



**STATE OF TEXAS   \***  
**COUNTY OF HAYS   \***

**ON THIS THE 25<sup>th</sup> DAY OF JULY 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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|---------------------------------|-----------------------------|
| <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>LIZ Q. GONZALEZ</b>          | <b>DEPUTY COUNTY CLERK</b>  |

**AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Nahum Melendez 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**

Acting Human Resources Director, Shari Miller, gave Hays County Service Awards. 5 – Years – Linda Officer, Zachary Stevens – Sheriff's Office; David Perez – JP Pct. 1-1; Juana Flores – JP Pct. 1-2; Angie Roberts – District Attorney. 15 – Years – Maximo Mercado – Transportation; Reuben Laging – Sheriff's Office. 20 – Years – Guadalupe Lerma – Transportation; Joe Faulkner – Sheriff's Office. 25 – Years – Beverly Crumley – District Clerk; Jesse Deleon – Juvenile Probation; Timothy Schneider, Ralph Williams – Sheriff's Office. Retirements – Robert Pratt and Corrie Smith – Transportation Department.

**32660           APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$1,747,207.54 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32661           APPROVE COMMISSIONERS COURT MINUTES OF JUNE 18, 2017**

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

**32662           APPROVE UTILITY PERMITS**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve utility permit #1037 on Sunset Canyon Drive North issued to Jacob's Engineering/WTCPUA, permit #1038 on Mathias Lane issued to Goforth SUD, permit #1039 on Darden Hill Road/Creekwood Drive South issued to Spectrum/TWC as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**32663           APPROVE AND CONFIRM THE APPOINTMENT OF TOBY SHELTON AS A DEPUTY CONSTABLE FOR HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE**

Judge Cobb swore in Toby Shelton as Deputy Constable Pct. 3. Toby comes from Travis County Sheriff's Office and Travis County Constable Office. He has an Intermediate Peace Officers License and has passed all backgrounds and qualifications for this Deputy Position. 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. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve and confirm the Appointment of Toby Shelton as a Deputy Constable for Hays County Constable Precinct 3 Office. All present voting "Aye". MOTION PASSED

**32664           APPROVE SPECIFICATIONS FOR RFP 2017-P08 CDBG-DR GRANT MANAGEMENT SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

The attached proposal is for grant management services to assist the County in preparing an application and the overall management of its proposed CDBG-Disaster Recovery project(s), if funded by the Texas General



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Land Office (GLO) Community Development and Revitalization program. The County has been allocated funding for both Housing and Non-housing (infrastructure) activities by the GLO program as a “most impacted” county resulting from the 2015 floods and subsequent federal disaster declarations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve specifications for RFP 2017-PO8 CDBG-DR Grant Management Services and authorize Purchasing Manager to solicit for Proposals and advertise. All present voting “Aye”. MOTION PASSED**

**32665 AWARD IFB 2017-B08 NORTHPOINT DRAINAGE IMPROVEMENTS TO JIMMY EVANS COMPANY AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME**

On June 27th the Court authorized purchasing to solicit for bids for Northpoint Drainage Improvements. The project includes replacement of two roads crossing culverts with multiple concrete box culverts, and grading of approximately 2,165 linear feet of drainage channel through the subdivision. Purchasing received 7 bids from Cox Commercial Construction, LLC, Dalrymple Gravel & Contracting Company, Inc., Myers Concrete Construction, Jimmy Evans Company, Diamond X Contracting, MA Smith Contracting Company, Inc., and M2 Federal, Inc. Staff recommends award of a contract to the lowest bidder, Jimmy Evans Company for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to award IFB 2017-B08 Northpoint Drainage Improvements to Jimmy Evans Company and authorize the County Judge to execute same. All present voting “Aye”. MOTION PASSED**

**32666 AUTHORIZE PAYMENT TO AUSTIN EXTREME GRAPHICS FOR THE NEW LAW ENFORCEMENT VEHICLE DECALS/STRIPPING IN THE CONSTABLE PCT. 4 FLEET, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

The Constable Pct. 4 Office was approved to purchase a new vehicle with stripping during the FY 2017 budget process. However, due to internal miscommunication the vendor was give authorization to proceed prior to securing a purchase order per County Purchasing Policy. Funds are available within their operating budget for this purchase. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize payment to Austin Extreme Graphics for the new law enforcement vehicle decals/stripping in the Constable Pct. 4 Fleet, where no Purchase Order was issued or quotes obtained as required per the County Purchasing Policy. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #9 RE:** *DISCUSSION AND POSSIBLE ACTION TO APPROVE INITIAL SELECTION OF ENGINEERING CONSULTANTS AS FOLLOWS TO NEGOTIATE SCOPES OF WORK AND FEE PROPOSALS: KIMLEY-HORN AND ASSOCIATES TO PROVIDE DESIGN SERVICES AND RIGHT-OF-WAY ACQUISITION SERVICES AND HNTB CORPORATION TO PROVIDE DESIGN SERVICES FOR TWO SEGMENTS OF THE FM 2001 REALIGNMENT PROJECT BETWEEN I-35 AND SH 21; BROWN & GAY TO PROVIDE DESIGN SERVICES FOR THE FM 967 UPGRADE PROJECT FROM THE UNION PACIFIC RAILROAD IN DOWNTOWN BUDA TO I-35; AND, ROGERS DESIGN SERVICES TO PROVIDE ENVIRONMENTAL DOCUMENTATION AND DESIGN SERVICES FOR THE FM 967 SAFETY TURN LANE PROJECTS AT BALL FIELD AND WEST OF FM 1626. APPROVAL OF CONTRACTS AND WORK AUTHORIZATIONS INTEGRATING THE NEGOTIATED SCOPES OF WORK AND FEE PROPOSALS WOULD BE TAKEN BY THE HAYS COUNTY COMMISSIONERS COURT AT A LATER DATE – was pulled*

**32667 SUB-804 CANYON VIEW NORTH SUBDIVISION (2 LOTS) APPROVE FINAL PLAT**

Caitlyn Strickland, Hays County Planner, gave staff recommendation. The proposed Canyon View North Subdivision is a 2 lot subdivision across 10.49 acres, located off of Elder Hill Road in Precinct 4. The subdivision will be served by private wells and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat of SUB-804 Canyon View North Subdivision (2 Lots). All present voting “Aye”. MOTION PASSED**

**32668 AUTHORIZE THE TAX OFFICE TO PURCHASE A REPLACEMENT NEMO-Q SYSTEM FOR THE KYLE SUB-STATION AND AMEND THE BUDGET ACCORDINGLY**

The current system utilized in the Kyle Sub-station does not have the automatic voice license, amplifier and speaker. Due to the increased volume at this satellite office, customers have started signing in and then walking back out to wait in the shared lobby. Due to this set-up, the customers are not able to hear the staff when they are being called resulting in citizen complaints. The current Nemo-Q system will be moved to the Wimberley Sub-station to be utilized since this will be a smaller satellite office. Funds that were budgeted for this in FY18 can be removed from the requested budget. The Tax Office has salary/fringe savings due to attrition available to cover the cost of the upgrade. Budget Amendment: Increase Data Supplies - \$425, Increase Office Supplies - \$149, Increase Computer Eqpt - \$3,322, Increase Software - \$2,387, Decrease Staff Salaries. **A motion was**



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made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Tax Office to purchase a replacement NEMO-Q System for the Kyle Sub-Station and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32669 AUTHORIZE THE SHERIFF'S OFFICE TO RE-TITLE SEVENTEEN (17) DETECTIVE POSITIONS TO LE CORPORALS EFFECTIVE IMMEDIATELY**

Captain, Mark Cumberland, spoke. The Sheriff's Office is requesting a change in position title from Detective (job code 0485) to LE Corporal (job code 0480) to better serve the needs and operations of the agency. Currently there are 4 LE Corporal positions and 17 Detective positions. These positions are classified in the same pay grade (252) within the current Collective Bargaining Agreement. This re-title would allow the Sheriff the flexibility to utilize all positions in the patrol or criminal investigation divisions as needed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to re-title seventeen (17) Detective Positions to LE Corporals effective immediately. All present voting "Aye". MOTION PASSED**

**32670 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LCCX, LLC D/B/A/ LACKEY DE CARVAJAL CX, RELATED TO COMMISSIONING SERVICES FOR THE PUBLIC SAFETY BOND PROJECTS**

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement between Hays County and LLX, LLC D/B/A Lackey De Carvajal CX, related to commissioning services for the Public Safety Bond Projects. All present voting "Aye". MOTION PASSED

**32671 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RICHARD D. KIDD FOR PROVIDING PRODUCTION SERVICES TO THE HAYS COUNTY HISTORICAL COMMISSION**

The Historical Commission Director would like to continue services with Richard D. Kidd to provide professional production services to the Hays County Historical Commission. The services are in the form of writing, directing, photography, and editing of documentaries related to the Hays County history of ranching. The Director will plan fundraising events to cover the majority of costs associated with this documentary. No county funds required. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement with Richard D. Kidd for providing productions services to the Hays County Historical Commission. All present voting "Aye". MOTION PASSED**

**32672 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A COMMUNICATIONS CO-LOCATION LICENSE AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY ALLOWING HAYS COUNTY TELECOMMUNICATION INFRASTRUCTURE AT THE CANYON SITE**

The LCRA is currently constructing a new tower and substation within Hays County. This lease is a no cost agreement to utilize the site for Hays County communication infrastructure allowing access to both the LCRA and Hays County. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to enter into a Communications Co-Location License Agreement with the Lower Colorado River Authority allowing Hays County Telecommunication Infrastructure at the Canyon Site. All present voting "Aye". MOTION PASSED**

**32673 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE TWELVE (12) MICROSOFT SURFACE PRO'S WITH ACCESSORIES AND LICENSING FOR LAW ENFORCEMENT VEHICLES AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is requesting approval to purchase 12 Microsoft Surface Pro's to include accessories and licensing for 12 vehicles approved during the FY17 budget process. The SO began the process of replacing Coban equipment with Surface Pro Tablets last year due to the unreliability and malfunctioning hardware in Cobans. The majority of these devices that are still in inventory are out of warranty and are maintenance intensive. Savings within the SO Operating budget have been identified to fund this purchase. The County IT Department obtained current quotes and will assist with the purchase and deployment of the equipment. Budget Amendment: Decrease Vehicles Capital #001-618-00.5713\_700 (\$36,456), Data Processing & Supplies #001-618-00.5202 \$4,836, Software Maintenance #001-618-00.5429 \$14,688, Computer Equipment #001-618—00.5712\_400 \$16,932. **A motion was made by Commissioner Jones, seconded by Commissioner**



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Whisenant to authorize the Sheriff's Office to purchase twelve (12) Microsoft Surface Pro's with accessories and licensing for Law Enforcement vehicles and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32674 ACCEPT THE NOMINATION OF HAYS COUNTY TO BE THE PRIMARY SERVICE DELIVERY AREA (SDA) LIAISON FOR THE TRAVIS MEDICAID MANAGED CARE SDA IN CONNECTION WITH THE DEVELOPMENT OF A MEDICAID UNIFORM HOSPITAL RATE IMPROVEMENT PROGRAM (UHRIP) FOR THE BENEFIT OF THE HOSPITALS IN THE SDA AND THE APPOINTMENT OF LON SHELL AND MARK KENNEDY AS REPRESENTATIVES OF HAYS COUNTY IN THIS MATTER**

The Texas Health and Human Services Commission (HHSC) is planning to implement the Uniform Hospital Rate Increase Program (UHRIP) with an effective date of March 1, 2018. Seton-Hays and CTMC have expressed interest in the UHRIP program. In order for Hays County to consider participating in UHRIP with LPPF funds an SDA liaison must be identified. 26B57B88B119B150B181B212B243B274BEach SDA is to nominate one governmental entity, which is also a source of IGT, to act as the primary conduit of communications between HHSC, the hospitals and the Managed Care Organizations (MCO's) in each SDA. The liaison is responsible for disseminating information on the program to all stakeholders in the SDA, in concert with HHSC as necessary. The governmental entity should identify two corporate officers within the entity that will act as the liaison in UHRIP-related interactions with HHSC. Hays County belongs to the Travis-SDA along with Travis County, Caldwell County, Williamson County, Bastrop County, Lee County, Burnet County, and Fayette County. If the UHRIP is determined to be beneficial, and the use of LPPF funds is required, further consideration of the Commissioners Court will be sought at a later date. Approval of this item does not obligate Hays County for the expenditure of any funds. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept the nomination of Hays County to be the Primary Service Delivery Area (SDA) Liaison for the Travis Medicaid Managed Care SDA in connection with the development of a Medicaid Uniform Hospital Rate Improvement Program (UHRIP) for the benefit of Lon Shell and Mark Kennedy as Representatives of Hays County in this matter. All present voting "Aye". MOTION PASSED**

**32675 GRANT A REQUEST BY THE CAPITOL AREA COUNCIL OF GOVERNMENTS (CAPCOG) FOR ADDITIONAL FUNDING FOR THE CENTRAL TEXAS CLEAN AIR COALITION (CAC)**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to grant a request by the Capitol Area Council of Governments (CAPCOG) for additional funding for the Central Texas Clean Air Coalition (CAC) and money coming out of Countywide Membership Fees. All present voting "Aye". MOTION PASSED

**32676 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO RE-TITLE THE SUBCONTRACTOR COORDINATOR, GRADE 112 SLOT, TO AN INSPECTOR (CONSTRUCTION AND ENVIRONMENT), GRADE 112 SLOT**

The Transportation Department would like to change the Subcontractor Coordinator slot to an Inspector slot at the same pay grade. The Department has an immediate need for an additional Inspector and feels that changing the existing unfilled position to this position would better allow the Department to respond to ongoing development. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Transportation Department to re-title the Subcontractor Coordinator, Grade 112 Slot, to an Inspector (Construction and Environment), Grade 112 Slot. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #20 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 TO FOLLOW IN OPEN COURT – was pulled**

**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 10:50 a.m. and reconvened into open court at 10:52 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mike Kamerland, Greater San Marcos Partnership, General Counsel Mark Kennedy, Chief of Staff, Lon Shell and Tammy Crumley. No action taken.





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**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE DIRECTOR OF THE HUMAN RESOURCES DEPARTMENT**

Court convened into Executive session at 10:52 a.m. and reconvened into open court at 11:22 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mike Kamerland, Greater San Marcos Partnership, General Counsel Mark Kennedy, Chief of Staff, Lon Shell and Tammy Crumley. No action taken.

**Clerk's Note Agenda Item #23 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 – 609. The Burn Ban will remain in effect. Clint Browning, Hays County Fire Marshal, Kharley Smith, Emergency Management Officer, and Clay Huckabee, Buda Fire Chief, gave the court an update on the prescribed burn in Buda from the previous week by the City of Austin.

**DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR**

Laura Harris of HNTB gave a powerpoint presentation and an update on the Road Bond Projects.


**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:26 a.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 July 25, 2017.



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

