



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH 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
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.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller, Interim Human Resources Director presented the Hays County Service Awards. 1 Year – Conrad Ostler, Rod Venner, Nathaniel Sitsler, Trae Howard, Alexander Pinillo, Patrick Brady, Daniel Weber, Eli Rosales, Andrew Warnica – Sheriff's Department, Jennifer Gonzales – District Attorney's Office, Christopher Alaniz – County Clerk's Office. 5 Years – Mario Saucedo – Transportation Department, Angela Avona – Treasurer's Office, Henry Alvarez – Maintenance Department. 10 Years – Yadira Valenzuela – Maintenance Department, Jacob Wardlow – Sheriff's Department, Manuel Esquivel – Transportation Department, Melody Jaramio – Sheriff's Department. 15 Years – Deanna Avalon – Juvenile Detention Center, Susana Cisneros – Juvenile Detention Center. 20 Years – Woodie Hall – Sheriff's Department. 25 Years – Debbie Ingalsbe – Commissioner Pct. 1.

32443 ADOPT A PROCLAMATION DECLARING MAY 1-5, 2017 AS AIR QUALITY AWARENESS WEEK

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Proclamation declaring May 1-5, 2017 as Air Quality Awareness Week. All present voting "Aye". MOTION PASSED

32444 ADOPT A PROCLAMATION DECLARING APRIL 30 - MAY 7, 2017 AS SOIL & WATER STEWARDSHIP WEEK

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a Proclamation declaring April 30-May 7, 2017 as Soil & Water Stewardship Week. All present voting "Aye". MOTION PASSED

32445 ADOPT A PROCLAMATION DECLARING APRIL 22ND - 29TH AS NATIONAL INFANT IMMUNIZATION WEEK

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation declaring April 22nd – 29th as National Infant Immunization Week. All present voting "Aye". MOTION PASSED

PUBLIC COMMENTS

Dan Lyon – San Marcos resident made a public comment.

32446 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of county invoices in the amount of \$1,302,411.62 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

32447 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 18, 2017



A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of April 18, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

32448 AUTHORIZE THE CONSTABLE PRECINCT 2 OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE APRIL 3, 2017 FOR DEPUTY CONSTABLE, SLOT 0885-021 AND AMEND THE BUDGET ACCORDINGLY

A stipend has been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for the Deputy Constable position. This position travels throughout the precinct for public safety and civil processes. It is imperative that he is available to staff as well as members of the community in order to remain productive and perform duties effectively. Savings with the operating budget have been identified to fund this request: Budget Amendment: Decrease - 001-636-00.5489 \$210 Increase - 001-636-00.5194 \$210. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Constable Precinct 2 Office to add a telephone allowance effective April 3, 2017 for Deputy Constable, Slot 0885-021 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32449 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 155 BEACON HILL RD, BUDA, TX

Hays CISD is proposing to replace a failing septic system to serve the bus depot at 155 Beacon Hill in Precinct 2. This property is not within a subdivision and has an approved 10 year variance. The water will be supplied by public water supply. The components of this on-site sewage facility will consist of a 1500 gallon two-compartment septic tank and a 1500 gallon pump tank. After treatment, effluent will be dispersed to a low pressure dosage field. The system was designed by Dan Balboa for a flow of 300 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Institutional OSSF Permit at 155 Beacon Hill Rd., Buda, TX. All present voting "Aye". MOTION PASSED**

32450 AUTHORIZE THE HAYS COUNTY COMMISSIONERS COURT TO SUBMIT A REQUEST FOR FUNDS TO THE TEXAS COMPTROLLER'S OFFICE FOR UNCLAIMED CAPITAL CREDITS PURSUANT TO THE TEXAS PROPERTY CODE, SECTION 74.602 AND CERTIFY ANY AVAILABLE FUNDING WILL BE USED PER LOCAL GOVERNMENT CODE, SECTION 381.004

The County Auditor's office has received notification from the Texas Comptroller of Public Accounts regarding possible available funding through unclaimed capital credits received from electric cooperatives in this area. The County must request these funds and certify that funds will be used for purposes as specified under section 381.004 of the Local Government Code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Hays County Commissioners Court to submit a Request for Funds to the Texas Comptroller's Office for Unclaimed Capital Credits Pursuant to the Texas Property Code, Section 74.602 and Certify any available funding will be used per Local Government Code, Section 381.004. All present voting "Aye". MOTION PASSED**

32451 ACCEPT A DONATION OF \$40.00 TO THE SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Communications Division received a donation of \$40.00 from the Constable Pct. 3 Office. Donations are for the 2017 National Telecommunicator Week that occurred April 9-15, 2017. Budget Amendment: \$40.00 Increase revenue 052-618-00.4610 Contributions, Increase expense 052-618-00.5391 Special Projects. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept a donation of \$40.00 to the Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32452 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY, AS CONSTRUCTION MANAGER AT RISK FOR JAIL, LAW ENFORCEMENT CENTER, AND 911/EOC CENTERS

Because Hays County initially believed that some federal monies might be available for portions of these capital improvements, a prevailing wage standard under Davis/Bacon was written into the Agreement. Upon further consideration, it appears that Hays County can now apply a State statutory standard under Chapter 2258 of the Texas Government Code, instead of the federal standard under Davis/Bacon. 61B188B215B242BA local prevailing wage survey is currently being conducted. If the results of that survey are not available by the time the Commissioners Court considers this item, then staff recommends that the Court delegate authority to accept



the rates established in the survey, which will streamline CM at Risk's efforts to achieve a Guaranteed Maximum Price (GMP) for the projects. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Letter Amendment to the Agreement between Hays County and Turner Construction Company, as Construction Manager at Risk for Jail, Law Enforcement Center, and 911/EOC Centers. All present voting "Aye". MOTION PASSED**

32453 AUTHORIZE THE JUVENILE PROBATION OFFICE TO ADD TWO TELEPHONE ALLOWANCES EFFECTIVE APRIL 1, 2017 FOR PROBATION OFFICERS, SLOT 0972-001 & 0971-002 AND AMEND THE BUDGET ACCORDINGLY

Telephone Stipends have been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for two Juvenile Probation Officer positions. These positions travel throughout the county transporting juvenile offenders, serving warrants or directives to apprehend. It is imperative that they are available to their supervisor, staff as well as families in the community in order to remain productive and perform duties effectively. County issued cell phones have been disconnected for identified savings to fund this request. Budget Amendment: Decrease - 001-686-00.5489 \$420, Increase - 001-686-00.5194 \$420. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Juvenile Probation Office to add two telephone allowances effective April 1, 2017 for Probation Officers, Slot 0972-001 & 0971-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32454 APPROVE SPECIFICATIONS FOR IFB 2017-B04 FLEET FUEL FOR TANKS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE

The Transportation and Sheriff's Departments are currently purchasing fuel for the above ground tanks from vendors available through the counties Choice Partners Cooperative Contract. The departments utilizing this service believe it will be cost effective to issue an Invitation for Bid for this commodity. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve specifications for IFB 2017-B04 Fleet Fuel for tanks and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

32455 AUTHORIZE THE JUVENILE DETENTION CENTER TO ADD TWO TELEPHONE ALLOWANCES EFFECTIVE APRIL 1, 2017 FOR ASST FACILITY ADMINISTRATOR SLOT 9010-001 & TRANSITIONAL COORDINATOR SLOT 0970-002 AND AMEND THE BUDGET ACCORDINGLY

Telephone Stipends have been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for two positions. These positions travel throughout the county transporting and supervising juvenile offenders. It is imperative that they are available to their supervisor, staff as well as families in the community in order to remain productive and perform duties effectively. County issued cell phones have been disconnected for identified savings to fund this request. Budget Amendment: Decrease - 070-685-00.5489 \$420, Increase - 070-685-00.5194 \$420. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the Juvenile Detention Center to add two telephone allowances effective April 1, 2017 for Asst. Facility Administrator Slot 9010-001 & Transitional Coordinator Slot 0970-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32456 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 1000 CYPRESS CREEK LANE, WIMBERLEY, TX

Sibyl Burrows is proposing an on-site sewage facility to serve the Messina Inn Wedding/Event Center in Precinct 3. This property is in the Twin Mountain Estates Subdivision on a 13 acre lot. The water will be supplied by public water supply. The system was designed by Jim Conner for a maximum flow of 780 gallons per day. The components of this on-site sewage facility will consist of a standard two-compartment septic tank and a 2500 gallon pump tank that is set up to equalize the flow to the leaching chamber drainfield at a rate of 200 gallons per day. This property has been replatted and approved in the past year to make the tract compliant, but the plat was recently resubmitted so that a drainage easement could be moved. This permit will not be issued until this replat has final approval. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize Institutional OSSF Permit at 100 Cypress Creek Lane, Wimberley, TX. All present voting "Aye". MOTION PASSED**

32457 APPROVE SPECIFICATIONS FOR IFB 2017-B07 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE



A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve specifications for IFB 2017-B07 Dahlstrom Ranch Public Access Development and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

32458 ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR MEADOWS AT BUDA SUBD. PHASE 4A

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. There wasn't a maintenance bond provided to Hays County as the developer/contractor issued it to the City of Buda. Roads include: a segment of Blossom Valley Stream (1,029 ft.), a segment of Hot Spring Valley (1,030 ft.), Honey Grove (181 ft.), and Crystal City Creek (958 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the roads into the County Road System for Meadows at Buda Subd. Phase 4A. All present voting "Aye". MOTION PASSED**

32459 ACCEPT LETTER OF CREDIT NO.SBP702531 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 21-1 IN THE AMOUNT OF \$725,440.63

Jerry Borcharding, Director of Transportation gave staff recommendation. Belterra Section 21-1 is a proposed 59 lot segment, across 62.97 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-1 have been reviewed under the Interlocal Cooperation Agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No. SBP702531 for street and drainage improvements for Belterra Subdivision Section 21-1 in the amount of \$725,440.63. All present voting "Aye". MOTION PASSED**

32460 SUB-699 HIGHPOINTE PHASE 5, SECTION 3 (54 LOTS) APPROVE FINAL PLAT AND ACCEPT THE CONSTRUCTION OF ROAD AND DRAINAGE IMPROVEMENTS

Caitlyn Strickland, Hays County Planner, gave staff recommendation. The preliminary plan for HighPointe Phase 5 was approved in July 2008 as a 135 lot phase. Water service will be provided by the West Travis County Public Utility Agency and wastewater service will be provided by Hays County Municipal Utility District No. 5. The Transportation Department has inspected and approved the improvements. The roads in this subdivision will be privately maintained. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat and accept the construction of road and drainage improvements for Sub-699 Highpointe Phase 5, Section 3 (54 Lots). All present voting "Aye". MOTION PASSED**

32461 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE TRI-PARTY AGREEMENT PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF PECAN WOODS BETWEEN HAYS COUNTY ("COUNTY"), THE CITY OF KYLE ("CITY") AND WALTON TEXAS, LP, A TEXAS LIMITED PARTNERSHIP ("WALTON TEXAS") WALTON PECAN WOODS, LP, A DELAWARE LIMITED PARTNERSHIP ("WALTON PECAN WOODS"), AND WPW DEVELOPMENT SUB, LP, A DELAWARE LIMITED PARTNERSHIP ("WPW" AND, TOGETHER WITH WALTON TEXAS AND WALTON PECAN WOODS, THE "OWNERS")

Becky Collins, General Manager of Walton Development and management in the Austin-San Marcos Region spoke. Owner plans to develop Pecan Woods as a master-planned mixed use community in accordance with this Agreement between Owner, County and City. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute the Tri-Party Agreement providing for Regulation of Subdivision and Approval of Pecan Woods between Hays County ("County"), The City of Kyle ("City") and Walton Texas, LP a Texas Limited Partnership ("Walton Texas") Walton Pecan Woods, LP a Delaware Limited Partnership ("Walton Pecan Woods"), and WPW Development Subd., LP, a Delaware Limited Partnership ("WPW" and, together with Walton Texas and Walton Pecan Woods, the "Owners"). All present voting "Aye". MOTION PASSED**

32462 AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE VACANT ROAD MAINTENANCE WORKER SENIOR, SLOT 1070-019 AT THE 50TH PERCENTILE EFFECTIVE MAY 1, 2017



The Transportation Director requests the court approval to hire this position at the 50th percentile. The prospective employee has knowledge and experience that merits the salary exception and his experience in operating equipment, drainage work, shoot grade, equipment/truck maintenance, supervisory experience, and Class A CDL will greatly benefit the department. Salary savings (due to vacancies) within the department have been identified to fund this request. FY17 fiscal impact - \$3,872, Annualized impact - \$9,293. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Director to hire vacant Road Maintenance Worker Senior, Slot 1070-019 at the 50th Percentile effective May 1, 2017. All present voting “Aye”. MOTION PASSED**

32463 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO UTILIZE CAPITAL HEAVY EQUIPMENT SAVINGS TO PURCHASE A NEW 2017 CIMLINE MODEL M2 230 CRACK SEALING UNIT

The Transportation Department would like to purchase a new crack sealer to replace our existing unit. The Department has the funds available due to lower than estimated costs associated with the procurement of all items listed during the Fiscal Year 2017 budget process. The unit to be replaced is a 2008 model that was purchased used and has over 7,000 hours. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Department to utilize capital heavy equipment savings to purchase a new 2017 Cimline Model M2 230 Crack Sealing Unit. All present voting “Aye”. MOTION PASSED**

Clerk’s Note Agenda Item #23 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*

32464 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT ENFIELD

Court convened into Executive Session at 9:34 a.m. and reconvened into open court at 10:32 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, General Counsel, Mark Kennedy, Tammy Crumley, Chief of Staff, Lon Shell, and Adriana Cruz, President of the Greater San Marcos Economic Development. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County, and Urban Mining Company as presented in Executive Session as approved by General Counsel. All present voting “Aye”. MOTION PASSED**

Clerk’s Note Agenda 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 – was pulled*

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

Today’s Drought Index – 110. Judge Cobb spoke of High Fire Danger for the next couple of days. He urged the public to use extreme caution while conducting outdoor burning.

Clerk’s Note Agenda Item #27 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 Whisenant to adjourn court at 10:45 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 April 25, 2017.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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

