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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 9<sup>th</sup> DAY OF MAY 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.

**32476 ADOPT A PROCLAMATION DECLARING MAY 15, 2017 AS PEACE OFFICERS MEMORIAL DAY AND MAY 14-20, 2017 AS NATIONAL POLICE WEEK**

Sheriff's Office Sargent Jeff Jordan spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring May 15, 2017 as Peace Officers Memorial Day and May 14-20, 2017 as National Police Week. All present voting "Aye". MOTION PASSED

**PUBLIC COMMENTS**

Ashely Whittenberger – Wimberley resident made a public comment. Cristin Hearne- Dripping Springs resident made a public comment. Dan Lyon- San Marcos resident made a public comment. Stanley Rech- Dripping Springs resident made a public comment.

**32477 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$ 1,019,520.24 submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32478 APPROVE COMMISSIONER COURT MINUTES OF MAY 2, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of May 2, 2017. All present voting "Aye". MOTION PASSED

**32479 APPROVE THE TRANSFER OF A 1997 JD 410E BACKHOE FROM THE TRANSPORTATION DEPARTMENT TO THE HAYS COUNTY SHERIFF'S OFFICE**

Commissioner Conley spoke. Captain Mike Davenport spoke. Transportation Director Jerry Borcharding spoke. The Transportation Department is seeking approval to transfer the following asset from the Transportation Department's inventory to the Sheriff's Office: 1997 JD 410E backhoe; VIN: T0410EX831294; County Tag #11070. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve transfer of a 1997 JD 410E backhoe from the Transportation Department to the Hays County Sheriff's Office. Commissioner Jones and Commissioner Whisenant voting yes. Commissioner Ingalsbe, Commissioner Conley, and Judge Cobb voting no. MOTION NOT PASSED

**32480 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH EMERGENCY SERVICES DISTRICT #6 ALLOWING HAYS COUNTY INFRASTRUCTURE AT THEIR STATION FOR THE HAYS COUNTY FLOOD WARNING AND LOW WATER CROSSING**

Emergency Services District #6 agrees to house the Hays County flood warning and low water crossing system equipment at the North Hays Fire Central Station. This agreement allows for Hays County to access this equipment as needed and is responsible for maintenance, repair, and replacement of all warning equipment. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to enter into a Memorandum of Understanding with Emergency Services District #6 allowing Hays County infrastructure at their station for the Hays County flood warning and low water crossing. All present voting "Aye". MOTION PASSED



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**32481 APPROVE THE JANUARY - MARCH 2017 TREASURER'S REPORTS AND INVESTMENT REPORTS**

Marisol Villarreal-Alonzo, Hays County Auditor spoke. Approve the January - March 2017 Treasurer's Reports and Investment Reports. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the January - March 2017 Treasurer's Reports and Investment Reports. All present voting "Aye". MOTION PASSED**

**32482 APPROVE SPECIFICATIONS FOR RFP 2017-P06 RESTORATION OF ANTIQUE WOODEN CABOOSE AT THE KYLE RAILROAD DEPOT AND HERITAGE CENTER AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

The Historical Commission Director has received commitments for donations to restore the caboose at the Kyle Depot Project. Due to the complexity and specific skillset required, the director will need to receive proposals to determine total funding needed for the project and if additional donations are required. No county funds will be requested to complete this project. Attachment: RFP 2017-P06. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve specifications for RFP 2017-P06 Restoration of Antique Wooden Caboose at the Kyle Railroad Depot and Heritage Center and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED**

**32483 APPROVE UTILITY PERMITS**

Permit Road Name Utility 1019 Valley Spring Rd-Woodcreek North subd. PEC (electric line). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permits. All present voting "Aye". MOTION PASSED**

**32484 AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY, LICENSE & WEIGHT (DPS L&W) DIVISION TO SECURE SERVICES WITH AMTEX SCALE & SYSTEMS, INC. FOR SCALE REPAIRS AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. The Court authorized repairs to the scales located at the IH-35 Southbound DPS facility on January 31, 2017. Additional repairs are needed in order to get the scales operational. In order to secure additional quotes from vendors as required by the County Purchasing Policy, a \$600 diagnostic charge per vendor would be assessed. The current vendor has provided maintenance and repairs to our scales and is familiar with the system. Therefore, it would be cost prohibitive to request additional quotes. The division has a limited budget, therefore, respectfully requests the Court to transfer funds for these repairs. Potential Funding Source - County Wide contingencies. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Department of Public Safety, License & Weight (DPS L&W) division to secure services with Amtex Scale & Systems, Inc. for scale repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32485 AMEND THE CONSTABLE PRECINCT 3 OPERATING BUDGET FOR ADDITIONAL FUEL RELATED EXPENSES AS REQUIRED FOR THE REMAINDER OF THIS FISCAL YEAR**

The Constable Pct. 3 is in need of additional funding for fuel due to an increase in staffing. During the FY17 budget process the office had 3 full time Deputy Constables. One additional deputy was added effective 1/1/17 and a second deputy was added on 4/1/17. Due to the additional staff as well as a realignment of duties and assignments that have resulted in additional law enforcement travel throughout the precinct, additional funds are needed. Potential Funding Source: Funds are budgeted in a County Wide fuel line item for potential price increases/increases in consumption and are available to fund this request. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Constable Precinct 3 operating budget for additional fuel related expenses as required for the remainder of this fiscal year. All present voting "Aye". MOTION PASSED**

**32486 APPROVAL OF SPECIFICATIONS FOR RFP 2017-P05 FOR EMPLOYEE GROUP HEALTH AND DENTAL PLAN AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

**A motion was made by Commissioner Conely, seconded by Commissioner Ingalsbe to Approval of specifications for RFP 2017-P05 for Employee Group Health and Dental Plan and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED**



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32487

**AUTHORIZE THE JUVENILE PROBATION OFFICE, ESTABLISHED AS A GED TESTING CENTER TO COLLECT A FEE ASSOCIATED WITH GED TESTING**

The Hays County Juvenile Board has contracted with the Educational Testing Service (ETS) for the delivery of a high school equivalency examination (HiSET test (GED testing)) to be administered at the Juvenile Probation Testing Center. The Juvenile Probation Office is currently utilizing the Lockhart GED Testing Center for this service. When this service began, the Lockhart GED Testing vendor would travel to the Hays County facility to administer the tests. However, several years ago TEA changed their format and required testing to be computer based. Since the Hays County facility was not set up for computer testing, juveniles were transported to Lockhart to test. Due to safety and security issues when transporting juveniles, scheduling conflicts and increases in the fees Lockhart charged for testing, the Juvenile Probation Office obtained all the requirements to become an approved testing site. ETS will administer the HiSET test, collect fixed fees set forth in the MOU between ETS and the State. The Juvenile Probation Office as the approved Testing Center will receive a \$10 fee per test administered which will be deposited. into the County General Fund. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to Authorize the Juvenile Probation Office, established as a GED Testing Center to collect a fee associated with GED testing. All present voting "Aye". MOTION PASSED**

32488

**CONFIRM THAT THE ACTION OF COMMISSIONERS COURT ON ABOUT SEPTEMBER 27, 2016 FOR THE ESTABLISHMENT OF A LIMITATION ON COUNTY PROPERTY TAX INCREASES ON THE RESIDENCE HOMESTEADS OF PERSONS WHO ARE DISABLED OR OVER SIXTY-FIVE YEARS OF AGE AS AUTHORIZED BY SECTION 1-B (H), ARTICLE VIII OF THE TEXAS CONSTITUTION SHOULD, FOR THE PURPOSES OF APPLYING THE LIMITATION, BE EFFECTIVE IN TAX YEAR 2016**

Commissioner Conley Spoke. General Counsel Mark Kennedy spoke. HAYS COUNTY COMMISSIONERS COURT MINUTES – SEPTEMBER 27, 2016 \*\*\*\*\* ESTABLISH A LIMITATION ON COUNTY PROPERTY TAX INCREASES ON THE RESIDENCE HOMESTEADS OF PERSONS WHO ARE DISABLED OR OVER SIXTYFIVE YEARS OF AGE AS AUTHORIZED BY SECTION 1-B (H), ARTICLE VIII OF THE TEXAS CONSTITUTION A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to establish a limitation on County property tax increases on the residence homesteads of persons who are disabled or over sixty-five years of age as authorized by Section 1-b (h), Article VIII of the Texas Constitution. Commissioner Ingalsbe, Commissioner Conley and Commissioner Whisenant voting "Aye". Commissioner Jones voting "No". Judge Cobb recused himself from the vote. MOTION PASSED. **A motion was made by Commissioner Conley, Seconded By Commissioner Ingalsbe to Confirm that the action of Commissioners Court on about September 27, 2016 for the establishment of a limitation on County property tax increases on the residence homesteads of persons who are disabled or over sixty-five years of age as authorized by Section 1-b (h), Article VIII of the Texas Constitution should, for the purposes of applying the limitation, be effective in Tax Year 2016. All Present Voting "Aye". MOTION PASSED**

32489

**AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES INC. TO PERFORM INSPECTION SERVICES RELATED TO SUBDIVISION ROAD CONSTRUCTION AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Jones spoke. AECOM will, if approved, provide inspection serves for the Transportation Department on several subdivision construction projects throughout the County on an interim basis until such time as the County can hire and on-board the vacant Inspector position. AECOM will provide a qualified inspector whom has worked on numerous Hays County projects on an on call/ as needed basis operating under a NTE (not to exceed) contract. With the large number of subdivisions currently under construction Transportation Department staff is having difficulty honoring all commitments and would like to preserve the level and quality of service provided by our inspection staff. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$45,478.61 Increase Contract Services Consultant: .5448\_008 - \$45,478.61. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a professional services agreement with AECOM Technical Services Inc. to perform inspection services related to subdivision road construction and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32490

**AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH COSTELLO INC., FOR ENGINEERING SERVICES AT HAYS COUNTY OWNED PROPERTY ALONG CLOVIS BARKER RD. IN PRECINCT 1.**



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Clint Garza, Director of Development and Community Services spoke. Staff has selected Costello as the most qualified firm to assist with planned site improvements for County owned property at Civic Center Loop and Clovis Barker Road. Initial work will include preliminary engineering for drainage study and roadway design of Leah Ave. through Hays County owned property. In addition to the preliminary work, Costello will also begin planning utility relocation and obtaining geotechnical reports for the site. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a professional services agreement with Costello Inc., for engineering services at Hays County owned property along Clovis Barker Rd. in Precinct 1. All present voting “Aye”. MOTION PASSED**

**32491 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE TRI-PARTY AGREEMENT PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF BLANCO RIVER RANCH PHASE ONE RESIDENTIAL AREA BETWEEN HAYS COUNTY ("COUNTY"), THE CITY OF KYLE ("CITY") AND BLANCO RIVER RANCHES PROPERTIES LP, A TEXAS LIMITED PARTNERSHIP (“OWNER”)**

Commissioner Whisenant spoke. General Counsel Mark Kennedy spoke. Owner plans to develop Blanco River Ranch Phase One Residential Area in accordance with the Agreement between Owner, County and City. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Tri-Party Agreement Providing For Regulation Of Subdivision And Approval of Blanco River Ranch Phase One Residential Area between Hays County ("County"), the City of Kyle ("City") and Blanco River Ranches Properties LP, a Texas limited partnership (“Owner”). All present voting “Aye”. MOTION PASSED**

**32492 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT TWO TO INTERLOCAL COOPERATION AGREEMENT FOR THE AUSTIN REGIONAL INTELLIGENCE CENTER (ARIC)**

General Counsel Mark Kennedy spoke. Captain Mike Davenport spoke. Commissioner Whisenant spoke. This Amendment provides for the addition of police departments of the City of Sunset Valley, the City of Manor and the City of Bastrop as ARIC partners. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute Amendment Two to Interlocal Cooperation Agreement for the Austin Regional Intelligence Center (ARIC). All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Re: Item 18 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**

**Clerk’s Note Re: Item 19 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 252 and the burn ban will remain lifted.

**Clerk’s Note Re: Item 21 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 Ingalsbe, seconded by Commissioner Whisenant to adjourn court at 10:09 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 May 9, 2017.**

*Liz Q Gonzalez*

**LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO CLERK OF THE COMMISSIONERS’ COURT OF**





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**HAYS COUNTY, TEXAS**

