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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 10<sup>TH</sup> DAY OF OCTOBER A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., AND COMMISSIONER PCT. 2, MARK JONES BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Reverend Vilma Resendiz, of the Pentecostal Church, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

#### PUBLIC COMMENTS

Constable Pct. 1, David Peterson, Dan Lyon – San Marcos resident, Rodrigo Amaya – San Marcos resident, Harvey Jenkins – San Marcos resident, all made public comments.

#### **32929 ADOPT A PROCLAMATION DECLARING THE MONTH OF OCTOBER, 2017 AS NATIONAL BREAST CANCER AWARENESS MONTH**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring the month of October, 2017 as National Breast Cancer Awareness month. All present voting "Aye". MOTION PASSED

#### **32930 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve county invoices in the amount of \$2,754,035.87 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #3 RE:** *APPROVE PAYMENTS OF JUROR CHECKS – was pulled*

#### **32931 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the payments of Humana claims in the amount of \$132,975.91 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **32932 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 3, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court minutes of October 3, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### **32933 APPROVE THE PAYMENT OF THE OCTOBER 15, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,400.00 EFFECTIVE OCTOBER 13, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the October mid-month payroll disbursements not to exceed \$2,650,400.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the payment of the October 15, 2017 payroll disbursements in an amount not to exceed \$2,650,400.00 effective October 13, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED



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**32934            AUTHORIZE COMMERCIAL OSSF PERMIT AT 18455 RANCH ROAD 12, WIMBERLEY TX 78676**

Almost Forty Acres LLC is proposing an OSSF to serve a 720 square foot bar located at 18455 Ranch Road 12 in Wimberley TX 78676. This property is a 37.16 acre tract out of the John S Thorn Survey. This property is currently served by a rainwater collection system but is proposing a public water supply for all handwashing facilities. The property is not located in the Edwards Aquifer Recharge Zone. The designer, Dave McGhee, R.S. has designed a standard treatment system utilizing the DripTech ACT 100S and consists of three drip irrigation fields. The system is designed to treat 800 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize commercial OSSF Permit at 1455 Ranch Road 12, Wimberley, TX. 78676. All present voting "Aye". MOTION PASSED**

**32935            APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 6 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)**

A date for transfer of DY6 UC 1115 waiver funds was announced on October 2, 2017. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (If sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 10-19-17): \$501,218.23. CTMC amount: \$199,039.66. Seton Hays amount: \$302,178.57. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the intergovernmental transfer (IGT) of Local Provider Participation Funds (LPPF) for Central Texas Medical Center and Seton Medical Center Hays for DY 6 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

**32936            ACCEPT THE FM 150 WEST CHARACTER PLAN: FINAL REPORT AND MASTER PLAN**

A presentation to the Court was made on October 3, 2017 on the progress of Phase 2 of the FM 150 West Character Plan for FM 150 between Arroyo Ranch Road and RM 12 and the final report of the project study process, the "FM 150 West Character Plan: Final Report and Master Plan." Upon the Court's acceptance, the Report can be reviewed at the following link: <http://improvefm150.com/report.html>. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the FM 150 West Character Plan: Final Report and Master Plan. All present voting "Aye". MOTION PASSED**

**32937            RATIFY AND APPROVE CHANGE ORDER NO. 1, EFFECTIVE DATE SEPTEMBER 13<sup>TH</sup>, FOR THE REMODEL OF THE PRECINCT 4 TAX OFFICE SUBSTATION**

During the construction project for the Precinct 4 Tax Office substation the contractor encountered an issue with the fire alarm control box. Given the urgency of the project the contractor proceeded with the necessary changes to the project. C.O. #1: Move fire alarm box. Rewire the electrical service for fire alarm box. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify and approve change Order No. 1 effective date September 13<sup>th</sup>, for the remodel of the Precinct 4 Tax Office substation. All present voting "Aye". MOTION PASSED**

**32938            AUTHORIZE PAYMENT TO GOODYEAR AUTO SERVICE FOR SIX TIRES WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS PER THE COUNTY PURCHASING POLICY**

The Sheriff's Office purchased a total of six fleet tires where a purchase order was obtained but was closed prior to receiving invoice number 2222776 as per the county policy. The Sheriff's Office is requesting court approval for payment of \$789.30 to Goodyear Auto Service. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize payment to**



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Goodyear Auto Service for six tires where no purchase order was issued or quotes obtained as per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

**32939 APPROVE OUT OF STATE TRAVEL FOR KATE JOHNSON TO HARRISBURG, PA FOR PROGRESS MEETING RELATED TO THE BUCK WINN MURALS RESTORATION AND THE HISTORY OF RANCHING DOCUMENTARY AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission Director would like the court's authorization to travel to Harrisburg for historical artifacts and documentary updates. Operating funds and publication funds (already budgeted) will be used to cover travel expenses. Budget Amendment: Decrease General Supplies and Increase Travel. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for Kate Johnson to Harrisburg, PA for progress meeting related to the Buck Winn murals restoration and the History of Ranching Documentary and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32940 AUTHORIZE DEVELOPMENT SERVICES TO ADD A TELEPHONE ALLOWANCE EFFECTIVE OCTOBER 1, 2017 FOR THE ENVIRONMENTAL HEALTH SPECIALIST II POSITION, SLOT NUMBER 1167-002 AND AMEND THE BUDGET ACCORDINGLY**

A stipend has been requested for the EHS II position via the Request/Justification Form for the Electronics and Related Equipment/Services. This position travels throughout the County performing field inspections. It is imperative that this position be available to staff and supervisors as well as the community in order to remain productive and perform duties effectively. Increase Telephone Allowance; Decrease Telephone and Data Lines. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Development Services to add a telephone allowance effective October 1, 2017 for the Environmental Health Specialist II, slot number 1167-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32941 APPROVE RENEWAL OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID**

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve renewal of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

**32942 APPROVE RENEWAL OF IFB 2015-B03 HAULING OF SOLID WASTE WITH TEXAS DISPOSAL SYSTEMS AND HAULING OF GLASS WITH CENTRAL WASTE & RECYCLING FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID**

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve renewal of the IFB 2015-B03 Hauling of Solid Waste with Texas Disposal Systems and Hauling of Glass with Central Waste & Recycling for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

**32943 AUTHORIZE PAYMENT TO THE TEXAS DISTRICT & COUNTY ATTORNEY ASSOCIATION (TDCAA) FOR THE DISTRICT ATTORNEY'S OFFICE RELATED TO CONFERENCE REGISTRATION, WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

Two prosecutors attended the TDCAA 2017 Annual Criminal & Civil Update Conference and Legislative Update. Because of funds and prosecutors' availability, the decision to attend was last minute missing the deadline to register on line. No purchase order was obtained per County Purchasing Policy. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize payment to the Texas District & County Attorney Association (TDCAA) for the District Attorney's Office related to conference registration, where no purchase order was issued as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED



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**32944        AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO UTILIZE HOT CHECK FEE FUNDS TO IMPLEMENT SALARY SUPPLEMENTS FOR THE ADMINISTRATIVE ASSISTANT II, SLOT 027 EFFECTIVE 10/1/17 AND ADMINISTRATIVE ASSISTANT II, SLOT 004 EFFECTIVE 1/13/2018 AMEND THE BUDGET ACCORDINGLY**

The DA has funding available in the Hot Check Fee Fund to implement salary supplements for administrative staff that excel in their divisions and job duties. Monthly base salary stipends will be distributed as follows; Admin Asst. II, slot 027 - \$54 effective 10/1/17 and Admin Asst. II, slot 004 = \$53 effective 1/13/18. Budget Amendment: Increase - \$1,125 salary; Increase - \$ 232 fringe; Decrease - \$1,357 misc. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the District Attorney's Office to utilize Hot Check Fee funds to implement salary supplements for the Administrative Assistant II, slot 027 effective 10/1/2017 and Administrative Assistant II, slot 004 effective 1/13/2018 amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32945        AUTHORIZE THE EXECUTION OF A CONTRACT WITH PRIME STRATEGIES, INC. TO PROVIDE GENERAL ENGINEERING CONSULTANT (GEC)/PROGRAM MANAGEMENT SERVICES FOR THE HAYS COUNTY 2016 ROAD BOND PROGRAM STATE HIGHWAY SYSTEM PROJECTS; THE HAYS COUNTY COMMISSIONERS COURT, BY AUTHORIZING EXECUTION OF THIS PROFESSIONAL SERVICES SUPPLEMENTAL AGREEMENT, GRANTS AN EXEMPTION FROM THE REQUIREMENTS OF §262.023 OF THE TEXAS LOCAL GOVERNMENT CODE (TLGC), AS PROVIDED BY TLGC §262.024(A) (4)**

The GEC would be responsible for managing the development and implementation of the 2016 Road Bond Program projects on the State Highway System, including preliminary engineering, environmental clearance, right-of-way determination and acquisition, utility relocation, construction engineering, and construction and construction management where appropriate. The GEC would also be responsible for coordination with the Texas Department of Transportation (TxDOT) and the Capital Area Metropolitan Planning Organization (CAMPO) on project scheduling, financing/funding, grant opportunities and other matters where appropriate. The GEC would also be responsible for consultant contract and work authorization management, and invoice processing, and would also provide on-going coordination with the County's Transportation Department. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the execution of a Contract with Prime Strategies, Inc., to provide General Engineering Consultant (GEC)/Program Management Services for the Hays County 2016 Road Bond Program State Highway System Projects; The Hays County Commissioners Court, by authorizing execution of this Professional Services Supplemental Agreement, grants an exemption from the requirements of §262.023 of the Texas Local Government Code (TLGC), as provided by TLGC §262.024(a)(4). All present voting "Aye". MOTION PASSED**

**32946        ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR STONEFIELD SUBD. SECTIONS 1, 7, & 9**

Jerry Borcharding, Director of Transportation, gave staff recommendation for acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. There isn't a maintenance bond at the Clerk's Office to release for these sections. Roads include: Fossilstone Trail (1,632 ft.), Red Morganite Trail (671 ft.), Stonefield Trail (2,183 ft.), Coral Stone Trail (948 ft.), Alabaster Drive (291 ft.), Sandstone Trail (2,566 ft.), Breccia Cove (479 ft.), Flagstone Trail (534 ft.), Dolomite Drive (690 ft.), and Shellstone Trail (208 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the roads into the County Road System for Stonefield Subdivision Sections 1, 7 & 9. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 9:28 a.m. and reconvened into open session at 9:38 a.m.**

**Clerk's Note: Commissioner Jones arrived at 9:38 a.m.**

**32947        ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE LETTER OF CREDIT #20160519, AND ACCEPT BOTH THE 2-YEAR MAINTENANCE BOND #0575587 IN THE AMOUNT OF \$60,000.00 AND THE RE-VEGETATION BOND #HSIFSU0724193 IN**





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**THE AMOUNT OF \$22,500.00 FOR GREAT HILLS SUBDIVISION,  
SECTION 6**

Jerry Borcharding, Director of Transportation gave staff recommendation for acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept Road Construction and Drainage Improvements, Release the Letter of Credit #20160519 and accept both the 2-Year Maintenance Bond #0575587 in the amount of \$60,000.00 and the Re-Vegetation Bond #HSIFSU0724193 in the amount of \$22,500.00 for Great Hills Subdivision, Section 6. All present voting "Aye". MOTION PASSED**

**32948      AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC. TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE RM 3237 SAFETY IMPROVEMENT PROJECT FROM RM 150 TO RM 12 AS PART OF THE 2016 ROAD BOND PROGRAM**

The RM 3237 safety improvement project from RM 150 to RM 12 is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 3 and in the County. Approval of American Structurepoint, Inc. for schematic, environmental documentation and PS&E services, included in the 2016 Road Bond Program, would position this important safety project to move quickly to construction and allow the County to seek additional construction funding through CAMPO and TxDOT. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with American Structurepoint, Inc. to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the RM 3237 safety improvement project from RM 150 to RM 12 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

**32949      EXECUTE A CONTRACT WITH ROGERS DESIGN SERVICES, PLLC TO PROVIDE ENVIRONMENTAL DOCUMENTATION AND CONSTRUCTION ENGINEERING SERVICES FOR THE FM 967 SAFETY TURN LANE PROJECTS AT BUDA SPORTSPLEX BALL FIELD AND WEST OF FM 1626 AS PART OF THE 2016 ROAD BOND PROGRAM; THE HAYS COUNTY COMMISSIONERS COURT, BY AUTHORIZING EXECUTION OF THIS PROFESSIONAL SERVICES SUPPLEMENTAL AGREEMENT, GRANTS AN EXEMPTION FROM THE REQUIREMENTS OF §262.023 OF THE TEXAS LOCAL GOVERNMENT CODE (TLGC), AS PROVIDED BY TLGC §262.024(A) (4)**

The FM 967 safety turn lane project is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 2 and in the County. The safety turn lanes at Ball Field and west of FM 1626 would serve the existing school facilities and the proposed new high school site. All four engineering consultant firms proposed have been pre-qualified by Hays County for the requested services. The process to initially select the engineering consultants to negotiate scopes of work and fee proposals, with subsequent action by the Hays County Commissioners Court to approve the contracts and work authorizations integrating the negotiated scopes of work and fee proposals, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to execution of a contract with Rogers Design Services, PLLC to provide environmental documentation and construction engineering services for the FM 967 safety turn lane projects at Buda Sportsplex Ball Field and west of FM 1626 as part of the 2016 Road Bond Program; The Hays County Commissioners Court, by authorizing execution of this Professional Services Supplemental Agreement, grants an exemption from the requirements of §262.023 of the Texas Local Government Code (TLGC), as provided by TLGC §262.024(a) (4). All present voting "Aye". MOTION PASSED**

**32950      CALL FOR A PUBLIC HEARING ON NOVEMBER 14, 2017 TO DISCUSS THE CANCELLATION OF A PORTION OF ROCKY RANCH ACRES SECTION 1**

The property owners in the Rocky Ranch Acres Section 1 subdivision are submitting a Texas Local Government Code 232.008 request for a cancellation of a portion of a plat. The property owners would like to cancel lots 25-29 in the subdivision. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Call for a public hearing on November 14, 2017 to discuss**



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the cancellation of a portion of Rocky Ranch Acres Section 1. All present voting “Aye”. MOTION PASSED

**32951 GRANT A VARIANCE FROM CHAPTER 721.5.07(C) IN THE HAYS COUNTY DEVELOPMENT REGULATIONS TO ALLOW FOR THE AMENDED PLAT OF LOT 3 IN THE WATKINS SUBDIVISION**

Caitlyn Strickland, Hays County Planner spoke. The owner applied for a permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The property owner was notified of the property needing to be brought into compliance and immediately started the amended plat process for lot 3 in the Watkins Subdivision. The property owner is requesting a variance to allow for a shared access driveway to exceed the 1/4 mile in length requirement, and allow for an additional home to be granted access onto the shared access driveway. The amended plat has been reviewed administratively, but Hays County staff can not approve the plat until this variance has been approved. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to grant a variance from Chapter 721.5.07(C) in the Hays County Development Regulations to allow for the Amended Plat of lot 3 in the Watkins Subdivision. All present voting “Aye”. MOTION PASSED**

**32952 APPROVE AN INTERLOCAL AGREEMENT AND THE ASSOCIATED EXECUTIVE BOARD BYLAWS BETWEEN HAYS COUNTY, THE CITY OF KYLE, AND THE CITY OF BUDA FOR THE MAINTENANCE AND OPERATION OF A COMBINED EMERGENCY COMMUNICATIONS CENTER AND PUBLIC SAFETY ANSWERING POINT (PSAP) THAT WILL PROVIDE 911 CALL TAKING AND DISPATCH SERVICES FOR HAYS COUNTY, KYLE POLICE DEPARTMENT, BUDA POLICE DEPARTMENT AND THE RESPECTIVE FIRE AND EMS PROVIDERS OF ALL EMERGENCY SERVICE DISTRICTS IN THE COUNTY**

Lon Shell, Chief of Staff, spoke. For approximately ten years various working groups and committees have developed plans for a county wide emergency communications system and PSAP. A Report of Findings and Observations was completed and submitted to the County in November 2014 (see attached) that details the efforts up to that point. Since then, Hays County, the City of San Marcos, the City of Buda, the City of Kyle, San Marcos Hays County EMS, and all of the Emergency Service Districts and their respective providers in the County have worked on strategies in which a combined PSAP could be implemented. Last year the voters of Hays County approved a Public Safety Bond that provided for the construction of a building that will include an Emergency Communications facility and infrastructure. During the development of the Bond program, Hays County, the City of Kyle and the City of Buda began more detailed discussions on combining two existing PSAP's (the city of Kyle's and Hays County's) and associated 911 call taking into a Combined Emergency Communications Center (CECC). The proposed CECC will provide dispatching services for Kyle PD and all of the agencies currently served by Hays County, which include; Buda PD, Hays County SO, Hays County Constables, San Marcos Hays County EMS (outside of the city of San Marcos), South Hays Fire, Kyle Fire, Buda Fire and EMS, Wimberley Fire, Wimberley EMS, North Hays County Fire and Rescue, and Chisolm Trail Fire and Rescue. Benefits of the development of the Combined Emergency Communications Center include: Sharing of resources and infrastructure, unification of 911 call taking for all Hays County agencies except San Marcos PD/ Fire, and Texas State, 911 calls will not have to be transferred, dedicated job functions, standard operating procedures for call taking and dispatching among all participating agencies, all participating dispatch agencies will utilize the same Computer Aided Dispatch (CAD) system and The City of Kyle and the City of Buda have approved the Agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an Interlocal Agreement and the associated Executive Board Bylaws between Hays County, the City of Kyle, and the City of Buda for the maintenance and operation of a Combined Emergency Communications Center and Public Safety Answering Point (PSAP) that will provide 911 call taking and dispatch services for Hays County, Kyle Police Department, Buda Police Department and the respective Fire and EMS providers of all Emergency Service Districts in the County. . All present voting “Aye”. MOTION PASSED**

**32953 APPROVE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE REGARDING SOFTWARE, EQUIPMENT AND SERVICES NECESSARY FOR THE KYLE POLICE DEPARTMENT'S INTEGRATION INTO THE CIS COMPUTER AIDED DISPATCH SYSTEM (CAD)**

Lon Shell, Chief of Staff, spoke. In order for the City of Kyle to participate in the Combined Emergency Communication Center, it is necessary to integrate Kyle PD into the CIS CAD system. Currently Kyle PD is the only Hays County agency not using CIS CAD. The City of Kyle has approved the Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve an**



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**Interlocal Agreement between Hays County and the City of Kyle regarding software, equipment and services necessary for the Kyle Police Department's integration into the CIS Computer Aided Dispatch System (CAD). All present voting "Aye". MOTION PASSED**

**32954 APPOINT STEVE CLAY TO REPLACE SCOTTY "CHAD" CRAWFORD AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-2018**

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. Clay will fill the unexpired term of Scotty Crawford. The expiration date of this term is 12-31-2018. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Steve Clay to replace Scotty "Chad" Crawford as a member of the Emergency Services District No. 9 (ESD#9), to fill an unexpired term ending 12-31-2018. All present voting "Aye". MOTION PASSED**

**32955 APPROVE THE 2018 SHERIFF & CONSTABLE FEES**

Mark Kennedy, General Counsel, spoke. Pursuant to Texas Local Government Code Section 118.131. The fees will need to be reviewed and/or updated on or before October 15. The fees need to be approved by the Commissioners Court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the 2018 Sheriff & Constable fees. All present voting "Aye". MOTION PASSED**

**32956 AUTHORIZE THE COUNTY CLERK TO UTILIZE COMPU-DATA INTERNATIONAL, LLC FOR SCANNING OF PERMANENT RECORDS**

Liz Gonzalez, Hays County Clerk, spoke. The County Clerk would like utilize Compu-Data for off-site scanning services to continue their efforts to ensure all permanent records are available electronically. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Clerk to utilize Compu-Data International, LLC for scanning of permanent records. All present voting "Aye". MOTION PASSED**

**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**

Court convened into Executive session at 10:27 a.m. and reconvened into open court at 10:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. No action taken.

**32957 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 10:08 a.m. and reconvened into open court at 10:16 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, Tammy Crumley and Director of Transportation, Jerry Borcharding. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to offer the job to Shari Miller as Human Resources Director, effective upon acceptance and at the salary currently budgeted for the HR Director. All present voting "Aye". MOTION PASSED**

**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 THE CURRENT AND PROPOSED CR158 IN PCT. 1**

Court convened into Executive session at 10:27 a.m. and reconvened into open court at 10:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley,



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Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. No action taken.

**32958 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 16.024 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED AT THE NORTH LINE OF SH80/SAN MARCOS HWY., EAST OF OLD MARTINDALE ROAD. (CR 102), OWNED BY OHNHEISER PROPERTIES, L.P., AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110M ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 23N)**

Court convened into Executive session at 10:44 a.m. and reconvened into open court at 10:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 16.024 acres in fee simple from property located at the north line of SH80/San Marcos Hwy., east of Old Martindale Road. (CR 102), owned by OHNHEISER PROPERTIES, L.P., and which is required for the construction of the proposed FM 110M roadway improvements, and take other appropriate action (Parcel 23N). All present voting "Aye". MOTION PASSED

**32959 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 13.833 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED AT THE NORTH LINE OF SAN MARCOS HWY (HWY 80) ACROSS FROM WOLF CREEK ROAD AND WEST OF FM 1984 OWNED BY VAN LEE LLC, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110M ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 22N)**

Court convened into Executive session at 10:44 a.m. and reconvened into open court at 10:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 13.833 acres in fee simple from property located at the north line of San Marcos Hwy (Hwy 80) across from Wolf Creek Road and west of FM 1984 owned by VAN LEE LLC, and which is required for the construction of the proposed FM 110M roadway improvements, and take other appropriate action (Parcel 22N). All present voting "Aye". MOTION PASSED

**32960 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 16.024 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED AT THE NORTH LINE OF SAN MARCOS HWY (HWY 80) ACROSS FROM WOLF CREEK ROAD AND WEST OF FM 1984, OWNED BY CURBY D. OHNHEISER, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110M ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 21N—P.1 & 2)**





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Court convened into Executive session at 10:44 a.m. and reconvened into open court at 10:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 16.024 acres in fee simple from property located at the north line of San Marcos Hwy (Hwy 80) across from Wolf Creek Road and west of FM 1984, owned by CURBY D. OHNHEISER, and which is required for the construction of the proposed FM 110M roadway improvements, and take other appropriate action (Parcel 21N—P.1 & 2). All present voting "Aye". MOTION PASSED**

**32961 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION TO CONSIDER A RESOLUTION DETERMINING THE NECESSITY AND AUTHORIZING THE USE OF THE COUNTY'S POWER OF EMINENT DOMAIN TO ACQUIRE APPROXIMATELY 13.358 ACRES IN FEE SIMPLE FROM PROPERTY LOCATED AT THE SOUTH LINE OF SH80/SAN MARCOS HWY., EAST OF OLD MARTINDALE ROAD/CR102 OWNED BY VAN LEE LLC, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110M ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 2M)**

Court convened into Executive session at 10:44 a.m. and reconvened into open court at 10:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 13.358 acres in fee simple from property located at the south line of SH80/San Marcos Hwy., East of Old Martindale Road/CR102 owned by VAN LEE LLC, and which is required for the construction of the proposed FM 110M roadway improvements, and take other appropriate action (Parcel 2M). All present voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE EXCHANGE OR VALUE OF RIGHT OF WAY ALONG OAK FOREST DRIVE AND WOODLAND OAKS TRAIL IN PCT. 2**

Court convened into Executive session at 10:57 a.m. and reconvened into open court at 11:11 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Chief of Staff, Lon Shell, General Counsel, Mark Kennedy, Tammy Crumley, and Director of Transportation, Jerry Borcharding. No action taken.

**Clerk's Note Agenda Item #38 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*

#### **ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Today's Drought Index – 214. Per Fire Marshall the Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

**Clerk's Note Agenda Item #40 RE:** *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 Jones, seconded by Commissioner Whisenant to adjourn court at 11:29 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 October 10, 2017 .

*Liz Q Gonzalez*

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

