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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 16<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:

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|--------------------------|----------------------|
| 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 BY CAPITAL METRO TRANSPORTATION AUTHORITY TO GIVE AN UPDATE ON PROJECT CONNECT**

Javier Arguello- Director of Long Range Planning, Michelle Meaux- Regional Coordination Planner, Annie Arguello- Program Manager, RideShare & University Services gave the Capital Metro Transportation Presentation. Project Connect is a plan designed to create a system of high-capacity transit options that will connect people, places and opportunities in an affordable, efficient and sustainable way. High-capacity transit travels the entire trip, or a portion of its trip, on a dedicated lane or guideway. The goals of Project Connect are to identify and evaluate potential transit projects over the next two years. Central Texas has seen many transportation studies done in recent years, by both public and private organizations. Project Connect isn't another new beginning. We will take those ideas and — together with the people of the Austin area decide which projects will move us all forward.

**PUBLIC COMMENTS**

Dan Lyon- San Marcos resident made a public comment. Sam Brannon- San Marcos resident made a public comment.

**32493 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$475,915.58 as submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32494 APPROVE COMMISSIONERS COURT MINUTES OF MAY 9, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of May 9, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32495 AUTHORIZE COMMERCIAL OSSF PERMIT AT 12440 TRAIL DRIVER, DRIPPING SPRINGS, TX 78620**



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Andy Stedman of Stedwest Investments, LLC is proposing an OSSF to serve two new office/warehouse buildings. Twelve offices will accommodate up to 2 people per office space. This 3.03-acre property is Lot 3 in the Danze Estates Subdivision. The property will be served by a rainwater collection system. The system designer, Brad Shaw, P.E., has designed a system which consists of standard treatment. After treatment, the effluent will be dispersed via low pressure pipe for a maximum daily rate of 300 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 12440 Trail Driver, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**32496            AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT 4 TO THE GRANT PROJECT AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) TO EXTEND THE COMPLETION DATE FOR THE DAHLSTROM RANCH TRAILS PROJECT TO JUNE 30, 2018**

On January 25, 2011 the Commissioners Court accepted a grant award from the Texas Parks and Wildlife Department, Texas Recreational Trails Fund for \$100,000 for development of the Dahlstrom Ranch Public Access Area (trail construction and associated amenities). The original Project Agreement was set to expire on August 31, 2014 and Amendment 1 approved by Commissioners Court on April 1, 2014 extended the Agreement termination date to July 15, 2015. Amendment 2 was approved by the Commissioners Court on June 2, 2015 extended the project completion date to July 15, 2016. Amendment 3, approved by the Commissioners Court on May 31, 2016, extended the Agreement completion date to June 30, 2017. Facing further delays, TPWD was contacted once again to request an extension of the grant term. This Amendment (4), approved by the TPWD on May 4, 2017, will extend the Project Agreement termination date to June 30, 2018. All other terms and conditions of the original Agreement remain the same. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Amendment 4 to the Grant Project Agreement with the Texas Parks and Wildlife Department (TPWD) to extend the completion date for the Dahlstrom Ranch Trails Project to June 30, 2018. All present voting "Aye". MOTION PASSED**

**32497            AUTHORIZE PURCHASES FOR VEHICLE GRAPHICS FOR THE FLEET OF VEHICLES FOR THE CONSTABLE PRECINCT 2 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

Funds will be moved from County Wide contingencies to cover these purchases. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize purchases for vehicle graphics for the fleet of vehicles for the Constable Precinct 2 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32498            AUTHORIZE COMMERCIAL OSSF PERMIT AT 13210 W HWY 290, AUSTIN, TX 78737**

Nurdean LLC is proposing an OSSF to serve a new convenience store and 4 offices. This 2.057-acre property is Lot 21A in the Heritage West Subdivision. The property is served by a public water supply. The system designer, David Venhuizen, P.E., has designed a system which consists of non-standard treatment. After advanced treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 900 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 13210 W Hwy 290, Austin, TX 78737. All present voting "Aye". MOTION PASSED**



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**32499            AUTHORIZE THE TRANSFER OF A 2006 HONDA MOTORCYCLE FROM THE HAYS COUNTY CONSTABLE PCT. 4 OFFICE TO THE HAYS COUNTY CONSTABLE PCT. 5 OFFICE**

The Hays Co. Constable, Pct. 4 Office is seeking approval to transfer the following asset from the Constable's Pct. 4 Office to the Hays Co. Constable, Pct. 5 Office: 2006 Honda Motorcycle, VIN: H2SC51736M400149, County Tag #16054. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the transfer of a 2006 Honda Motorcycle from the Hays County Constable Pct. 4 Office to the Hays County Constable Pct. 5 Office. All present voting "Aye". MOTION PASSED**

**32500            APPROVE UTILITY PERMITS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Utility Permit #1020 on Sawyer Ranch Rd. issued to JC Communications (comm. line), as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

**32501            AUTHORIZE THE COUNTY JUDGE TO SUBMIT THE BUDGET SUMMARY TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR FEDERAL FUNDING FOR THE TUBERCULOSIS PROGRAM IN THE HAYS COUNTY LOCAL HEALTH DEPARTMENT IN THE AMOUNT OF \$22,297.00**

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The Hays County Local Health Department has participated in this program for over 14 years, providing services to those affected by this disease. The federal funding for the TB program is \$22,297 that will cover portion of the salary and benefits of the TB nurse and the 20% match of \$4,459 will come from the County budget for supplies, travel and/or other expenditures associated with the program for a total of \$26,756. The Inter-Local application will be distributed by DSHS at a later date. The Budget Summary is attached and will be submitted electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to submit the Budget Summary to the Department of State Health Services (DSHS) for Federal funding for the Tuberculosis program in the Hays County Local Health Department in the amount of \$22,297.00. All present voting "Aye". MOTION PASSED**

**32502            AUTHORIZE THE CONSTABLE PRECINCT 1 OFFICE TO PURCHASE TWO NEW MOSSBERG SHOTGUNS FOR THE CHIEF DEPUTY CONSTABLE FOR THE DOWNTOWN COUNTY COURTHOUSE SATELLITE OFFICE**

The Constable Pct. 1 would like the Courts authorization to purchase two new shotguns. One would be utilized by the Chief Deputy Constable who is currently using his personal shotgun. The second shotgun will be assigned to the downtown courthouse in a secured area within the Constable Pct. 1 satellite office. Savings within their law enforcement supply budget is available to fund this request. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Constable Precinct 1 Office to purchase two new Mossberg Shotguns for the Chief Deputy Constable for the downtown County Courthouse Satellite Office. All present voting "Aye". MOTION PASSED**

**32503            APPROVE THE SPECIFICATIONS FOR IFB 2017-B05 REGULATORY ROAD SIGNS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**



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The current contract will expire in June 2017 and the Transportation Department has requested that these commodities be rebid. Attachment: IFB 2017-B05. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the specifications for IFB 2017-B05 Regulatory Road Signs and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**32504 APPROVE AMENDMENT TO SECTION 6.07 OF THE HAYS COUNTY PERSONNEL POLICY WHICH WOULD CHANGE THE MAXIMUM DAYS AN EMPLOYEE COULD USE FROM THE HAYS COUNTY SICK POOL FROM 90 TO 180**

Several years ago, the State Law changed to where the maximum number of days that can be given from a sick pool is 180. Section 6.07 of the Hays County Personnel policy regarding sick pool states "The amount of leave given and taken is not to exceed the lessor of one-third of the total time in the pool or 90 days." This action would bring that portion of the policy up to date. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Amendment to Section 6.07 of the Hays County Personnel Policy which would change the maximum days an employee could use from the Hays County Sick Pool from 90 to 180. All present voting "Aye". MOTION PASSED**

**32505 AUTHORIZE THE JUVENILE DETENTION CENTER TO PURCHASE ONE REPLACEMENT MATRIX 2 TANK 48K WATER SOFTENER AND AMEND THE BUDGET ACCORDINGLY**

The Juvenile Detention Center request authorization to purchase a replacement water softener utilized in their kitchen area. This equipment services some major appliances within the JDC kitchen to help minimize maintenance costs and extend the useful life of large kitchen appliances needed to service the juvenile population at the center. The additional funds needed for this purchase have been identified within their operating budget. Budget Amendment: Increase Misc. Eqpt .5719\_400, Decrease Fuel .5271. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Juvenile Detention Center to purchase one replacement Matrix 2 Tank 48K Water Softener and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32506 AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE MAY 1, 2017 FOR DEPUTY CONSTABLE, SLOT 0885-020 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 - 001-637-00.5489 Increase - 001-637-00.5194. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Constable Precinct 3 Office to add a telephone allowance effective May 1, 2017 for Deputy Constable, Slot 0885-020 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32507 AUTHORIZE AN INCREASE IN THE LINE OF CREDIT FROM \$1,500 TO \$5,000 FOR TWO CARDHOLDERS IN THE DISTRICT COURT OFFICES**

The District Court Judges are requesting a credit limit increase for two cardholders for expenses related to sequestering a jury. The current credit limit is not sufficient funding to support these types of expenditures.



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A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize an increase in the Line of Credit from \$1,500 to \$5,000 for two cardholders in the District Court Offices. All present voting "Aye". MOTION PASSED

**32508 CALL FOR A PUBLIC HEARING ON MAY 30, 2017 TO ESTABLISH TRAFFIC REGULATIONS ON SAWYER RANCH ROAD BETWEEN BELTERRA DRIVE AND COOL SPRING WAY (REDUCE EXISTING SPEED LIMIT)**

This action will be to reduce the existing 50 MPH speed limit on this segment of Sawyer Ranch Rd to a 35 MPH speed limit for both directions of travel for times when the existing school zone speed limit of 30 MPH is not active. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to call for a public hearing on May 30, 2017 to establish traffic regulations on Sawyer Ranch Road between Belterra Drive and Cool Spring Way (reduce existing speed limit). All present voting "Aye". MOTION PASSED

**32509 CALL FOR A PUBLIC HEARING ON MAY 30, 2017 TO ESTABLISH A SCHOOL ZONE SPEED LIMIT OF 20 MPH ON DACY LANE FOR MCCORMICK MIDDLE SCHOOL**

This action would establish a school zone speed limit of 20 MPH on Dacy Lane to accommodate traffic for McCormick Middle School. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on May 30, 2017 to establish a School Zone Speed Limit of 20 MPH on Dacy Lane for McCormick Middle School. All present voting "Aye". MOTION PASSED

**32510 SUB-720 PANTHER HOLLOW SUBDIVISION (2 LOTS) APPROVE FINAL PLAT**

Caitlyn Strickland spoke and gave staff recommendation. 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 Whisenant, seconded by Commissioner to approve final plat of SUB-720 Panther Hollow Subdivision. All present voting "Aye". MOTION PASSED

**32511 SUB-687 ANTHEM PHASE 1 (234 LOTS) APPROVE PRELIMINARY PLAN**

Caitlyn Strickland spoke and gave staff recommendation. This proposed Anthem Phase 1 Preliminary plan is a 234 lot subdivision across 95.96 acres off of FM 150 in Precinct 2. Out of the 234 total lots, 219 will be intended for Single Family Residences, 11 will be intended for Drainage/Utility Easement, and 4 lots will be intended for various other uses. Average lot size for all lots is 0.318 acres. All residential lots will be served by the City of Kyle for water service and wastewater service. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-687 Anthem Phase 1(234 Lots). All present voting "Aye". MOTION PASSED

**32512 SUB-471 THE FIELDS AT WIMBERLEY SPRINGS SUBDIVISION (1 LOT) AUTHORIZE THE FILING OF THE RECORD PLAT FOR THE FIELDS AT WIMBERLEY SPRINGS FINAL PLAT**

This plat was approved on January 6th, 2016 by the Commissioners Court; however, the plat was not recorded with the County Clerk within 12 months as required by the Hays County Development Regulations. The





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applicant is requesting authorization to file the approved plat. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the filing the final plat for the Fields at Wimberley Springs Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

**32513 SUB-756 MEDLIN CREEK RANCH (39 LOTS) APPROVE PRELIMINARY PLAN**

Caitlyn Strickland spoke and gave staff recommendation. This proposed Medlin Creek Ranch Subdivision is a 39 lot subdivision across 243 acres located off of Fitzhugh Road in Precinct 4. The subdivision will be served by individual water wells and rainwater collection for water service and wastewater service will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-756 Medlin Creek Ranch (39 Lots). All present voting "Aye". MOTION PASSED**

**32514 AUTHORIZE THE PARKS DIVISION OF DEVELOPMENT AND COMMUNITY SERVICES TO ACCEPT INTERNATIONAL CREDIT CARD PAYMENTS IN THE AMOUNT NOT TO EXCEED \$50.00 PER TRANSACTION, FOR RESERVATIONS AT HAYS COUNTY PARK LOCATIONS**

Clint Garza, Director of Development and Community Services spoke. Guests of the Jacobs Well Natural Area and Gay Ruby Dahlstrom Nature Preserve are charged a small fee for access to each location. It is the desire of staff to accept credit/debit cards as the primary form of payment, however, a significant number of visitors are from outside the United States. Staff would like to accept international payments as well as domestic. The request includes a cap of \$50 per transaction. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the Parks Division of Development and Community Services to accept International credit card payments in the amount not to exceed \$50.00 per transaction, for reservations at Hays County park locations. All present voting "Aye". MOTION PASSED**

**32515 APPROVE A FEE OF \$1,000.00 PER MONTH, EFFECTIVE OCTOBER 1, 2017, PAYABLE BY THE HAYS CENTRAL APPRAISAL DISTRICT (HCAD) TO COVER HAYS COUNTY'S ADMINISTRATION AND MAINTENANCE OF HEALTH BENEFITS FOR HCAD EMPLOYEES**

County Treasurer Michelle Tuttle spoke. HCAD operations are funded by all of the taxing entities that utilize HCAD services. These entities include the school districts, cities, ESD's, MUD's, community colleges, and other special districts within Hays County. Currently HCAD employees are allowed to participate in Hays County's Medical and Dental Plans. Due to the small number of employees at HCAD, the cost for their own health benefit plan would be more expensive than joining the County's plan. This reduction in cost for HCAD benefits all of the tax payers for all of the taxing entities that utilize HCAD services. A fee of \$1,000 per month has been proposed by the Hays County Treasurer's Office. This fee will allow for a more equitable distribution of the costs to the various HCAD funding agencies for administration of the plan. This fee will help offset costs associated with: - open enrollment-assisting HCAD employees with issues related to different insurance plans -time spent balancing and reconciling insurance bills -payment issues. In the future it may be necessary to review HCAD's participation in Hays County's health benefit plan and explore other ways in which all of the funding entities of HCAD can more equitably share the costs and liabilities of HCAD employee health benefits. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a fee of \$1,000.00 per month, effective October 1, 2017, payable to the Hays Central Appraisal District (HCAD) to cover Hays County's administration and maintenance of health benefits for HCAD employees. All present voting "Aye". MOTION PASSED**



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**Clerk's Note Agenda Item # 25 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**

**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 10:33 a.m. and reconvened into open court at 11:30 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conly, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. No Action Taken

**Clerk's Note Agenda Item # 27 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 Burn Ban will remain lifted. Today's Drought Index is 304.

**Clerk's Note Agenda Item # 29 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 11:28 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 16, 2017.



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

