISTINE RODRIGUEZ	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.

32403 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,497,295.84 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

32404 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 4, 2017

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 4, 2017. All present voting "Aye". MOTION PASSED

32405 APPROVE THE OCTOBER 2016 - DECEMBER 2016 TREASURER'S REPORTS AND INVESTMENT REPORTS

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

32406 APPROVE UTILITY PERMITS

Permit 1018 Road Turkey Hollow-Burnett Ranch Estates Utility PEC (electric line & pole). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voting "Aye". MOTION PASSED

32407 ACCEPT A DONATION OF \$450 AND A DONATION OF T-SHIRTS TO THE SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY.

The Communications Division received a donation of \$200 from Wimberley Emergency Medical Services and \$250 from the Wimberley Volunteer Fire Department. The division will also receive 24 custom t-shirts from Seton Hospital, the total value of the custom t-shirts is \$490.00. Donations are for the 2017 National Telecommunicator Week that will occur April 9-15, 2017. Budget Amendment \$940.00 Increase revenue 052-618-00.4610 Contributions \$940.00 29 Increase expense 052-618-00.5391 Special Projects \$940.00 A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept two donations of \$450 and a donation of t-shirts to the Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED



32408 AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE BUDGET ACCORDINGLY

The County Fire Marshal receives funds annually from the State Comptroller's Office per Texas Occupations Code 1701.156 for expenses related to the continuing education of license peace officers. Budget Amendment Increase LEOSE Revenue: 001-656-00.4310 (\$742) LEOSE Expense: 001-656-00.5552 \$742. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32409 APPROVE OUT OF STATE TRAVEL FOR DEPUTY INSPECTOR ROD VENNER TO ATTEND THE FORCE SCIENCE CERTIFICATION TRAINING IN ROCHESTER, NY.

Out of state travel is needed to send Deputy Inspector Rod Venner to the Force Science Certification training in Rochester, New York on September 25-29, 2017. This training will allow for Inspector Venner to learn from experts whose work directly impacts the analysis and investigation of force related incidents. Inspector Venner will learn to determine whether an officer is being honest when he recounts the recollection of an incident even when evidence conflicts with his memory. He will also learn how to avoid critical mistakes during post incident interviews. This training is imperative and will assist in his role as Inspector in the Office of Professional Responsibility. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for Deputy Inspector Rod Venner to attend the Force Science Certification Training in Rochester, NY. All present voting "Aye". MOTION PASSED**

32410 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE HELMET MOUNTS FOR NIGHT VISION OPTICS UTILIZING SHERIFF DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office SWAT Team recently acquired ANVIS night vision optics. The optics did not come with mounts, and at this time the Sheriff's Office is seeking approval for the purchase of five helmet mounts. Approval of the purchase will allow SWAT to have full night time capabilities that are currently non-existent. The vendor, Wilcox Engineering & Research is a sole source provider for this product. No additional funds are needed, Sheriff Drug Forfeiture funds will be used for the purchase. Budget Amendment Decrease 053-618-00.5391 Miscellaneous \$2,925.00 Increase 053-618-00.5717 400 Law Enforcement Equipment Operating \$2,925.00 **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase helmet mounts for night vision optics utilizing Sheriff Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32411 APPROVAL TO HOLD AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152 (A) (1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE.

The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at www.renebates.com. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approval to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a) (1) and authorize Purchasing Manager to advertise. All present voting "Aye". MOTION PASSED**



32412 AUTHORIZE THE CONSTABLE PCT. 1 OFFICE TO RE-GRADE THE PART-TIME ADMINISTRATIVE ASSISTANT I POSITION TO A JUSTICE CLERK EFFECTIVE JANUARY 3, 2017 AND AMEND THE BUDGET ACCORDINGLY.

During the FY 2017 budget process, the Commissioner's Court approved a part-time Administrative Assistant I (grade 106) position effective January 1, 2017 for the Constable Pct. 1 Office. However, the position was erroneously posted and filled as a Justice Clerk (grade 108). The current employee possesses the skills and knowledge to function at the grade 108 level. Additionally, the employee is performing the same functions as the full-time Justice Clerk, therefore the Constable would like to re-grade the position appropriately. Potential Funding Source: Savings within in the County Wide Salary Adjustments line item are available due to attrition. Budget Amendment: Increase Staff Salaries - \$1,833 Increase Fringe Benefits - \$366 Decrease Salary Adjustments - (\$2,199) **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Authorize the Constable Pct. 1 Office to re-grade the part-time Administrative Assistant I position to a Justice Clerk effective January 3, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32413 APPROVE RENEWAL OF ANNUAL CONTRACT FOR ELECTRICAL SERVICES WITH TED BREIHAN ELECTRIC COMPANY FOR ONE ADDITIONAL YEAR.

The Building Maintenance Department is recommending a renewal for electrical services with our current vendor, Ted Breihan Electric. The current contract term expires on April 30, 2017 with an option to renew per the original terms outlined in IFB 2014-B03. All current terms and conditions and pricing remain unchanged and in full force and effect as provided in original bid. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve renewal of annual contract for Electrical Services with Ted Breihan Electric Company for one additional year. All present voting "Aye". MOTION PASSED**

32414 AUTHORIZE COMMERCIAL OSSF PERMIT AT 4000 E HWY 290, DRIPPING SPRINGS, TX 78620.

The Sunset Canyon Baptist Church is proposing an OSSF to serve their new Family Life Center. This new building will accommodate up to 135 people, up to 5 days a week. This 1.62-acre property is Lot 234 in the Sunset Canyon Subdivision. The property is served by a public water supply. The system designer, Erin Banks, P.E., has designed a system which consists of standard treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 475 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 4000 E Hwy 290, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

32415 APPROVE THE APPOINTMENT OF DAVID J. GRAHAM AS DEPUTY CONSTABLE, IN PRECINCT 4.

Constable Ron Hood spoke. Deputy Constable David Graham will fill the recently vacated part-time position in Constable Hood's office. In compliance with Texas Local Government Code - Section 86-11 the Commissioners Court is asked to approve this appointment as a necessary position to properly handle the business of the Constable's office. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the appointment of David J. Graham as Deputy Constable, in Precinct 4. All present voting "Aye". MOTION PASSED**

32416 ACTION TO ADOPT AN ORDER OF COMMISSIONERS COURT AUTHORIZING THE SALE OF MIXED BEVERAGES, WINE, AND BEER DURING EXTENDED HOURS (MIDNIGHT TO 2 A.M.), PURSUANT TO SECTIONS 105.03, 105.04, AND 105.05 OF THE TEXAS ALCOHOLIC BEVERAGE CODE, IN THE UNINCORPORATED AREAS OF HAYS COUNTY,



THAT HAVE NOT BEEN DESIGNATED AS "DRY AREAS" PURSUANT TO SECTION 251.71 OF THE TEXAS ALCOHOLIC BEVERAGE CODE.

Robert Badger resident of Buda spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt an Order of Commissioners Court authorizing the sale of mixed beverages, wine, and beer during extended hours (midnight to 2 a.m.), pursuant to Sections 105.03, 105.04, and 105.05 of the Texas Alcoholic Beverage Code, in the unincorporated areas of Hays County, that have not been designated as "dry areas" pursuant to Section 251.71 of the Texas Alcoholic Beverage Code. All present voting "Aye". MOTION PASSED

32417 ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE COUNTY'S FM 2001 PARTNERSHIP PROJECT FROM I-35 TO SH 21 AND URGING THE TEXAS DEPARTMENT OF TRANSPORTATION TO APPROVE THE FM 2001 ENVIRONMENTAL DOCUMENT IN A TIMELY MANNER SO THAT THE DEVELOPMENT OF THE PROJECT MAY PROCEED TO CONSTRUCTION AS EXPEDITIOUSLY AS POSSIBLE.

Commissioner Jones spoke. The expansion of FM 2001 from a two-lane roadway to a four-lane roadway from I-35 to SH 21 is included in the CAMPO Mobility 2040 Long-Range Plan and the Hays County Transportation Plan; expansion and realignment of FM 2001 is included in the County's Partnership Program with the Texas Department of Transportation. The proposed improvements will address safety, mobility and connectivity needs in the eastern portion of Hays County. The Texas Department of Transportation, in conjunction with Hays County, conducted a Public Hearing on the draft Environmental Assessment for the project on March 28, 2017 at the Studio Estates Club House in Kyle. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a resolution in support of the County's FM 2001 Partnership Project from I-35 to SH 21 and urging the Texas Department of Transportation to approve the FM 2001 environmental document in a timely manner so that the development of the project may proceed to construction as expeditiously as possible. All present voting "Aye". MOTION PASSED

32418 SUB-739 HOME CAMP SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.

Caitlyn Strickland of Developmental Services spoke. The proposed Home Camp Subdivision is a 1 lot subdivision located off of Caliche Road in Precinct 3. 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 Conley, seconded by Commissioner Whisenant to approve preliminary plat SUB-739 Home Camp Subdivision (1 Lot). All present voting "Aye". MOTION PASSED

32419 SUB-720 PANTHER HOLLOW SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.

Caitlyn Strickland of Developmental Services spoke. The proposed Panther Hollow Subdivision is a 2 lot subdivision located off of Elder Hill Road in Precinct 3. The subdivision will be served by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve preliminary plan of SUB-720 Panther Hollow Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

32420 SUB-722 LITTLE COUNTRY SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.

Caitlyn Strickland of Developmental Services spoke. Clint Garza, Director of Developmental Services spoke. The proposed Little Country Subdivision is a 2 lot subdivision located off of Summit Pass Road in Precinct 4.



The subdivision will be served by rainwater collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve preliminary plan of SUB-722 Little Country Subdivision (2 Lots). All present voting “Aye”. MOTION PASSED**

32421 ACTION TO APPOINT COMMISSIONER RAY WHISENANT AND MIKE FIGER TO THE BOARD OF DIRECTORS FOR THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONES NO. 1 AND NO. 2.

Hays County entered into an Interlocal Agreement with the City of Dripping Springs on March 21, 2017 related to Dripping Springs Tax Increment Reinvestment Zone (TIRZ) No. 1 and TIRZ No. 2. Per the creating documents for both reinvestment zones, Hays County is provided with two appointments to each TIRZ Board. A resume for Mr. Figer will be provided in Court. appointments will be for two year terms. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Commissioner Ray Whisenant and Mike Figer to the Board of Directors for the Dripping Springs Tax Increment Reinvestment Zones No. 1 and No. 2. All present voting “Aye”. MOTION PASSED**

32422 ACTION TO ADOPT THE 2017 HAYS COUNTY, TEXAS TITLE VI/NONDISCRIMINATION PLAN AS REQUIRED AS A RECIPIENT OF FEDERAL FUNDS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND OTHER AGENCIES.

Jeff Hauff Grants Director spoke. Shari Miller, Human Resources Director spoke. TxDOT has been conducting an audit of our Title VI/Nondiscrimination policies and procedures as a requirement of receipt of federal funding through grants and other assistance from USDOT/FHWA. We are and have been in compliance with many of the elements of nondiscrimination through past and current practice, but one of the new outstanding items needed was the preparation, adoption, and implementation of a Title VI/Nondiscrimination Plan for Hays County that demonstrates continued compliance with Title VI of the Civil Rights Act of 1964 and associated legislation. This Plan is modelled from a template document provided and recommended by TxDOT and also includes format and content drawn from similar Plans adopted by Dallas, Hidalgo, and Travis counties. Sections of the Plan include the general nondiscrimination policy of Hays County; Assurances to be included with all contracts that involve federal transportation funding; component plans to address Limited English Proficiency (LEP) and Environmental Justice for low income and minority populations as well as general public participation opportunities in activities proposed by the County; methods to collect, analyze and report information associated with nondiscrimination; a process to handle nondiscrimination complaints; and roles and responsibilities of various County departments/offices to assure nondiscrimination compliance. Annual reports will be required on activities that address nondiscrimination compliance and updates to the Plan will be made when circumstances warrant. The Hays County Grants Administration and Human Resources departments, as well as the Hays County Auditor's Office, have worked jointly to prepare the Plan document as well as provide information for other aspects of the TxDOT audit. TxDOT has reviewed the draft plan and determined it to be complete and acceptable. Staff recommends and requests that the Commissioners Court adopt the 2017 Hays County Title VI/Nondiscrimination Plan. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt the 2017 Hays County, Texas Title VI/Nondiscrimination Plan as required as a recipient of federal funds through the Texas Department of Transportation (TxDOT) and other agencies. All present voting “Aye”. MOTION PASSED**

32423 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 14 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR WORK RELATED TO THE RENOVATIONS AT THE COUNTY OWNED FACILITY AT 200 STILLWATER, IN PRECINCT 3.



Clint Garza spoke. CO #12: Scope: 1. install step-down SFMR for bath exhaust fans. * Facility previously used as warehouse space. Electrical into building not compatible with the required components. 2. TXDOT required infrastructure for Tax Office * Addition of fiber line and dedicated T1 for TXDOT computer for Tax Office Location 3. Crack and gap repair at front elevation to prevent further water damage. (pictures attached) 4. Remove Rock sill cap and reconstruct with flashing. * Gap in rock leading to water penetration in facility. 5. Building Awning, structural, waterproofing, and masonry patchwork. *at the time of design, architect left awning to be determined at a later date after structural engineer was retained. Change was anticipated at bid time 6. Venthood with fire suppression system. *cooking demonstrations are part of normal operation for the Extension Office and a number of the volunteer organizations using the facility. Venthood and fire suppression are required per code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute Change Order Authorization No. 14 between Hays County and Wood and Thomason Construction, LP for work related to the renovations at the County Owned Facility at 200 Stillwater, in Precinct 3. All present voting “Aye”. MOTION PASSED**

32424 APPROVE A FLOOD CONTROL INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TRAVIS COUNTY REGARDING FLOOD CONTROL MEASURES IN THE ONION CREEK DRAINAGE BASIN; AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE AGREEMENT.

Hays and Travis Counties each have large portions of the Onion Creek drainage basin within their jurisdictional boundaries. Each County has adopted regulations to promote public health, safety, and general welfare of citizens, however, flood damage and losses have resulted in an increased focus on future flood damage prevention. It is the opinion of staff that a coordinated effort for planning throughout the basin will benefit the citizens of both Hays and Travis Counties. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a Flood Control Interlocal Agreement between Hays County and Travis County regarding flood control measures in the Onion Creek drainage basin; authorize the County Judge to execute the agreement. All present voting “Aye”. MOTION PASSED**

32425 APPOINT ROGER BOYD TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9)

Creation of ESD#9 was authorized during the November 2016 election. Pursuant to 775.034 of the Texas Health and Safety Code, the Commissioners Court is authorized to appoint the 5-person board. Two Board members were appointed during the April 4th Court meeting. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to appoint Roger Boyd to the board of the newly-created Emergency Services District No.9 (ESD#9). All present voting “Aye”. MOTION PASSED**

CLERK’S NOTE RE: 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 MAY FOLLOW.-was pulled

CLERK’S NOTE RE: ITEM #25 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 88 and the burn ban will remain lifted.



CLERK'S NOTE RE: ITEM #27- 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 10:02a.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 April 11, 2017.





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

