



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21ST DAY OF NOVEMBER 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
MARK JONES	COMMISSIONER, PCT. 2
LON SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

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

Vilma Resendez, Pastor 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

Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Dan Lyon, San Marcos resident, all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller, Human Resources Director, presented the Hays County Service Awards. 5-Years – Margaret Vieger, Sheriff's Department, John Ramirez, Transportation Department, Malena Pinjuv and Tracy Rodriguez from the Juvenile Detention Center. 10-Years – Josephine Gonzales, Health Department, Roxanne Sanchez, County Clerk's Office, Mary Herrera, Treasurer's Office. 15-Years – Norman Selbig, Transportation Department. 20-Years – Vicente Ramirez, Transportation Department, Thomas Cruz, Maintenance Department. 25-Years – David Ybarra, Sheriff's Office. Retirement – Steve Lucio, Maintenance Department.

33082 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$1,108,015.47 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33083 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of Juror checks in the amount of \$8,502.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33084 APPROVE THE PAYMENT OF HUMANA CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$232,136.52 and \$134,200.10 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33085 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 14 & 17, 2017

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of November 14 & 17, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33086 APPROVE THE PAYMENT OF THE NOVEMBER 30, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,912,835.00 EFFECTIVE NOVEMBER 30, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the October end of the month payroll disbursements not to exceed \$3,912,835.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of the November 30, 2017 payroll disbursements in an amount not to exceed \$3,912,835.00 effective November 30, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33087 AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 200 FM 32, SAN MARCOS TX, 78666

2226 Properties LLC is proposing a bar and 4 sites for self-contained food trucks located at 200 FM 32 in San Marcos TX 78666. This property is a 1.85 acre tract located within the Edwards Aquifer Recharge Zone and is in the process of applying for a Wastewater Pollution Abatement Plan through the TCEQ. This property is currently served by trucked in water for the food trucks but is required to acquire public water supply for all hand washing facilities. The designer, Kyle DeHart, R.S. has designed an anaerobic drip with standard treatment system consisting of a single drip irrigation field. The system is designed to treat 200 gallons per day. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize a commercial on-site sewage facility permit at 200 FM 32, San Marcos, TX. 78666. All present voting "Aye". MOTION PASSED

33088 APPROVE THE RE-APPOINTMENT OF DIANE HERVOL TO THE BOARD OF ESD#9, FOR A 2 YEAR TERM BEGINNING JANUARY 1, 2018

This is for a 2 year term beginning January 1, 2018. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the re-appointment of Diane Hervol to the board of ESD#9, for a 2 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

33089 AUTHORIZE THE EXECUTION OF A CONTRACT FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR FEDERAL FUNDING FOR THE TUBERCULOSIS PROGRAM IN THE HAYS COUNTY LOCAL HEALTH DEPARTMENT IN THE AMOUNT OF \$26,756

The grant contract from the Texas Department of State Health Services is to support the local health department for the identification and treatment of those person with, or exposed to tuberculosis (TB) and providing services to those affected by this disease. The available federal funding for the TB program is \$22,297, with a 20% match (\$4,459) required of the County for participation in the program. The match will be budgeted within the Health Department for fiscal year 2018 from existing personnel, fringe, and contractual services line items. The contract period will be from January 1, 2018 through December 31, 2018. Attached is the contract and it is signed electronically. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution on a contract from the Texas Department of State Health Services (DSHS) for federal funding for the Tuberculosis program in the Hays County Local Health Department in the amount \$26,756. All present voting "Aye". MOTION PASSED

33090 APPROVE OUT OF STATE TRAVEL FOR THOMAS BROWDER TO ATTEND THE SERC SPONSORED TRAINING EVENT - ADVANCED CAMEO

Requesting approval for Thomas Browder to attend the Advanced CAMEO course in Oklahoma City, OK on December 4-8, 2017. This course will provide advanced training on ALOHA, CAMEO and MARPLOT, as well as the opportunity to take the CAMEO Certified User & Certified Instructor exam. There is no cost for registration, travel and lodging expenses will be split between the PHEP CE funds and OES CE line item. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Thomas Browder to attend the SERC Sponsored Training Event – Advanced CAMEO. All present voting "Aye". MOTION PASSED



33091 ACCEPT A PROGRAMMATIC EXTENSION FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE FY17 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)

On January 24, 2017 the Commissioners Court authorized submission of the Emergency Management Performance Grant (EMPG) for funding to support a portion of the salary and benefits for the Hays County Emergency Management Director. The Notice of Sub-recipient Grant Award reflects a six (6) month Programmatic extension, to complete and close out the FY17 EMGP grant. Funding in the amount of \$42,853.58 was awarded and will cover costs incurred from the period October 1, 2016 to March 31, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a Programmatic Extension from the Texas Department of Public Safety for the FY17 Emergency Management Performance Grant (EMPG). All present voting "Aye". MOTION PASSED**

33092 APPROVE AND EXECUTE THE SHERIFF'S OFFICE EQUITABLE SHARING AGREEMENT AND CERTIFICATION IN ACCORDANCE WITH THE STATUTES AND GUIDELINES THAT GOVERN THE FEDERAL EQUITABLE PROGRAM

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and execute the Sheriff's Office Equitable Sharing Agreement and Certification in accordance with the statutes and guidelines that govern the Federal Equitable Program. All present voting "Aye". **MOTION PASSED**

33093 AUTHORIZE PAYMENT TO CHUCK NASH FOR REPAIRS ON THE 2008 GMC VAN FOR THE VETERAN SERVICES OFFICE, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY

The VSO Administrator had repairs completed on the 2008 GMC VAN and did not obtain a purchase order per County Purchasing Policy. These repairs included a broken cable gear which would not allow the Van to shift into gear as well as other maintenance items needed. Funds are available in the VSO budget to cover the cost of the needed repairs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Chuck Nash for repairs on the 2008 GMC VAN for the Veteran Services Office, where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33094 APPROVE MODIFICATION OF IFB 2017-B03 CEMETERY MAINTENANCE WITH GREATER TEXAS LANDSCAPES, TO ADD MAINTENANCE OF THE ANTIOCH COMMUNITY CEMETERY

The rate for the addition of the maintenance of this property were agree to by the Transportation Department. All other terms and conditions remain unchanged and in full force and effect as stated in the original bid. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve modification of IFB 2017-B03 Cemetery Maintenance with Greater Texas Landscapes, to add maintenance of the Antioch Community Cemetery. All present voting "Aye". MOTION PASSED**

33095 APPROVE OUT OF STATE TRAVEL FOR THE PURCHASING MANAGER TO ATTEND THE NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING (NIGP) LEADERSHIP SYMPOSIUM IN HERNDON, VIRGINIA AT NO COST TO HAYS COUNTY

The Purchasing Manager has been invited to attend the 5th Annual Leadership Development Symposium for public purchasing professionals on February 22-24, 2018, in Herndon, Virginia. She is a member and officer of the SAPPA organization who sponsors one officer each year covering all costs associated with the training. No county funds are required. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for the Purchasing Manager to attend the National Institute of Governmental Purchasing (NIGP) Leadership Symposium in Herndon, Virginia at no cost to Hays County. All present voting "Aye". MOTION PASSED**



33096 AUTHORIZE THE EXECUTION OF AXON QUOTE Q-134038-3 FOR THE DISTRICT ATTORNEY'S OFFICE FOR A STANDARD EVIDENCE.COM LICENSE AGREEMENT AND EVIDENCE CLOUD STORAGE AT NO COST TO HAYS COUNTY

The District Attorney's staff currently utilizes Evidence.com to download evidence from several Law Enforcement Agencies' accounts to upload documents in to odyssey and down load digital evidence on to a CD/DVD for office files as well as discovery. This DA E.com contract will allow the District Attorney's Office to share digital evidence with Defense Attorneys in lieu of providing a CD or DVD. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Axon Quote Q-134038-3 for the District Attorney's Office for the standard Evidence.com License Agreement and evidence cloud storage at no cost to Hays County. All present voting "Aye". MOTION PASSED**

33097 AUTHORIZE THE EXECUTION OF A SUBSCRIPTION AGREEMENT WITH TEACHPRIVACY FOR REQUIRED HIPAA TRAINING FOR THE EMPLOYEES AT THE LOCAL HEALTH DEPARTMENT

Employees of the Local Health Department are required by Federal Law to complete an annual training course in order to be in compliance with the Health Insurance Portability and Accountability Act (HIPAA). This subscription is an all-encompassing HIPAA Privacy Training Program and will satisfy the requirements outlined in the HIPAA. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a subscription agreement with TechPrivacy for required HIPAA training for the employees at the Local Health Department. All present voting "Aye". MOTION PASSED**

33098 APPROVE UTILITY PERMITS

Permit, Road Name, and Utility: 1057 Elder Hill Road PEC (electric line). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1057 on Elder Hill Road issued to PEC as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

33099 APPROVE AND CONFIRM THE APPOINTMENT OF MICHAEL VARELA AS DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE NOVEMBER 21, 2017

Constable Pct. 1, David Peterson, spoke. 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. Commissioner Ingalsbe swore in Deputy Constable Michael Varela. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve and confirm the appointment of Michael Varela as Deputy Constable in the Hays County Constable Precinct 1 Office, effective date November 21, 2017. All present voting "Aye". MOTION PASSED**

33100 AUTHORIZE THE CONSTABLE PCT. 2 OFFICE TO PURCHASE ONE (1) DOUBLE-TIER INDUSTRIAL LOCKER UNIT FOR SECURING LAW ENFORCEMENT EVIDENCE COLLECTED

The Constable would like to purchase a locker unit for security of evidence collected. Savings within the law enforcement equipment operating budget are available to fund this request. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Pct. 2 Office to purchase One (1) Double-Tier Industrial Locker Unit for securing law enforcement evidence collected. All present voting "Aye". MOTION PASSED**

33101 AUTHORIZE PAYMENT TO BIG JOHN SITE SERVICES FOR THE PARKS DIVISION PORTABLE TOILET SERVICES IN WHICH NO PURCHASE ORDER WAS OBTAINED PER COUNTY PURCHASING POLICY.

The Parks Department requested portable toilet services at 5 Mile Dam Park and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to fund the charges. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant**



to authorize payment to Big John Site Services for the Parks Division portable toilet services in which no purchase order was obtained per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33102 AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD TELEPHONE ALLOWANCES EFFECTIVE NOVEMBER 16, 2017 FOR THREE (3) POSITIONS AND AMEND THE BUDGET ACCORDINGLY

The Building Maintenance Department would like to transition three of their current positions from County issued cell phones to a \$35 per month phone stipend. This will provide a convenience to the staff as they will only have one device to maintain. Additionally, each staff member will return their county issued cell phone (\$50 per month plan) for an overall savings to the county. Positions Include: Facility Maintenance, slot #0200-003, Custodian, slot #0210-005, Custodian, slot #0210-006. Budget Amendment: Decrease- 001-695-00.5489 and Increase- 001-695-00.5194. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Building Maintenance Department to add telephone allowances effective November 16, 2017 for three (3) positions and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33103 AUTHORIZE PAYMENT TO ANALYSIS LABORATORIES FOR WATER QUALITY SAMPLES IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY

The Building Maintenance Department requested routine water quality testing and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to amend for these charges. Budget Amendment: Decrease .5201 and Increase .5391. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the payment analysis laboratories for water quality samples in which no purchase order was issued or quotes obtained as required per County Purchasing Policy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33104 AUTHORIZE THE PARKS DEPARTMENT TO UTILIZE INSURANCE PROCEEDS FROM DAMAGES SUSTAINED DURING HURRICANE HARVEY TO PURCHASE REPLACEMENT SHADE CANOPIES AT VETTER PARK IN THE 5 MILE DAM COMPLEX AND AMEND THE BUDGET ACCORDINGLY

During Hurricane Harvey several of the shade canopies located within the 5 Mile Dam complex sustained wind damage. The County filed an insurance claim and received a portion of the total replacement cost. The Parks Department would like to proceed with the replacement of the canopies and utilize the insurance proceeds received (\$7,092), transferring the required \$5k deductible from County-Wide self-insurance. Budget Amendment: Increase Compensation for Loss - 001-700-00.4680 - \$7,092, Increase Parks Misc. Equipment Capital - 001-700-00.5719_700 - 8,770, Increase Parks Misc. Equipment Operating - 001-700-00.5719_400 - 3,322 and Decrease County-Wide Self Insurance - 001-645-00.5340 - (5,000). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Parks Department to utilize insurance proceeds from damages sustained during Hurricane Harvey to purchase replacement shade canopies at Vetter Park in the 5 Mile Dam Complex and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33105 AUTHORIZE EXECUTION OF AN AMENDED AND RESTATED AGREEMENT FOR PUBLIC IMPROVEMENT DISTRICT ADMINISTRATION SERVICES BETWEEN HAYS COUNTY AND P3WORKS, FORMERLY PIDWORKS

The revisions to the PID Administration Agreement take the annual amount and breaks it into a monthly, transfers contractor (by name), and accommodates the addition of Improvement Areas being administered under the La Cima PID. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amended and Restated Agreement for Public Improvement District Administration Services between Hays County and P3Works, formerly PIDWorks. All present voting "Aye". MOTION PASSED**

33106 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD UNDER THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT



PROGRAM; AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE CEDAR OAKS MESA PHASE IV WATER IMPROVEMENTS PROJECT AND AMEND THE BUDGET ACCORDINGLY

On January 24, 2017 the Commissioners Court authorized the submission of a grant application to Texas Department of Agriculture, Office of Rural Affairs, Texas Community Development Block Grant Program for water system improvements within Cedar Oak Mesa Water Supply Corporation services area. The grant amount is \$300,000 with a \$15,000.00 match provided by Cedar Oak Mesa to upgrade water lines in the Cedar Oak Mesa subdivision. The grant period is from December 1, 2017 to November 30, 2019. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize the County Judge to accept a grant award under the Texas Community Development Block Grant Program; authorize the execution of a contract with the Texas Department of Agriculture for the Cedar Oaks Mesa Phase IV water improvements project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33107 AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO HIRE TEMPORARY PERSONNEL (NOT TO EXCEED 80 HOURS) UTILIZING DEPARTMENTAL SALARY SAVINGS TO ASSIST WITH INSURANCE OPEN ENROLLMENT AND CHANGE DOCUMENTATION FINALIZATION

The HR Director would like to utilize salary savings from a vacant HR position to hire temporary personnel for up to 80 hours at \$10 per hour. The Human Resources office has recently completed the annual open enrollment meetings with all employees. This process generates a large amount of plan change and enrollment documentation that must be processed so that employees will be enrolled in the plan(s) chosen effective January 1, 2018. The processing of these documents is time sensitive and must be submitted to the Payroll Office in a timely manner in order to meet payroll processing deadlines. Salary savings within the department due to a vacant position is available to fund this request. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize the Human Resources Department to hire temporary personnel (not to exceed 80 hours) utilizing departmental salary savings to assist with insurance open enrollment and change documentation finalization. All present voting "Aye". MOTION PASSED**

33108 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH LJA ENGINEERING, INC. TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE FM 110 AT SH 123 BRIDGE CROSSING AS PART OF THE 2016 ROAD BOND PROGRAM

Jerry Borcharding, Transportation Director spoke. Development of FM 110 from SH 123 to I-35 (Yarrington Road) has been conducted as part of the County's Partnership Program with the Texas Department of Transportation (TxDOT). Schematic design, environmental documentation, right-of-way acquisition, utility relocation services and PS&E are nearing completion under the Partnership Program. The PS&E completed as part of the Partnership Program provides for a limited design of the interchange, based on limited TxDOT funding. The County now wishes to move forward with expanding the design of the interchange and construction. The FM 110 bridge crossing at SH 123 is included in the County's 2016 Bond Program. Approval of LJA Engineering, Inc. for PS&E services would position this regionally-significant 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 Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Service Agreement with LJA Engineering, Inc. to provide Plans, Specifications & Estimates (PS&E) services for the FM 110 at SH 123 Bridge Crossing as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33109 SELECT DOUCET & ASSOCIATES FOR ENGINEERING DESIGN SERVICES (P S & E) FOR IMPROVEMENTS TO OLD BASTROP HIGHWAY, CR 266 BETWEEN RATTLER ROAD AND CENTERPOINT ROAD IN PCT. 1 AS PART OF THE 2016 ROAD BOND PROGRAM

Commissioner Ingalsbe and Jerry Borcharding, Transportation Director spoke. This project is part of the FY 16 bond program and is a named project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select Doucet & Associates for engineering design services (P S & E) for improvements to Old Bastrop Highway, CR 266 between Rattler Road and Centerpoint Road in Pct. 1 as part of the 2016 Road Bond program. All present voting "Aye". MOTION PASSED**



33110 ACCEPT SUBDIVISION BOND NO.60123339 FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE COTTAGES AT BELTERRA VILLAGE IN THE AMOUNT OF \$1,457,452.35

The Cottages at Belterra Village is a proposed 78 lot condominium regime across 20.881 acres in Precinct 4. Water and wastewater services will be provided by the WCID #1. The final plat for the Cottages at Belterra Village have been reviewed under the Interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept subdivision bond No.60123339 for street and drainage improvements for the Cottages at Belterra Village in the amount of \$1,457,452.35. All present voting "Aye". MOTION PASSED.**

33111 SUB-707 INTEGRITY OAKS SUBDIVISION (9 LOTS) APPROVE THE FINAL PLAT AND ACCEPT BOND NO. 4416200 FOR REMAINING STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$391,154.25

Caitlyn Strickland, Hays County Planner gave staff recommendation. The proposed Integrity Oaks Subdivision is a 9 lot subdivision located off of Lone Man Mountain Road in Precinct 3. The subdivision will be served by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the final plat and accept Bond No. 4416200 for remaining street and drainage improvements in the amount of \$391,154.25. All present voting "Aye". MOTION PASSED.**

33112 GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF LOT 3 IN DEER RUN ESTATES

Caitlyn Strickland, Hays County Planner spoke. The owners applied for a development authorization 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 owners have requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow them to start construction OSSF. The property owners was been made aware of the platting requirement, and are working on getting the plat into the review process. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of a portion of Lot 3 in Deer Run Estates contingent on Notice of Approval. All present voting "Aye". MOTION PASSED**

33113 SUB-931 LA SALLE AGGREGATES PRELIMINARY PLAN (3 LOTS) WAIVE PUBLIC NOTIFICATION REQUIREMENTS

Caitlyn Strickland, Hays County Planner and Josh Butler of Westford Environmental spoke. La Salle Aggregates is a proposed 3 lot subdivision located off of Yarrington Road. The 3 lots range from 171.236 acres to 765.035 acres. Water and wastewater service will be provided the City of San Marcos. Section 705.12.02 of the Hays County Development Regulations states the following: "On a case by case basis the Department may request that the Commissioners Court wave notice requirements for Subdivisions of six (6) Lots or less with existing water and wastewater service." Given that these lots have existing utility service, the Department requests that public notification requirements be waived for this subdivision. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to waive public notification requirements on preliminary plan for SUB-931 La Salle Aggregates (3 Lots). All present voting "Aye". MOTION PASSED**

33114 CALL FOR A PUBLIC HEARING ON DECEMBER 5, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 2, FAMILY TREE SUBDIVISION

Family Tree Subdivision is a recorded subdivision located off of Fitzhugh Rd and Preslar Circle in Precinct 4. The proposed re-plat will remove the plat note from the original Family Tree plat restricting TCEQ (then TNRCC) prohibited activities. Water service will be provided 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 Shell to Call for a public hearing on December 5, 2017 to discuss final plat approval of the Replat of Lot 2, Family Tree Subdivision. All present voting "Aye". MOTION PASSED.

33115 CALL FOR A PUBLIC HEARING ON DECEMBER 5, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 9B, PIONEER RANCH SUBDIVISION

Pioneer Ranch Subdivision is a recorded subdivision located off of Pioneer Trail in Precinct 4. The proposed re-plat will divide the original 4.99 acre Lot 9B tract into two tracts. Water service will be provided by private wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Call for a public hearing on December 5, 2017 to discuss final plat approval of the Replat of Lot 9B, Pioneer Ranch Subdivision. All present voting "Aye". MOTION PASSED

33116 ADOPT RESOLUTION FOR JOINT PRIMARY ON MARCH 6, 2017 AND POSSIBLE RUNOFF ON MAY 22, 2018 (DEMOCRATIC PARTY AND REPUBLICAN PARTY)

Jennifer Anderson, Elections Administrator spoke. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt Resolution for Joint Primary on March 6, 2017 and possible runoff on May 22, 2018 (Democratic Party and Republican Party). All present voting "Aye". MOTION PASSED

33117 AUTHORIZE THE EXECUTION OF A PHASING AGREEMENT WITH DEVELOPMENT SOLUTIONS CW, LLC FOR THE CROSSWINDS SUBDIVISION LOCATED OFF OF WINDY HILL ROAD IN PRECINCT 1

Caitlyn Strickland, Hays County Planner and Clint Garza, Chief of Staff spoke. Due to the recent changes to County standards, the developers of the Crosswinds Subdivision have presented a phasing agreement in order to continue developing their project under the requirements that were in place at the time the first phase was submitted. The agreement identifies the street and drainage standards that that will be adhered to, identifies the review fees to be paid per a schedule for phasing, and provisions for expiration of the project. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Phasing Agreement with Development Solutions CW, LLC for the Crosswinds Subdivision located off of Windy Hill Road in Precinct 1. All present voting "Aye". MOTION PASSED

33118 AUTHORIZE THE EXECUTION OF A PHASING AGREEMENT WITH DEVELOPMENT SOLUTIONS CAT, LLC FOR THE CALITERRA SUBDIVISION LOCATED OFF OF RR 12 IN PRECINCT 4

Due to the recent changes to County standards, the developers of the Caliterra Subdivision have presented a phasing agreement in order to continue developing their project under the requirements that were in place at the time the first phase was submitted. The agreement identifies the street and drainage standards that that will be adhered to, identifies the review fees to be paid per a schedule for phasing, and provisions for expiration of the project. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Phasing Agreement with Development Solutions CAT, LLC for the Caliterra Subdivision located off of RR 12 in Precinct 4. All present voting "Aye". MOTION PASSED

33119 AUTHORIZE THE EXECUTION OF A PHASING AGREEMENT WITH DEVELOPMENT SOLUTIONS CARTER, LLC FOR THE CARTER SUBDIVISION LOCATED NEAR CREEK ROAD AND MOUNT GAINOR ROAD IN PRECINCT 4

Caitlyn Strickland, Hays County Planner, Clint Garza, Chief of Staff and Commissioner Whisenant spoke. Due to the recent changes to County standards, the developers of the Carter Subdivision (an extension of the Hays County Development District No. 1 - Caliterra) have presented a phasing agreement in order to continue developing their project under the requirements that were in place at the time the first phase of



Caliterra was submitted. The agreement identifies the street and drainage standards that that will be adhered to, identifies the review fees to be paid per a schedule for phasing, and provisions for expiration of the project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Phasing Agreement with Development Solutions Carter, LLC for the Carter Subdivision located near Creek Road and Mount Gainor Road in Precinct 4. All present voting "Aye". MOTION PASSED**

33120 ADOPT A RESOLUTION APPROVING AN AMENDED SERVICE AND ASSESSMENT PLAN AND PROPOSED ASSESSMENT ROLL FOR THE LA CIMA PUBLIC IMPROVEMENT DISTRICT

The previous La Cima SAP update occurred November 22, 2016. Per the terms and conditions of the initial SAP for La Cima PID, the SAP must be reviewed and updated annually by the Commissioners Court. The development areas are all still developer owned but will be sold to builders in Q1 of 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a Resolution Approving an Amended Service and Assessment Plan and Proposed Assessment Roll for the La Cima Public Improvement District. All present voting "Aye". MOTION PASSED**

33121 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.087 OF THE TEXAS GOVERNMENT CODE: DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT PREP SCHOOL

Court convened into Executive Session at 10:07 a.m. and reconvened into open court at 10:09 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, Tammy Crumley, Anne Miller and Mark Kamerlander. **A motion was made by Commissioner Shell, seconded by Commissioner Shell to approve and execute the Chapter 381 Economic Development Agreement between Hays County and Exeter Buda Land, L.P. (EXETER). All present voting "Aye". MOTION PASSED.**

Clerk's Note Agenda Item #42 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

Drought Index – 409, as of November 20, 2017. Per Hays County Fire Marshall, the Burn Ban will remain lifted.

Clerk's Note Agenda Item #44 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 Shell to adjourn court at 10:16 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 November 21, 2017 .



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

