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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 3<sup>RD</sup> DAY OF JANUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<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>COUNTY CLERK</b>

**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 OF CEREMONIAL IN OF ALL NEWLY AND RE-ELECTED OFFICIALS TO HAYS COUNTY AND APPROVE THE ACCEPTANCE OF OFFICIAL BONDS**

Judge Cobb swore in the following Elected Officials: District Judge, 22<sup>nd</sup> Judicial District – Bruce Boyer, Constable Pct. 1 – David Peterson, Constable Pct. 2 – Michael Torres, Constable Pct. 3 – Raymond Helm, Constable Pct. 4 – Ron Hood, Constable Pct. 5 – John Ellen, Commissioner Pct. 1 – Debbie Gonzales Ingalsbe, Justice of the Peace Pct. 1-1 – JoAnne Prado, Justice of the Peace Pct. 1-2 – Maggie Hernandez-Moreno, Tax Assessor/Collector – Luanne Caraway, and Hays County Sheriff – Gary Cutler.

**Clerk's Note: Court took a break at 9:22 a.m. and returned into open session at 9:42 a.m.**

**PUBLIC COMMENTS**

Constable Pct. 1 – David Peterson presented Commissioner Pct. 1 – Debbie Gonzales Ingalsbe with a Service of Appreciation Plaque.

**32108 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payment of County invoices in the amount of as presented by the Hays County Auditor. All present voting "Aye".  
**MOTION PASSED**

**32109 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 20, 2016**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of December 20, 2016. All present voting "Aye".  
**MOTION PASSED**



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**32110            AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD (TWDB) FOR A FLOOD PROTECTION GRANT IN THE AMOUNT OF \$500,000.00 FOR PARTIAL FUNDING OF THE LOW WATER CROSSING HAZARD/COMPREHENSIVE FLOOD MONITORING SYSTEM PROJECT AND AMEND THE BUDGET ACCORDINGLY**

On May 10, 2016 the Commissioners Court authorized a Professional Services Agreement with Half Associates, Inc. for the preparation of a grant application to the Texas Water Development Board (TWDB), Flood Protection Grant program for up to \$1,011,250 in funding to support expansion of a comprehensive flood monitoring system in Hays County. This was followed on June 7, 2016 with the approval of the Commissioners Court to submit the grant application to the TWDB along with a resolution of support for the grant with commitment to carry out the project. The project will entail the installation of up to 25 low water crossing warning systems with telemetry to monitor water levels, rain gages at 10 of the sites, monitoring systems for 5 flood control dams, base stations to receive data, and database development and management software and programming to process data received from the remote sites, all through consultant/contractor services. The TWDB has approved grant funding in an amount not to exceed \$500,000.00 or 24.72% of the total project amount, whichever is less, with the County to provide a match equivalent to 75.28% of the total project costs, up to \$1,522,500.00 in cash and/or in-kind contributions, for a total project amount of up to \$2,022,500.00. \*The County has reserved \$1,500,000.00 in project matching funds, and in-kind services may be utilized to supplement the required matching funds of up to \$22,500.00, depending on final project costs. Approval of the TWDB contract is recommended to proceed with the project. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with the Texas Water Development Board (TWDB) for a Flood Protection Grant in the amount of \$500,000.00 for partial funding of the low water crossing hazard/comprehensive flood monitoring system project and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32111            APPROVE AND CONFIRM THE APPOINTMENT OF ROBERT LEE ELLER AS DEPUTY CONSTABLE, ARASELI TORRES AMAYA AS DEPUTY CONSTABLE, MARCUS ADRIAN GONZALES AS DEPUTY CONSTABLE, AND JOEL WILLIAM MARTIN AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE**

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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the Commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct.(b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe To Approve and confirm the appointment of Robert Lee Eller as Deputy Constable, Araseli Torres Amaya as Deputy Constable, Marcus Adrian Gonzales as Deputy Constable, and Joel William Martin as Reserve Deputy Constable in the Hays County Constable Precinct 2 Office. All present voting “Aye”. MOTION PASSED**



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**32112 APPROVE AND CONFIRM THE APPOINTMENT OF CHARLES WILLIAMS AS DEPUTY CONSTABLE AND MICHAEL "CODY" FEAGEN AS DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 5 OFFICE**

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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs.(c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety.(d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant approve and confirm the appointment of Charles Williams as Deputy Constable and Michael "Cody" Feagen as Deputy Constable in the Hays County Constable Precinct 5 Office.. All present voting "Aye". MOTION PASSED**

**32113 APPROVE AND CONFIRM THE APPOINTMENT OF JIMMY ZUEHLKE AS DEPUTY CONSTABLE, IN PRECINCT 4**

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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. *B*(b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person:(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointment of Jimmy Zuehlke as Deputy Constable, in Precinct 4. All present voting "Aye". MOTION PASSED**

**32114 AUTHORIZE COMMERCIAL OSSF PERMIT AT 23490 RANCH ROAD 12, DRIPPING SPRINGS, TX 78620**

Nicholas and Gay Dotin are proposing an OSSF to serve 4 short term rental cabins. This 10.97-acre property will be served by a private well. The system designer, Kyle DeHart, R.S., has designed a treatment system which consists of pretreatment, flow equalization, and an aerobic unit. After treatment, the effluent will be dispersed via surface application 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 23490 Ranch Road 12, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**



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**32115      AUTHORIZE AN INTERGOVERNMENTAL TRANSFER FOR THE DELIVERY SYSTEM REFORM INCENTIVE PROGRAM (DSRIP) IN THE AMOUNT OF \$680,743.85 FOR CENTRAL TEXAS MEDICAL CENTER AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)**

\$2,000,000 was approved during the budget process for FY 2017 Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver) payments. The 1st opportunity to transfer funds for DSRIP funding during FY 2017 will occur on Jan 4, 2017. At this time Central Texas Medical Center (CTMC) is authorized for a transfer of \$680,743.85 for DY5 round 2. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to Authorize an intergovernmental transfer for the Delivery System Reform Incentive Program (DSRIP) in the amount of \$680,743.85 for Central Texas Medical Center as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

**32116      RESCIND ACTION OF THE COMMISSIONERS COURT ON OR ABOUT FEBRUARY 17, 2015, ADOPTING "A REGULATION OF HAYS COUNTY, TEXAS HOLDING A MOTOR VEHICLE OWNER LIABLE FOR THE OWNER'S MOTOR VEHICLE OPERATING IN A SCHOOL-ZONE IN EXCESS OF POSTED SPEED LIMITS AND IMPOSING A CIVIL PENALTY FOR VIOLATION OF THIS REGULATION", PURSUANT TO TEXAS TRANSPORTATION CODE SECTIONS 251.016, 251.151 AND 542.202**

On September 20, 2016, the Standard Professional Service Agreement between Hays County and American Traffic Solutions, Inc. (ATS) was terminated; therefore, the Regulation adopted on or about February 17, 2015, is no longer applicable to the school-zones located within Hays County, Texas. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to rescind action of the Commissioners Court on or about February 17, 2015, adopting "A Regulation of Hays County, Texas Holding a Motor Vehicle Owner Liable for the Owner's Motor Vehicle Operating in a School-Zone in Excess of Posted Speed Limits and Imposing a Civil Penalty for Violation of this Regulation", pursuant to Texas Transportation Code Sections 251.016, 251.151 and 542.202. All present voting "Aye". MOTION PASSED**

**32117      AUTHORIZE THE HISTORICAL COMMISSION TO ACCEPT VARIOUS DONATIONS FOR THE KYLE DEPOT PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received donations for the Kyle Depot Projects for misc supplies. Budget Amendment: Increase - 5201 Supplies Increase - 4610 Contributions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Historical Commission to accept various donations for the Kyle Depot Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32118      RECOGNIZE THAT HAYS COUNTY ACCEPTED A DONATION ON DECEMBER 30, 2016, IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00USD) FROM THE HOBBY FAMILY FOUNDATION TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY**



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The Hobby Family Foundation has graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to recognize that Hays County accepted a donation on December 30, 2016, in the amount of five thousand dollars (\$5,000.00USD) from the Hobby Family Foundation to be used for the Child Protective Board services within Hays County and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32119 ACCEPT BOND NO. SUR23100156 FOR STREET AND DRAINAGE IMPROVEMENTS FOR STONEFIELD SECTION 11 IN THE AMOUNT OF \$2,361,295.12**

The final plat for the Stonefield Section 11 Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda and has 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 Jones, seconded by Commissioner Whisenant to accept Bond No. SUR23100156 for street and drainage improvements for Stonefield Section 11 in the amount of \$2,361,295.12. All present voting “Aye”. MOTION PASSED**

**32120 SUB-597 SHADOW CREEK PHASE 5, SECTION 1 (145 LOTS) APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NO. K09325116 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,195,701.17**

Caitlyn Hairell, Hays County Planner gave staff recommendation. The preliminary plan for the Shadow Creek Subdivision was originally approved on June 15, 2004 as a 1440 lot subdivision located off of Windy Hill Road in Precinct 2. This section includes 140 single-family residential lots and 5 greenspace/drainage lots. All lots will be served by GoForth Special Utility District and sewer provided by North Hays County Municipal Utility District Number 1. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve SUB-597 Shadow Creek Phase 5, Section 1 (145 lots) to approve final plat; accept Construction Bond No. K09325116 for the construction of street and drainage improvements in the amount of \$1,195,701.17. All present voting “Aye”. MOTION PASSED**

**32121 CALL FOR A PUBLIC HEARING ON JANUARY 17, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 8, VISTA RIDGE ESTATES. WHISENANT/HAIR**

Vista Ridge Estates is a recorded subdivision located off of Roy Creek Trail in Precinct 4. The proposed re-plat will divide the 11.09 acre lot 8 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Call for a public hearing on January 17, 2017 to discuss final plat approval of the Replat of Lot 8, Vista Ridge Estates. All present voting “Aye”. MOTION PASSED**



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**32122      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN HAYS COUNTY AND WATER AND EARTH TECHNOLOGIES, INC., RELATED TO THE INSTALLATION OF LOW-WATER CROSSING WARNING SYSTEMS WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY**

Mark Kennedy – General Counsel and Kharley Smith – Office of Emergency Management Director and EMC, spoke. The Office of Emergency Management worked with Purchasing to secure proposals for select low-water crossing sites within Hays County. These sites represent high priority areas for electronic warning systems. Water and Earth Technologies has been awarded the Work and the Office of General Counsel, with assistance from Emergency Management, has negotiated a draft Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Agreement between Hays County and Water and Earth Technologies, Inc., related to the installation of low-water crossing warning systems within Hays County and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**CLERK’S NOTE AGENDA ITEM #17 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 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY**

Court convened into Executive Session at 10:04 a.m. and reconvened into open court at 10:55 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. No Action Taken.

**CLERK’S NOTE AGENDA ITEM #19 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**

Today’s Drought Index – 92. Judge Cobb thanked the public for using extreme caution during the holiday season. He also said two cold fronts will be blowing in this week and will bring conditions to a very dry state and he urged the citizens to be aware of their surroundings.

**CLERK’S NOTE AGENDA ITEM #21 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*



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## ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:56 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 January 3, 2017.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

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

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**32123 ADOPT A PROCLAMATION DECLARING JANUARY 16, 2017 AS DR. MARTIN LUTHER KING, JR. DAY**

Mittie Miller spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation Declaring January 16, 2017 as Dr. Martin Luther King, Jr. Day All present voting "Aye". MOTION PASSED

**32124 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$1,681,389.21 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32125 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 3, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 3, 2017. All present voting "Aye". MOTION PASSED

**32126 AUTHORIZE THE SHERIFF'S OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE JANUARY 1, 2017 TO A TRANSPORTATION SERGEANT SLOT NUMBER 0475-3, AND TRAINING DEPUTY SLOT NUMBER 0550-70 AND AMEND THE BUDGET ACCORDINGLY**

A stipend has been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for a Training Deputy & Transportation Sergeant. It is imperative that they are available to staff and supervisors in order to remain productive and performs duties effectively. No additional funds are needed they have been identified with the operating budget. Budget Amendment Decrease 001-618-00.548931 Increase 001-618-00.5194. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to add a telephone allowance effective January 1, 2017 to a Transportation Sergeant Slot Number 0475-3, and Training Deputy Slot Number 0550-70 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32127 APPROVE OUT OF STATE TRAVEL FOR CHIEF JAMIE PAGE TO ATTEND THE AMERICAN JAIL ASSOCIATION CONFERENCE IN ORLANDO FLORIDA**

Out of state travel is needed to send Chief Jamie Page to the American Jail Association Conference in Orlando, Florida on April 8-12, 2017. This conference focuses exclusively on topics geared toward the Correctional environment. The conference provides workshops that include ways to adapt to change, provides options for better management of inmates and offers methods of dealing with budget constraints. Chief will have the opportunity to network and create contacts with attendees from all over the nation. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Chief Jamie Page to attend the American Jail Association Conference in Orlando Florida. All present voting "Aye". MOTION PASSED

**32128 AUTHORIZE AN EMERGENCY BUDGET AMENDMENT FOR THE SHERIFF'S JAIL DIVISION FOR CONTRACT INMATE DIVISION FOR THE FY 2016 BUDGET YEAR**





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Per Local Government Code Section 111.010(C) an emergency budget amendment is needed for funds related to contracting with other counties to house prisoners during the FY 2016 budget year. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize an emergency budget amendment for the Sheriff's Jail Division for contract inmate division for the FY 2016 Budget Year. All present voting "Aye". MOTION PASSED**

**Clerks Note Re: Item #7- FINAL DEPARTMENTAL OPERATING BUDGET AMENDMENTS TO PREPARE FOR THE COUNTY'S FY 2016 YEAR-END PROCESS- was pulled**

**32129 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A RENEWAL GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 IMMUNIZATION PROGRAM IN THE AMOUNT OF \$192,341.00**

This is a renewal contract with the DSHS to support the Immunization Program for the Hays County Local Health Department. Funds will be utilized to provide support of the salary and benefits of the staffs involved in this program. This grant period begins on September 1, 2017 through August 31, 2018. The application is submitted electronically and is due on January 13, 2017. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to submit a Renewal Grant Application to the Texas Department of State Health Services (DSHS) for the FY2018 Immunization Program in the amount of \$192,341.00. All present voting "Aye". MOTION PASSED**

**32130 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY18 PUBLIC EMERGENCY PREPAREDNESS (PHEP) PROGRAM IN THE AMOUNT OF \$122,790.00**

The grant application is to the Texas Department of State Health Services, Public Health Emergency Preparedness (PHEP) program for funding to support the salary and benefits for the Emergency Preparedness Coordinator and SNS Coordinator and operating expenses in the Hays County Local Health Department. This grant requires a 10% match, with the match met through in-kind contributions from the health department operating funds for a total project amount of \$135,069.00. The term for this grant will be July 1, 2017 through June 30, 2018. The application is submitted electronically and is due on January 13, 2017. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Conley to authorize the County Judge to submit a grant application to the Texas Department of State Health Services (DSHS) for the FY18 Public Emergency Preparedness (PHEP) Program in the amount of \$122,790.00. All present voting "Aye". MOTION PASSED**

**32131 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A RENEWAL GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY18/19 RLSS/LOCAL PUBLIC HEALTH SYSTEM (LPHS) IN THE AMOUNT OF \$102,926.00**

The FY18/19 RLSS/LPHS provides annual funding to support disease surveillance tracking and reporting, as well as to develop plans and policies to improve the delivery of public health services within Hays County. Funds will be used to provide partial support of the salary and benefits of the Community Health RN supervisor over a two-year period. This is a renewal application for the funding period of September 1, 2017 through August 31, 2019. The application is submitted electronically and is due on January 13, 2017. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Conley to authorize the County Judge to submit a renewal grant application to the Texas Department of State Health Services (DSHS) for the FY18/19 RLSS/Local Public Health System (LPHS) in the amount of \$102,926.00. All present voting "Aye". MOTION PASSED**

**32132 ACCEPT AND APPROVE THE PROPOSAL FROM LANGFORD COMMUNITY MANAGEMENT SERVICES IN RESPONSE TO RFP #2017-P02, "MANAGEMENT SERVICES" FOR THE CEDAR OAK MESA WATER SUPPLY CORPORATION, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT DEVELOPMENT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT WHEN FINALIZED BY STAFF**

Changes to the Texas Department of Agriculture, Texas Community Development Block Grant program requirements now necessitate consultant selection to prepare both the grant application and subsequently manage the CDBG project if the grant application is awarded, if the consultant is to be retained throughout project implementation. The contract to be developed will include provisions that payment to the contractor is contingent upon grant award for the project through the TDA/CDBG program. The firm of Langford Community Management Services was the only respondent to this solicitation, and their proposal addresses the scope of work and budgetary requirements for the project. Previous experience with the firm has proven that they are professional, reliable, and familiar with these types of projects. The firm is also familiar with the new TDA



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requirements and has agreed that payment for services is contingent on grant award. Staff recommends the acceptance of the proposal from Langford Community Management Services in the amount of \$30,000.00 (\*contingent on grant funding award). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept and approve the proposal from Langford Community Management Services in response to RFP #2017-P02, "Management Services" for the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant Program project development and authorize the County Judge to execute contract when finalized by Staff. All Present Voting "Aye". MOTION PASSED**

**32133 AUTHORIZE THE COUNTY JUDGE TO SIGN A SERVICES AGREEMENT CHANGE ORDER SUBMITTED BY SWCA FOR WORK ON THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROJECT**

On August 9, 2016, Commissioners Court approved an agreement with SWCA to assist with permitting requirements for the Emergency Watershed Protection Program as part of the Interlocal Agreement between Hays County and the Guadalupe-Blanco River Authority (GBRA). The program goal is to remove debris from the Guadalupe-Blanco River basin from within Hays County. In order to work in the river, a permit from the U.S. Army Corps of Engineers (USACE) is required. SWCA has been retained to assist the GBRA with permitting in the lower portions of the river basin. Over the course of the program, SWCA has assisted staff with mapping, location information, right of entry processes, in addition to USACE permit work. After working with USACE, additional services are required for a number of the sites included in the EWP program. Staff wishes to retain SWCA to complete the permitting process and provide support to County staff. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to sign a services agreement change order submitted by SWCA for work on the Hays County Flood Debris Removal Project. All present voting "Aye". MOTION PASSED**

**32134 ACCEPT DEDICATION OF ALL OR A PORTION OF COCHISE COURT AND TAMMY TERRACE, WHICH ARE ROADS WITHIN THE WOODCREEK NORTH SUBDIVISION IN PRECINCT 3, PURSUANT TO THE MEMORANDUM OF UNDERSTANDING REGARDING THE DEDICATION OF ROADWAYS AND RIGHT-OF-WAY IN THE WOODCREEK NORTH SUBDIVISION, EXECUTED ON OR ABOUT MARCH 1, 2012**

Pursuant to the MOU, the County Engineer has indicated that either the Woodcreek North POA (WPOA) or Wimberley Springs Partners (Developer) should pay \$39,264.00 for the County's acceptance of these roadways. Developer has made such payment, and these roadways are now clear for acceptance by the County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept dedication of all or a portion of Cochise Court and Tammy Terrace, which are roads within the Woodcreek North Subdivision in Precinct 3, pursuant to the Memorandum of Understanding regarding the Dedication of Roadways and Right-Of-Way in the Woodcreek North Subdivision, executed on or about March 1, 2012. All present voting "Aye". MOTION PASSED**

**32135 AMEND THE TEXAS WATER DEVELOPMENT BOARD (TWDB) FLOOD PROTECTION GRANT BUDGET FOR NETWORK INFRASTRUCTURE FOR THE EARLY WARNING SYSTEMS PROJECT**

On 1/3/17 Commissioner's Court accepted a grant award from TWDB to assist in the implementation of a new early warning system for low water crossings throughout Hays County. As part of the task deliverables, two network servers will need to be purchased and installed in order to develop a web-based mapping system to display real-time data for public viewing. Funds are available within the grant and budgeted county matching funds to cover this request. Budget Amendment: Decrease Misc. Capital Improvements .5741 Increase Computer Equipment Op .5712\_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Texas Water Development Board (TWDB) Flood Protection grant budget for network infrastructure for the Early Warning Systems Project. All present voting "Aye". MOTION PASSED**

**32136 ACCEPT TERMS OF REVISED ENGAGEMENT LETTER FROM THE LAW OFFICE OF ELLY DIETZ, FOR CONTINUED OUTSIDE COUNSEL WORK ASSOCIATED WITH RIGHT OF WAY ACQUISITION**

The hourly rate for Ms. Dietz is being raised. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept terms of revised engagement letter from the Law Office of Elly Dietz, for continued outside counsel work associated with Right Of Way acquisition. All present voting "Aye". MOTION PASSED**

**32137 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS AND ACCEPTANCE OF THE MAINTENANCE BOND**



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**#1045321 IN THE AMOUNT OF \$716,010.00 FOR A 2-YEAR PERIOD FOR SUNFIELD SUBDIVISION, PHASE 2, SEC. 7**

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW. The Transportation Department has inspected and approved the improvements. A performance bond was submitted to the City of Buda for construction costs rather than a construction bond being issued to Hays County for this section. **A motion was made by Commissioner Jones, Seconded by Commissioner Whisenant to accept road construction and drainage improvements and acceptance of the Maintenance Bond #1045321 in the amount of \$716,010.00 for a 2-Year Period for Sunfield Subdivision, Phase 2, Sec. 7. All Present Voting “Aye”. MOTION PASSED**

**32138 AUTHORIZE THE PRECINCT 2 COMMISSIONER TO EXECUTE SUPPLEMENT NO. 7 TO THE LOCKWOOD, ANDREWS & NEWNAM, INC. MASTER AGREEMENT AND WORK AUTHORIZATION FOR PROFESSIONAL SERVICES NECESSARY TO CONTINUE RIGHT OF WAY ACQUISITION ALONG DACY LANE FROM AMBERWOOD LOOP TO HILLSIDE TERRACE**

Dacy Lane was identified as a County roadway warranting safety improvements as part of the 2008 Priority Road Bond Program. The project scope described in the bond program included the initial engineering studies required to begin environmental clearance as well as ROW preservation. The initial work supplemental work authorizations for ROW acquisition only included the parcels south of Amberwood Loop due to identified funding constraints within the 2008 Bond Program. At this time, enough savings have been realized within the bond program to permit further advancement of ROW acquisition to the north of Amberwood Loop. In addition, in November of 2016, Hays County voters approved Proposition 2 of the proposed 2016 Bond Program for road improvements throughout the County. Dacy Lane, including ROW acquisition, design and construction, was identified within this program. Therefore, funding is available for ROW procurement once the identified savings in the 2008 County Road Bond Program have been fully utilized. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Precinct 2 Commissioner to execute Supplement No. 7 to the Lockwood, Andrews & Newnam, Inc. Master Agreement and work authorization for Professional Services necessary to continue Right Of Way acquisition along Dacy Lane from Amberwood Loop to Hillside Terrace. All present voting “Aye”. MOTION PASSED**

**32139 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT WITH KENNEDY CONSULTING, INC. FOR THE FM 110 MIDDLE PROJECT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP FROM \$1,224,228.10 TO \$1,306,066.10**

The additional authorized money will allow for execution of a Supplemental for additional effort required for services not included in the original scope of services for Kennedy Consulting, Inc. for the FM 110 Middle project in the Partnership Program to complete the design. The additional effort includes development of ultimate grade- separated intersection alternatives at FM 621 and at SH 80, including adjustment of vertical profiles to reduce fill, optimize bridge structure types/depth/lengths, optimize span lengths and geometry, and achieve required freeboard at water crossings and required vertical/horizontal clearances at overpasses. The additional effort also includes adjusting alignment and profile at various locations, including feedback from adjacent property owners and saving tree at the San Marcos River, as well as development of riprap detail for channel outlet and optimizing earthwork quantities. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Supplemental Agreement No. 2 to the Professional Service Agreement with Kennedy Consulting, Inc. for the FM 110 Middle Project in Hays County, increasing the compensation cap from \$1,224,228.10 to \$1,306,066.10. All present voting “Aye”. MOTION PASSED**

**32140 AUTHORIZE COUNTY JUDGE TO SIGN A PSA WITH FREESE AND NICHOLS TO PROVIDE DRAINAGE ENGINEERING REVIEW SERVICES FOR VARIOUS SITES NEAR THE INTERSECTION OF SAWYER RANCH ROAD AND RUGGED EARTH DRIVE**

If approved, Freese and Nichols shall provide engineering services related to drainage around Sawyer Ranch Road and Rugged Earth Drive. The County has partnered with the City of Dripping Springs to commission this study, and a funding resolution was passed by the City of Dripping Springs to provide for one-half (1/2) of the total fee to be reimbursed to the County. Hays County has passed an appropriate resolution to pay one-half (1/2) of the total fee as well. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize County Judge to sign a PSA with Freese and Nichols to provide drainage engineering review services for various sites near the Intersection of Sawyer Ranch Road and Rugged Earth Drive. All present voting “Aye”. MOTION PASSED**

**32141 SUB-680 JARAMILLO - POSADA SUBDIVISION (7 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**



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The proposed Jaramillo - Posada Subdivision is a 7 lot subdivision located off of Mathias Lane in Precinct 2. The subdivision will be served by GoForth Special Utility District and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve SUB-680 Jarmillo-Posada Subdivision preliminary plan. All present voting "Aye". MOTION PASSED**

**32142 SUB-454 CROSSWINDS PHASE 1 (239 LOTS). DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY IN THE FORM OF CASH BOND NO. 2122 FOR THE CONSTRUCTION OF REMAINING STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$145,021.40**

Crosswinds Phase 1 is a 239 lot subdivision located off of Windy Hill Rd in Precinct 2. There are a proposed 228 Single Family Residential Lots, 10 Open Space/Drainage Lots, and 1 Amenity Lot. The subdivision will be served by the City of Kyle for Water and Wastewater service. Subdivision has been reviewed under the interlocal cooperation agreement with the City of Kyle and has 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 Jones, seconded by Commissioner to Ingalsbe to accept fiscal surety in the form of Cash Bond No. 2122 for the construction of remaining street and drainage improvements in the amount of \$145,021.40. All present voting "Aye". MOTION PASSED**

**32143 APPROVE THE RECOMMENDATION AND SELECTION OF AN ENGINEERING FIRM IN RESPONSE TO RFP #2017-P03, "ENGINEERING SERVICES" FOR THE CEDAR OAK MESA WATER SUPPLY CORPORATION, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT DEVELOPMENT AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT WHEN FINALIZED BY STAFF.**

On December 13, 2016 the Commissioners Court approved the specification for RFP #2017-P03, "Engineering Services" for the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant program project development and authorized solicitation of request for qualifications. A notice was published and the deadline for qualifications submission was December 29, 2016. Firm responses are currently being evaluated in order to expedite selection and meet CDBG program grant application deadlines. Changes to the Texas Department of Agriculture, Texas Community Development Block Grant program requirements now necessitate Engineering consultant selection for both grant application development input and subsequent detailed design and specification development and project oversight should funding be awarded, if the firm is to be retained throughout project implementation. The contract to be developed will include provisions that payment to the Engineer for services rendered is contingent upon grant award for the project through the TDA/CDBG program. Five firms responded to the RFQ and staff from Hays County are evaluating and ranking the proposals according to standardized criteria as included with the RFQ. It is expected that the selected firm will be brought before the Commissioners Court for consideration and approval at the meeting. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve the recommendation and selection of an engineering firm in response to RFP #2017-P03, "Engineering Services" for the Cedar Oak Mesa Water Supply Corporation, Community Development Block Grant Program Project Development and authorize the County Judge to execute contract when finalized by staff. All present voting "Aye". MOTION PASSED**

**32144 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL FUNDING AGREEMENT RELATED TO THE STUDY OF HYDROLOGY AND HYDRAULICS IN THE AREA AROUND SAWYER RANCH ROAD NEAR RUGGED EARTH DRIVE.**

Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Authorize The County Judge To Execute An Interlocal Funding Agreement Related To The Study Of Hydrology And Hydraulics In The Area Around Sawyer Ranch Road Near Rugged Earth Drive. All present voting "Aye". MOTION PASSED**

**32145 AUTHORIZE THE SHERIFF'S OFFICE TO HIRE THE LAW ENFORCEMENT COMPUTER SPECIALIST, SLOT 0927-001 POSITION AT THE 50TH PERCENTILE EFFECTIVE JANUARY 10, 2017.**

Sheriff Gary Cutler and Sheriff Deputy Ken Carpenter spoke. The Sheriff's Office is seeking approval to hire the LE Computer Specialist position at the 50th percentile of the pay grade (\$42,614 annually). This is a new position that was approved during the FY17 budget process. They currently have a candidate with 15 years of experience in the technology field, with more than 5 of those years directly related to law enforcement technology. This candidate is also Dell Tech/Direct Certified, TCIC and NCIC Certified as well as CPR and First Aid Certified and is proficient in network applications and software systems. Savings within the operating budget salary line items are available due to attrition. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to hire the Law Enforcement**



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Computer Specialist, Slot 0927-001 position at the 50th Percentile effective January 10, 2017. All present voting "Aye". MOTION PASSED

**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. 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 HUMPTY DUMPTY (SPRINGTOWN). POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

Court convened into Executive Session at 9:45 a.m. and reconvened into open court at 9:55 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley, Chief of Staff Lon Shell, and Mike Kamerlander with Greater San Marcos Partnership. No Action Taken

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT.**

Court convened into Executive Session at 10:08 a.m. and reconvened into open court at 10:58 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley, Chief of Staff Lon Shell, Mike Kamerlander with Greater San Marcos Partnership, and County Planner Caitlyn Hairell. No Action Taken

**Clerk's Note Re: Item #28-** DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW.-was pulled

**DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.**

Judge Cobb gave an update on the burn ban. The drought index is at 102 and the burn ban will remain lifted.

**Clerk's Note Re: Item #30-** 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 Whisenant, seconded by Commissioner Jones to adjourn court at 11:00 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 January 10, 2017.



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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 17<sup>TH</sup> DAY OF JANUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTOPHER ALANIZ	DEPUTY COUNTY CLERK

WITH COMMISSIONER PCT. 3, WILL CONLEY BEING ABSENT 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.

**32146 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County Invoices in the amount of \$1,421,426.87 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32147 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 10, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 10, 2017. All present voting "Aye". MOTION PASSED

**32148 APPROVE AND CONFIRM THE APPOINTMENT OF JESSE VILLALOVOS AS DEPUTY CONSTABLE AND ROBERT NATHAN VASQUEZ AS DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE**

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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioner's court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioner's court shall approve and confirm the appointment of the deputy only if the commissioner's court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioner's court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and confirm the appointment of Jesse Villalovos as Deputy Constable and Robert Nathan Vasquez as Deputy Constable in the Hays County Constable Precinct 2 Office. All present voting "Aye". MOTION PASSED**

**32149 APPROVE UTILITY PERMITS**

Permit: 1003, 1004, and 1005. Road Name: La Cima subd. (Ph.1,Sec.2), La Cima subd. (Ph.1, Sec.1), and Redwood Rd. Utility: CenterPoint Energy (gas), CenterPoint Energy (gas), and Zayo Group (fiber optic comm.) **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve utility permits .1003 at La Cima subd. (Ph 1, Sec 2) for CenterPoint Energy (gas), .1004 at La Cima subd. (Ph 1, Sec 1) for CenterPoint Energy (gas), and .1005 at Redwood Rd. for Zayo Group (fiber optic comm.). All present voting "Aye". MOTION PASSED**

**32150 AUTHORIZE COMMERCIAL OSSF PERMIT AT 3799 E HWY 290, DRIPPING SPRINGS, TX 78620**

Albert Garza of Mirela Icehouse LLC is proposing an OSSF to serve a restaurant that will house Austin Java. This 1.96-acre property is Lot 15 of Section 1-C in the Sunset Canyon Subdivision. The property is served by a public water supply. The system designer, Stan Burrier, P.E., has designed a treatment system which consists of a grease tank, pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 1330 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 3799 E Hwy 290, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**



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**32151 AUTHORIZE THE HISTORICAL COMMISSION TO ACCEPT TWO DONATIONS FROM THE CITY OF SAN MARCOS FOR THE KYLE DEPOT PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received donations for the Kyle Depot Projects for misc. supplies. Budget Amendment: Increase - 5201 Supplies. Increase - 4610 Contributions. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones authorize the Historical Commission to accept two donations from the City of San Marcos for the Kyle Depot Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32152 AUTHORIZE PAYMENT TO ACM BODY & FRAME, INC. FOR EXPENSES RELATED TO THE TRANSPORTATION DEPARTMENTS FREIGHTLINER TRUCK REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY**

Adam Leach, Assistant Director of Transportation, spoke. The Transportation Department had repairs done to the freightliner truck due to an accident where our driver was at fault. This expense has been reimbursed by TAC and the funds used to repair the truck. Budget Amendment: Increase Compensation for Loss; Increase Vehicle Maintenance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to ACM Body & Frame, Inc. for expenses related to the Transportation Departments Freightliner truck repairs in which no purchase order was issued or quotes obtained as required per the County Purchasing Policy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32153 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDED AGREEMENT BETWEEN HAYS COUNTY AND WATER AND EARTH TECHNOLOGIES, INC., ORIGINALLY EXECUTED ON JANUARY 2, 2017 AND AMEND THE BUDGET ACCORDINGLY**

General Counsel, Mark Kennedy, spoke. Because Contractor had trouble securing a construction bond Hays County has negotiated securing the project by way of Letter of Credit. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute an Amended Agreement between Hays County and Water and Earth Technologies, Inc., originally executed on January 2, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32154 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE PROJECT ENTITLED" HAYS COUNTY SWAT NIGHT VISION" IN THE AMOUNT OF \$183,028.00**

The grant application request is to acquire night vision binoculars for 26 members of the Hays County SWAT Team, for remote surveillance of potentially dangerous and/or life-threatening scenes during low/no light conditions. The acquisition of high performance night vision goggles will enable the Team to conduct operations and surveillance more effectively. The grant application is due in egrants by January 20, 2017 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division for the project entitled" Hays County SWAT Night Vision" in the amount of \$183,028.00. All Present Voting "Aye". MOTION PASSED**

**32155 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT THREE (3) TO THE GRANT AGREEMENT WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR THE JACOB'S WELL NATURAL AREA TO EXTEND THE GRANT TERM TO AUGUST 31, 2017**

On October 1, 2013 the Commissioners Court approved acceptance of a grant from the Texas Parks & Wildlife Department (TPWD), Recreation Grants Branch for development of the Jacob's Well Natural Area, in the amount of \$100,000.00. The original grant period was extended per Amendment 1 to July 15, 2016 and then to December 1, 2016 per Amendment 2, due to various issues including recent flooding in Hays County. Another extension was requested from TPWD in November, 2016 to further extend the project period to allow for completion of several remaining grant elements at the site. TPWD has approved an additional extension of the project term to August 31, 2017 and execution of Amendment Three (3) will formalize the change. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Amendment Three (3) to the grant agreement with the Texas Parks & Wildlife**



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Department for the Jacob's Well Natural Area to extend the grant term to August 31, 2017. All present voting "Aye". MOTION PASSED

**32156            AUTHORIZE FINAL DEPARTMENTAL OPERATING BUDGET AMENDMENTS TO PREPARE FOR THE COUNTY'S FY 2016 YEAR-END PROCESS**

Hays County Auditor Assistant Vickie Dorsett spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize final departmental operating budget amendments to prepare for the County's FY 2016 year-end process. All present voting "Aye". MOTION PASSED

**32157            AUTHORIZE COUNTY JUDGE TO EXECUTE RENEWAL CONTRACT FOR EXISTING XEROX COPIERS USING DIR (STATE) CONTRACT**

Purchasing has worked with Xerox to renew our existing contract thru DIR (state contract) and has been able to save the County offices countywide on their monthly leases. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize County Judge to execute renewal contract for existing Xerox copiers using DIR (state) contract. All present voting "Aye". MOTION PASSED

**32158            AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION OF THE COMMISSIONERS COURT TO AUTHORIZE SUBMITTAL OF THE METHOD OF DISTRIBUTION AND ASSOCIATED DOCUMENTS TO THE TEXAS GENERAL LAND OFFICE RELATED TO COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY FUNDING ASSOCIATED WITH THE 2015 FLOODS**

On December 20, 2016 the Commissioners Court approved the Method of Distribution and formula as required by the Texas General Land Office (GLO) for disbursement of HUD CDBG-DR funds associated with 2015 disaster events to eligible entities within and including Hays County. Documents were subsequently submitted to the GLO for review, and to formalize the submission process a Resolution is required from the Commissioners Court. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Resolution of the Commissioners Court to authorize submittal of the Method of Distribution and associated documents to the Texas General Land Office related to Community Development Block Grant - Disaster Recovery funding associated with the 2015 floods. All present voting "Aye". MOTION PASSED

**32159            ACKNOWLEDGE RECEIPT OF PROOF OF PERMANENT PEACE OFFICER LICENSURE UNDER CHAPTER 1701 OF THE TEXAS OCCUPATIONS CODE FROM EACH OF THE NEWLY-ELECTED HAYS COUNTY CONSTABLES (PRECINCTS 1, 2, 3, 4, AND 5), AS REQUIRED BY SECTION 86.0021 OF THE TEXAS LOCAL GOVERNMENT CODE**

TEXAS LOCAL GOVERNMENT CODE TITLE 3. ORGANIZATION OF COUNTY GOVERNMENT SUBTITLE B. COMMISSIONERS COURT AND COUNTY OFFICERS CHAPTER 86. CONSTABLE SUBCHAPTER A. GENERAL PROVISIONS Sec. 86.0021. QUALIFICATIONS (2)(B)(C)(2) the person is an active or inactive licensed peace officer under Chapter 1701, Occupations Code.(b) On or before the 270th day after the date a constable takes office, the constable shall provide, to the commissioners court of the county in which the constable serves, evidence that the constable has been issued a permanent peace officer license under Chapter 1701, Occupations Code. A constable who fails to provide evidence of licensure under this subsection or who fails to maintain a permanent license while serving in office forfeits the office and is subject to removal in a quo warranto proceeding under Chapter 66, Civil Practice and Remedies Code.(c) The license requirement of Subsection (b) supersedes the license requirement of Section 1701.302, Occupations Code. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to acknowledge receipt of proof of permanent peace officer licensure under Chapter 1701 of the Texas Occupations Code from each of the newly-elected Hays County Constables (Precincts 1, 2, 3, 4, and 5), as required by Section 86.0021 of the Texas Local Government Code. All Present Voting "Aye". MOTION PASSED

**32160            ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR SUNFIELD SUBD. PHASE 1, SECTION 5**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. A maintenance bond does not exist for this section with Hays County. Roads include: Pond View Pass (1,465 ft.), Maxmillion Lane (649 ft.) and Strawberry Blonde Drive (432 ft.). A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept of the roads into the county road system for Sunfield subd. Phase 1, Section 5. All present voting "Aye". MOTION PASSED





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**32161 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR SUNFIELD SUBD. PHASE 1, SECTION 6, AND RELEASE OF MAINTENANCE BOND #1028722**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. The maintenance bond itemizes 3 different scopes of work: Streets/Roads in the amount of \$294,927, Sewer lines in the amount of \$572,349 and Water lines in the amount of \$110,855. Roads include: Sundown Avenue (766 ft.), Pine Arbol Pass (471 ft.) and Stella Gold Street (741 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the roads into the county road system for Sunfield subd. Phase 1, Section 6, and release of maintenance bond #1028722. All present voting "Aye". MOTION PASSED**

**32162 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR BELTERRA SUBD. PHASE 4, SECTION 12B, AND RELEASE OF MAINTENANCE BOND #76111228 IN THE AMOUNT OF \$42,380.00**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Roads include: Sand Hills Lane (160 ft.), Venice Cove (754 ft.), Deschutes Court (167 ft.), Nantucket Circle (1,231 ft.) and Catalina Lane (1,995 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to consider the acceptance of the roads into the county road system for Belterra subd. Phase 4, Section 12B, and release of maintenance bond #76111228 in the amount of \$42,380.00. All present voting "Aye". MOTION PASSED**

**32163 CALL FOR A PUBLIC HEARING ON JANUARY 31, 2017 TO ESTABLISH HAYS COUNTY-ENFORCED TRAFFIC REGULATIONS (STOP SIGNS & SPEED LIMITS) IN ELLIOTT RANCH, A PRIVATELY MAINTAINED SUBDIVISION**

This action will be to establish the following traffic regulations, enforceable by Hays County (see map): Stop signs on Little Bear Road at Oak Grove Road (1), on Little Bear Road at Overlook Mountain (2), on Little Bear Road at Overlook Mountain East (2), on Overlook Mountain at Little Bear Road (2), on Whitney Run at Overlook Mountain West (2), on Elliott Ranch Road at Overlook Mountain East (4), on Overlook Mountain East at Elliott Ranch Road (4), on Elliott Ranch Road at Little Bear Road (1), on Blythe Wilson Road at Little Bear Road (1), on Overlook Mountain East at Little Bear Road (1), and a speed limit of 30 MPH throughout the subdivision. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on January 31, 2017 to establish Hays County-enforced traffic regulations (stop signs & speed limits) in Elliott Ranch, a privately maintained subdivision. All present voting "Aye". MOTION PASSED**

**32164 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #PB03010402761 IN THE AMOUNT OF \$1,000,917.70, AND ACCEPTANCE OF THE MAINTENANCE BOND #75139761 IN THE AMOUNT OF \$142,029.00 FOR A 3-YEAR PERIOD FOR HEADWATERS AT BARTON CREEK SUBDIVISION, PHASE 1**

Staff recommends 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 Whisenant, seconded by Commissioner Jones to accept the road construction and drainage improvements, release of the construction bond #PB03010402761 in the amount of \$1,000,917.70, and accept the maintenance bond #75139761 in the amount of \$142,029.00 for a 3-year period for Headwaters at Barton Creek subdivision, Phase 1. All present voting "Aye". MOTION PASSED**

**32165 SUB-580; REPLAT OF LOT 8, VISTA RIDGE ESTATES AND ACTION TO APPROVE FINAL PLAT; HOLD A PUBLIC HEARING**

Judge Cobb opened the public hearing at 9:24 a.m. Craig Gibson and Clint Garza, Director of Development and Community Services spoke. Vista Ridge Estates is a recorded subdivision located off of Roy Creek Trail in Precinct 4. The proposed re-plat will divide the 11.09 acre lot 8 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones for a continuance of public hearing on January 31, 2017, repost and republish for SUB-580; Replat of Lot 8, Vista Ridge Estates and action to approve final plat. All present voting "Aye". MOTION PASSED**



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**32166 CALL FOR A PUBLIC HEARING ON JANUARY 31, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 8, HAYS CITY ESTATES**

Hays City Estates is a recorded subdivision located off of FM 150 in Precinct 2. The proposed re-plat will divide the 20.26 acre lot 8 into 2 10.13 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to call for a public hearing on January 31, 2017 to discuss final plat approval of the Replat of Lot 8, Hays City Estates. All present voting “Aye”.** MOTION PASSED

**32167 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN DB LIFE SAFETY SERVICES INC. AND HAYS COUNTY, FOR WORK RELATED TO THE FIRE SUPPRESSION SYSTEMS IN COUNTY OWNED FACILITIES**

Clint Garza, Director of Development and Community Services spoke. DB Life Safety Services, Inc. will perform inspections, fire pump testing, and consulting services for fire suppression system monitoring during phases of construction within County owned facilities. In the event the contract cost exceeds \$50,000, it will be subject to Discretionary Exemption under Local Government Code 262.024(a)(3). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement between DB Life Safety Services Inc. and Hays County, for work related to the fire suppression systems in County owned facilities. All present voting “Aye”.** MOTION PASSED

**32168 HOLD A PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF A TEXAS PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM WITHIN HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO RESOLVING TO ESTABLISH A PACE PROGRAM THROUGHOUT HAYS COUNTY, AND ADOPTING A REPORT REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009**

Judge Cobb opened the public hearing at 9:35 a.m. Sharleen Huttenger of PACE authority, and Mike Kamenlander of the Greater San Marcos Partnership spoke. Judge Cobb closed the public hearing at 10:14 a.m. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a Texas Property Assessed Clean Energy (PACE) program within Hays County, and adopt a report, establishing the region as Hays County, required by Texas Local Government Code Section 399.009. All present voting “Aye”.** MOTION PASSED

**32169 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TEXAS PROPERTY ASSESSED CLEAN ENERGY AUTHORITY, RELATED TO THE ADMINISTRATION OF THE NEWLY-ESTABLISHED PACE PROGRAM IN HAYS COUNTY**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Professional Services Agreement between Hays County and Texas Property Assessed Clean Energy Authority, related to the administration of the newly-established PACE program in Hays County. All present voting “Aye”.** MOTION PASSED

**Clerks Note Re: Item #25- 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**

**32170 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 HUMPTY DUMPTY (SPRINGTOWN). POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Mike Kamenlander of the Greater San Marcos Partnership spoke. Court convened into Executive session at 10:35 a.m. and reconvened into open court at 10:37 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, and Judge Cobb. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an**



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addendum to Chapter 381 Economic Development Incentive Agreement between Hays County and Humpty Dumpty SSM, LTD., as presented in Executive Session and as summarized in open court. All present voting "Aye". MOTION PASSED

**Clerks Note Re: Item #27-** EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT- **was pulled**

**Clerks Note Re: Item #28-** DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW- **was pulled**

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

Judge Cobb gave an update on the burn ban. The drought index is at 38 and the burn ban will remain lifted.

**Clerks Note Re: Item #30-** 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 10:44 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 January 17, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 24<sup>TH</sup> DAY OF JANUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
ROXANNE SANCHEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

Commissioner Conley arrived after roll call.

**32171 ADOPT A PROCLAMATION DECLARING JANUARY 21-28, 2017 AS COLONEL JOHN COFFEE HAYS WEEK TO HONOR THE BICENTENNIAL OF HIS BIRTH**

Kate Johnson, Chair of Hays County Historical Commission spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring January 21-28, 2017 as Colonel John Coffee Hays week to honor the bicentennial of his birth. All voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 9:11 a.m. and returned into open session at 9:23 a.m.

**UPDATE FROM STAFF ON THE ONGOING BLANCO RIVER DEBRIS REMOVAL PROGRAM**

Commissioner Conley spoke. Caitlyn Hairell and Clint Garza of Developmental Services spoke. The Development Services Department conducted a presentation on the progress that has been made during the Hays County Debris Project. No Action Taken.

**PUBLIC COMMENTS**

Matt Ocker spoke and entered a Judgment for record from Cause #16-2439 in the District Court of Hays County, Texas, 22<sup>nd</sup> Judicial District.

**32172 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$740,121.28 as submitted by the Hays County Auditor. All voting "Aye". MOTION PASSED

**32173 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 17, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of January 17, 2017. All voting "Aye". MOTION PASSED

**32174 APPROVE UTILITY PERMITS**

Permit: 1006; Road: Peregrine Drive (Falconwood); Name: Utility PEC (electric line). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit .1006 on Peregrine Drive (Falconwood) for PEC (electric line). All voting "Aye". MOTION PASSED

**32175 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE INSURANCE PROCEEDS RECEIVED FOR VEHICLE MAINTENANCE AND REPAIR FROM A TOTALED VEHICLE AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is requesting court approval to use insurance proceeds for vehicle maintenance and repair of three existing vehicles. All three vehicles are in good physical condition and with repairs will give the Sheriff's Office another 100K lifespan in trucks. Maintenance and repair of the three vehicles include a flattened cam shaft that will require a new 'top' engine, a cracked engine block that will need a new crate engine and labor cost to replace, and general maintenance to get the final truck running. Insurance proceeds totaling \$10,279 were



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received from Farm Bureau for a 2010 Jeep Grand Cherokee that was totaled in October of last year. The total cost of repairs is estimated at \$11,000. Budget Amendment: Increase Revenue: Compensation for Loss. Increase Expense: Vehicles Maintenance & Repair. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize insurance proceeds received for vehicle maintenance and repair from a totaled vehicle and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**32176 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT (EMPG) GRANT PROGRAM FOR UP TO \$42,007.52**

The Emergency Management Grant (EMPG) has funded a portion of the salary and benefits for the Emergency Services Director since 2002. The grant funding supports approximately half the salary and benefits, although in the past years we have been receiving less than half. The grant term is from October 1, 2016 through September 30, 2017. The application is submitted electronically and is due on January 31, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to submit a grant application to the Texas Department of Public Safety, Division of Emergency Management (EMPG) grant program for up to \$42,007.52. All voting "Aye". MOTION PASSED**

**32177 RATIFY THE PURCHASE OF A REPLACEMENT AIR CONDITIONING UNIT FOR THE 911 SERVER ROOM**

At this time the Sheriff's Office is requesting approval to ratify an emergency purchase that occurred on 1/12/17 of a replacement 2-Ton minisplit for the 911 server room. The total cost of the replacement unit is \$1,059.00. No additional funds are needed, funds were identified from savings within the Miscellaneous Equipment Operating g/l. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to ratify the purchase of a replacement air conditioning unit for the 911 server room. All voting "Aye". MOTION PASSED**

**32178 ADOPT AND AUTHORIZE THE COUNTY JUDGE TO SIGN A RESOLUTION FOR SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR WATER SYSTEM IMPROVEMENTS WITHIN THE CEDAR OAK MESA WATER SUPPLY CORPORATION SERVICE AREA**

The Cedar Oak Mesa Water Supply Corporation has requested Hays County to sponsor a grant application to the Texas Department of Agriculture, Office of Rural Affairs, Community Development Block Grant (TxCDBG) program for assistance to provide further water system improvements within the service area of the Corporation. Previous actions by the Commissioners Court have enabled the County to secure administrative/management and engineering services for both the preparation of the grant application and subsequent implementation of the project should funding be awarded. Proposed improvements include replacing substandard water lines with approximately 2,300 feet of new 6" water lines to improve the water distribution system performance and fire protection capability for the subdivision. Project funds in the amount of \$300,000.00 will be requested to replace undersized water lines, valves, provide service reconnections, and install fire hydrants within the subdivision, and provide for engineering and grant administration services. The TxCDBG program requires a 5% match to the grant amount request that will be met through funds provided by the Cedar Oaks Mesa Water Supply Corporation (\$15,000.00\*). Hays County has previously served to sponsor and administer TxCDBG program funding for the Cedar Oak Mesa Water Supply Corporation that has included partial replacement of water lines and construction of a new 50,000 gallon water storage tank. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt and authorize the County Judge to sign a Resolution for submission of a grant application to the Texas Department of Agriculture, Texas Community Development Block Grant Program for water system improvements within the Cedar Oak Mesa Water Supply Corporation service area. All voting "Aye". MOTION PASSED**

**32179 ADOPT AND AUTHORIZE THE COUNTY JUDGE TO SIGN A RESOLUTION AND ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CEDAR OAK MESA WATER SUPPLY CORPORATION FOR SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FUNDING AND IMPLEMENTING WATER SYSTEM IMPROVEMENTS**

The Cedar Oak Mesa Water Supply Corporation (COMWSC) has requested Hays County to sponsor a grant application to the Texas Department of Agriculture, Office of Rural Affairs, Community Development Block Grant (TxCDBG) program for assistance to provide further water system improvements within the service area of the Corporation. Previous actions by the Commissioners Court have enabled the County to secure administrative/management and engineering services for both the preparation of the grant application and subsequent implementation of the project should funding be awarded. The proposed Interlocal Agreement (ILA) formalizes sponsorship of the CDBG project application and administration by Hays County and partnership with



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the COMWSC. The ILA and a similar Resolution have been authorized and executed by the COMWSC governing Board. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt and authorize the County Judge to sign a Resolution and enter into an Interlocal Agreement with the Cedar Oak Mesa Water Supply Corporation for submission of a grant application to the Texas Department of Agriculture, Texas Community Development Block Grant Program for funding and implementing water system improvements. All voting "Aye". MOTION PASSED**

**32180 AUTHORIZE COMMERCIAL OSSF PERMIT AT 710 HENLY LOOP, DRIPPING SPRINGS, TX 78620**

Commissioner Whisenant spoke. James Kuykendall and Joshua Garst are proposing an OSSF to serve 13 RVs and an office building with laundry facilities. This 10.40-acre property will be served by a private well. The system designer, Derrick Lormand, R.S., has designed a treatment system which consists of pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 800 gallons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 710 Henly Loop, Dripping Springs, TX 78620. All voting "Aye". MOTION PASSED**

**32181 RATIFY THE COUNTY JUDGE'S EXECUTION AND SUBMISSION OF THE APPLICATION FOR THE FY18 AND FY19 FOR THE EMERGING AND ACUTE INFECTIOUS DISEASE PROGRAM (PREVIOUSLY REFERRED TO AS THE INFECTIOUS DISEASE PREPAREDNESS AND RESPONSE PROGRAM) WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE AMOUNT OF \$165,000**

On September 1, 2015 Commissioners Court authorized a contract with Department of State Health Services (DSHS) for funding from the Infectious Disease Preparedness and Response Program. DSHS has chosen to renew the program for 2 additional years, ending August 31, 2019. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the County Judge's execution and submission of the application for the FY18 and FY19 for the Emerging and Acute Infectious Disease program (previously referred to as the Infectious Disease Preparedness and Response Program) with the Department of State Health Services (DSHS) for the amount of \$165,000. All voting "Aye". MOTION PASSED**

**32182 AUTHORIZE COMMERCIAL OSSF PERMIT AT 651 FM 1626, BUDA, TX**

Corridor Properties, LLC is proposing an OSSF to serve a 3 building office park. This property is 1.738 acres in Huntington Estates Subdivision and the property will be served by a public water supply. The system designer, Steve Wenzel, PE, has designed a treatment system which consists of a pretreatment tank, a flow equalization tank, an aerobic treatment unit, and pump tank. After treatment, the effluent will be dispersed via drip irrigation at a maximum daily rate of 315 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 651 FM 1626, Buda, TX. All voting "Aye". MOTION PASSED**

**32183 ADOPT A PROJECT EXECUTION PLAN FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM; AND DELEGATE AUTHORITY TO EXECUTE PROJECT DECISIONS AND APPROVE PROJECT EXPENDITURES WITHIN CERTAIN PARAMETERS**

Commissioner Ingalsbe and Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Project Execution Plan for the Hays County Public Safety Bond Program; and delegate authority to execute project decisions and approve project expenditures within certain parameters. All voting "Aye". MOTION PASSED**

**32184 AUTHORIZE DEPARTMENTAL OPERATING BUDGET AMENDMENTS TO FINALIZE THE COUNTY'S FY 2016 YEAR-END PROCESS**

**A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize departmental operating budget amendments to finalize the County's FY 2016 year-end process. All voting "Aye". MOTION PASSED**

**32185 SUB-680 JARAMILLO - POSADA SUBDIVISION (7 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT**

Caitlyn Hairell spoke. The proposed Jaramillo - Posada Subdivision is a 7 lot subdivision located off of Mathias Lane in Precinct 2. The subdivision will be served by GoForth Special Utility District and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat, SUB-680 Jaramillo - Posada Subdivision (7 Lots). All voting "Aye". MOTION PASSED**



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**32186      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS TO STUDY AND UPDATE FLOODPLAIN MODELS, AS NECESSARY, IN AND AROUND HAYS COUNTY OWNED PROPERTIES AND AMEND THE BUDGET ACCORDINGLY**

Clint Garza and Commissioner Whisenant spoke. Freese and Nichols will update 27 cross sectional surveys on the Blanco River starting at Blanco Vista subdivision working downstream to the Hays County Law Enforcement Facilities on Uhland Road. The updated surveys will use newly acquired LiDAR data to update 100-year and 500-year floodplains directly around the Jail. Freese and Nichols will also provide the County with new 100 and 500- year water surface elevations at the jail site. Once models and floodplains are update, Freese and Nichols will work all necessary agencies to complete necessary changes to the 100 and 500 year floodplain. Budget Amendment: Reduce County Wide Misc Capital Improvements; Increase County Wide Contract Services. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a professional services agreement with Freese and Nichols to study and update floodplain models, as necessary, in and around Hays County owned properties and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**32187      OPERATIONAL HOURS OF JACOB'S WELL NATURAL AREA, UPDATE RULES AND EXTEND SWIM SEASON.**

Requesting operational hours for Jacob's Well Natural Area to be 10:00am-6:00pm year round. Currently, swim season is open Memorial Day-Labor Day. Staff is requesting extending swim season May 1-October 1 to allow more visitors to swim during the warmer months. Proposed changes to the existing rules include operation of drones by permit only and removing the tour requirement for swim access. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to pull item and move to a later court date. All voting "Aye". MOTION PASSED**

**32188      ADOPT A RESOLUTION EXPRESSING INTENT TO REIMBURSE PROJECT EXPENDITURES FROM PROCEEDS OF FUTURE TAX-EXEMPT OBLIGATIONS, IN CONNECTION WITH A CO-LOCATED EMERGENCY COMMUNICATIONS/911 FACILITY, A LAW ENFORCEMENT CENTER, A LAW ENFORCEMENT TRAINING FACILITY, AND A COUNTY JAIL FACILITY, INCLUDING THE ACQUISITION OR IMPROVEMENT OF SITES FOR SUCH FACILITIES, APPROVED IN THE NOVEMBER 2016 ELECTION AS THE HAYS COUNTY PUBLIC SAFETY BOND (PROPOSITION 1) IN AN AMOUNT NOT TO EXCEED \$106,400,000.00**

Commissioner Ingalsbe spoke. Julia Houston of Andrews Kurth spoke. This reimbursement resolution will allow Hays County to refund current, qualifying expenditures by way of citizen-approved Public Safety Bond proceeds, which such bonds are issued by Hays County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution expressing intent to reimburse project expenditures from proceeds of future tax-exempt obligations, in connection with a co-located emergency communications/911 facility, a law enforcement center, a law enforcement training facility, and a county jail facility, including the acquisition or improvement of sites for such facilities, approved in the November 2016 election as the Hays County Public Safety Bond (Proposition 1) in an amount not to exceed \$106,400,000.00. All voting "Aye". MOTION PASSED**

**32189      ADOPT A RESOLUTION EXPRESSING INTENT TO REIMBURSE PROJECT EXPENDITURES FROM PROCEEDS OF FUTURE TAX-EXEMPT OBLIGATIONS, IN CONNECTION WITH ALL ROADWAYS AND RELATED EXPENDITURES APPROVED IN THE NOVEMBER 2016 ELECTION AS THE HAYS COUNTY ROAD BOND PROPOSITION (PROPOSITION 2), IN AN AMOUNT NOT TO EXCEED \$131,400,000.00**

This reimbursement resolution will allow Hays County to refund current, qualifying expenditures by way of citizen-approved Road Bond proceeds, when such bonds are issued by Hays County. Approved bond language may be found as an exhibit to the Resolution. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Resolution expressing intent to reimburse project expenditures from proceeds of future tax exempt obligations, in connection with all roadways and related expenditures approved in the November 2016 election as the Hays County Road Bond Proposition (Proposition 2), in an amount not to exceed \$131,400,000.00. All voting "Aye". MOTION PASSED**

**32190      HOLD A PUBLIC HEARING RELATED TO THE AMENDMENT OF THE HAYS COUNTY ANIMAL CONTROL ORDINANCE. POSSIBLE ACTION TO FOLLOW, INCLUDING BUT NOT LIMITED TO AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN AMENDED AND RESTATED ANIMAL CONTROL ORDINANCE**



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The Hays County Sheriff's Office has provided suggested amendments to the existing Animal Control Ordinance. Most changes are practical changes meant to make the Ordinance function better, and/or to bring it within compliance with state and constitutional standards. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to hold a Public Hearing related to the amendment of the Hays County Animal Control Ordinance and authorize the County Judge to execute a 6th Amended and Restated Animal Control Ordinance #32190. All voting "Aye". MOTION PASSED**

**32191 CALL FOR A PUBLIC HEARING ON FEBRUARY 21, 2017 TO HEAR AND FINALIZE CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS; DISCUSSION WITH STAFF REGARDING PROPOSED CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS**

Caitlyn Hairell spoke. Amendments to the Hays County Development Regulations are being proposed. Documentation and justification for the proposed changes are provided in backup. If additional changes to the regulations are requested, they will be heard and codified at the time of the public hearing. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to call for a public hearing on February 21, 2017 to hear and finalize changes to the Hays County Development Regulations; discussion with staff regarding proposed changes to the Hays County Development Regulations. All voting "Aye". MOTION PASSED**

**32192 AUTHORIZE THE RECYCLING AND SOLID WASTE DIVISION TO PURCHASE A USED FORKLIFT AND AMEND THE BUDGET ACCORDINGLY**

Clint Garza spoke. The Recycling and Solid Waste Division is in need of a forklift to assist in their daily operations at the precinct 4 facility. The current forklift (1997 model w/17,000 hours) is in a state of disrepair and it no longer makes sense financially to make repairs. Staff has identified a Heli brand forklift with 648 operating hours at a cost of 16,700. Funds in the amount of \$8,000 have been identified through the reduction in the scope of work for miscellaneous capital improvement projects that were approved in the 2017 annual budget. The decision to reduce the amount of work done on current planned projects was based on a level of importance to the department as a whole. The remaining funds are being requested from the Countywide Contingency budget. The reduction in the scope of work on identified projects is as follows; \*Instead of running a new sewer line from the new office building to the onsite sewage facility the existing line will be tied into the existing utility stubouts from the old office location for a \$3,000 savings. \*A new entry/exit gate and an area to allow easier access for customers hauling trailers along with fencing between the station and neighboring business was planned. At this point only the fencing will be installed for a savings of \$5,000. Budget Amendment: Transfer Station: Decrease 001-716-00.5741 (Misc. Capital Improvements) (\$8,000); Increase 001-716-00.5714\_700 (Heavy Equipment Capital) \$16,700. Possible Funding Source for additional funds needed: Decrease 001-645-00.5399 (Countywide Contingency) (\$8,700). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Recycling and Solid Waste Division to purchase a used forklift and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**32193 AUTHORIZE THE TAX ASSESSOR COLLECTOR TO FILL THE ACCOUNTANT I, SLOT 0021-001 FOR A 2 1/2 MONTH PERIOD EFFECTIVE MARCH 16, 2017 AND AMEND THE BUDGET ACCORDINGLY**

Luanne Caraway, Hays County Tax Assessor Collector, spoke and requested the Courts consideration to double-fill the Accountant position for a 2 ½ month period due to the current employee retiring. The Tax Office currently has only one accountant position; therefore there will be no one in the office with an accounting background to help with training. This position does all daily accounting work for both the motor vehicle and property tax departments which includes reconciling bank deposits and verifying all of the monies collected daily by each of the tax office clerks. Also, many of the entities collected for are paid through ACH transactions which have to be reconciled in a timely manner. Due to the amount of detail work in reconciling the general ledger as well as balancing all of the bank accounts, the complexity of work and high dollar volume of transactions it will be beneficial to have the new employee trained with our current accountant in order to perform two monthly close out periods. Funds within county wide salary adjustments (due to attrition) will be available to fund this request. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Tax Assessor Collector to double fill the Accountant I, slot 0021-001for a 2 1/2 month period effective March 16, 2017 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**32194 AMEND THE DEVELOPMENT AND COMMUNITY SERVICES TRAVEL BUDGET FROM COUNTY WIDE CONTINGENCIES FOR SITE TOURS RELATED TO THE JAIL/PUBLIC SAFETY BUILDING PROJECTS**

The Director of the Development and Community Services Department, as well as the County Planner, are members of the Hays County Jail Committee and will be required to travel to various counties to tour other facilities as requested. The Development Services Department allocated a set amount of funds for their travel budget during the planning and budgeting phase for the 2017 fiscal year and expenses pertaining to these tours were not included. Due to these unforeseen trips, the DC&S Director respectfully requests the Court to transfer funds from County Wide contingency to his travel budget. Budget Amendment: Increase Development &





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Community Services Travel - \$1,000. Potential funding source - Decrease County Wide Contingences - (\$1,000). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Development and Community Services travel budget from County Wide contingencies for site tours related to the Jail/Public Safety Building projects. All voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #26 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**

**32195 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court Convened into Executive Session at 11:38 a.m. and reconvened into open court at 11:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an unimproved property contract between Hays County and Ana Yuliana Posada for the purchase of 0.79 acres of land currently owned by Hays County at the intersection of Windy Hill Road and FM 2001, as presented in Executive Session. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #28 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**

**32196 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Clint Browning, Fire Marshall, spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to impose a burn ban for 90 days unless it is extended. All voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #30 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 11:49 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 January 24, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

**ON THIS THE 31st DAY OF JANUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<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>CHRISTOPHER ALANIZ</b>	<b>DEPUTY COUNTY CLERK</b>

**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.

#### **SWEARING-IN AND CONFIRMATION OF MEMBERS TO THE HAYS COUNTY HISTORICAL COMMISSION**

The confirmation of all members for the current Hays County Historical Commission is required in odd-numbered years thus securing a two-year commitment from each member. Delbert Bassett, Marie Bassett, Eric Beckers, Linda Coker, Luanne P. Cullen, Robert Frizzell, Irma Gaitan, Eddie Gumbert, Dorothy Gumbert, Kate Johnson, Richard Kidd, Jo Landon, Jo Ann Lowe, SarahAnn Lowther, Cindy Meyer, Ralph Meyer, Jerry T. Moore, Henry Oles, Marian Oles, Ralph Randow, Trisha Randow, Ofelia Vasquez-Philo.

#### **PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller from Human Resources presented awards for years of service in Hays County. Five year: Sheriff: Office Chaplain Brenda J. Spire, Deputy: Shaun Booth. County Court at Law: Bailiff, David Morales. Ten Year: Treasures Office: Bookkeeper, Marilyn Sue Cook. Recycling/Parks: Recycling and Solid Waste, Site Technician, Teri Lee Stephens. Development Services: Environmental Health Specialist 1, April Gail Rigby. Sherriff Office: Sergeant Corrections, Heather E. Molandes, Administrative Assistant III, Sandra Ramirez Galvan, Corrections Officer, Jason Douglas Mccoy. County Clerk: Chief Deputy Clerk, Christine M. Rodriguez. County Court at Law: Assistant Court Administrator, Kelli Ann Stapp. JP 4: Justice of the Peace, Terry Kyle. Transportation: Bookkeeper, Michele Cay Walters. Fifteen Years: District Attorney: Administrative Assistant II, Patty Roten. Elections: Administrative assistant III, Virginia Flores. Twenty Years: Sheriff Office: Deputy, Kurt Alva Domke. Thirty Five Years: Treasurer: Treasurer, Michele H. Tuttle. Retirement: Auditor: Purchasing Manager, Cynthia Maiorka. District Attorney: Administrative Assistant II, Patty Roten.

#### **32196 ADOPT A PROCLAMATION RECOGNIZING CINDY MAIORKA'S 24 YEARS OF SERVICE TO HAYS COUNTY**

Cindy Maiorka spoke. A motion was made by Commissioner Whisneant, seconded by Commissioner Ingalsbe to adopt a proclamation recognizing Cindy Maiorka's 24 years of service to Hays County. All present voting "Aye". MOTION PASSED

#### **PRESENTATION FROM STAFF ON THE STATUS OF HAYS COUNTY HAZARD MITIGATION PLAN UPDTAE**

In June of 2016 Hays County received notice of award and accepted grant funding of a FEMA Pre-Disaster Mitigation (PDM) grant administered through the Texas Department of Public Safety, Division of Emergency Management for the purpose of updating the Hays County (and Community Partners) Hazard Mitigation Plan. The Plan must be updated every 5 years to maintain eligibility for Hazard Mitigation Grant Program funding to address and minimize damages from natural disaster events, with the current Plan set to expire in late November, 2017. Solicitation was made beginning in August, 2016 through a Request for Proposals for consultant services to assist in the preparation of the Plan update, and on October 18, 2016 the partnership of Jeffrey S. Ward & Associates, Inc. and Halff Associates, Inc. was selected to facilitate the planning process and develop the Plan update. The first meeting of the planning team along with Hays County and the 11 Community Partners occurred on December 8, 2016 in Kyle to kick off the planning process and begin collecting data specific to each of the jurisdictions. The second meeting was held on January 12, 2017 in Wimberley to conduct a risk assessment and determine potential impacts from natural hazards to people and property. Current efforts include seeking input from stakeholders and the public on their perspectives of the hazards present and how to address mitigation efforts to minimize impacts to people and property. Public feedback is encouraged through an online survey questionnaire found on the Hays County Website at <http://www.co.hays.tx.us/hazard-mitigation-plan-update.aspx> and further information on the Plan will also be posted to the site as it becomes available.



**32197 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve payment of County Invoices in the amount of \$1,633,230.78 by the Hays County Auditor. All voting "Aye". MOTION PASSED

**32198 APPROVE COMMISSIONER COURT MINUTES OF JANUARY 24, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve Commissioners Court Minutes of January 24, 2017. All voting "Aye". MOTION PASSED

**32199 APPROVE OUT OF STATE TRAVEL FOR DETECTIVE MARK OPIELA TO ATTEND THE MOBILE DEVICE EXAMINER COURSE IN HOOVER, ALABAMA**

Out of state travel is needed to send Detective Mark Opiela to attend the Mobile Device Examiner Course in Hoover, Alabama on February 26- March 24, 2017. This is a 20 day course designed to train Law Enforcement officers how to understand mobile device seizures, how to track histories of mobile devices, and teach basic drafting of court orders and search warrants. This course is a combination of instructor lecture and practical exercises. Having Detective Opiela attend this training will help him with investigating crimes that occur in Hays County pertaining to mobile devices such as cell phones, GPS units and tablets. All fees (registration, hotel and per diem) with the exception of fuel will be funded by the US Secret Service. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Detective Mark Opiela to attend the Mobile Device Examiner Course in Hoover, Alabama. All voting "Aye". MOTION PASSED**

**32200 APPROVE OUT OF STATE TRAVEL FOR CRIME ANALYST ASHLEY GREENFEATHER TO ATTEND THE ESRI USER CONFERENCE IN SAN DIEGO, CALIFORNIA**

Out of state travel is needed to send Crime Analyst Ashley Greenfeather to the Esri User Conference in San Diego, California on July 10-14, 2017. This conference will provide hands on training, moderated sessions, technical workshops and demonstrations and user presentations. Ashley's attendance will allow her to test drive new solutions, provide feedback on software and network with peers across the nation. All fees (registration, per diem and airfare) will be reimbursed by Austin Regional Intelligence Center. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Crime Analyst Ashley Greenfeather to attend the ESRI user Conference in San Diego, California. All voting "Aye". MOTION PASSED**

**32201 APPROVE THE 2016 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 3**

We have to submit the annual Racial Profiling Report for 2016 in accordance to Law Enforcement Policy on Racial Profiling - Article 2.132 Texas Code of Criminal Procedure (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept and approve The 2016 Racial Profiling Report from Hays County Constable Office, Pct. 3. All voting "Aye". MOTION PASSED**

**32202 APPROVE THE 2016 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 1**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the 2016 Racial Profiling Report from the Hays County Constable Office Pct. 1. All voting "Aye". MOTION PASSED

**32203 APPROVAL OF SPECIFICATIONS FOR IFB 2017-B03 CEMETERY MAINTENANCE AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BID AND ADVERTISE**



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones for the approval of specifications for IFB 2017-B03 Cemetery Maintenance and authorize Purchasing Manager to solicit for bid and advertise. All voting “Aye”. MOTION PASSED

**32204      AUTHORIZE THE CONSTABLE PRECINCT 2 OFFICE TO ADD TWO TELEPHONE ALLOWANCES EFFECTIVE JANUARY 3, 2017 FOR DEPUTY CONSTABLES, SLOT 0885-005 AND 0885-006 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 positions. These positions travel throughout the precinct for public safety and civil processes. It is imperative that they are 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. With the operating budget have been identified to fund this request. Budget Amendment Decrease - 001-636-00.5489 \$630 Increase - 001-636-00.5194 \$630 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Constable Precinct 2 office to add two telephone allowances effective January 3, 2017 for Deputy Constables, Slot 0885-005 and 0885-006 and amend the budget accordingly. All voting “Aye”. MOTION PASSED**

**32205      APPROVE OUT OF STATE TRAVEL FOR THE GIS PROGRAMS MANAGER FOR THE ESRI INTERNATIONAL USER CONFERENCE AND COUNTY PLANNER-01 JULY 10<sup>TH</sup> THROUGH JULY 14<sup>TH</sup> IN SAN DIEGO, CALIFORNIA**

During budget, the department allocated funds to send the GIS Programs Manager to the annual ESRI GIS Conference. Prior to booking flights and accommodations staff is seeking official approval for out of state travel. The conference is offered at no cost to attendees. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve out of state travel for the GIS programs manager for the ESRI International user conference and county planner-01 July 10<sup>th</sup> through July 14<sup>th</sup> in San Diego, California. All voting “Aye”. MOTION PASSED**

**32206      RATIFY AN ENCUMBRANCE TO STELLAR INDUSTRIES FOR A REPLACEMENT TIRE TRUCK FOR THE TRANSPORTATION DEPARTMENT AND APPROVE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024 (a)(3)**

During the FY17 budget process the Court authorized and budgeted a replacement tire truck for the Transportation Department. Due to the damaged condition of the current tire truck in the fleet, it was necessary to procure a vendor to begin the build out for the new vehicle. Also, the current tire truck has become a safety hazard and is in need of immediate replacement. The Transportation Maintenance division researched potential vendors and secured the lowest bid, which met all spec requirements and the aggressive timeline for build out. The Transportation Department requests a discretionary exemption per Texas Local Government Code 262.024– Discretionary Exemptions (a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption: (3) an item necessary because of unforeseen damage to public property. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify an encumbrance to Stellar Industries for a replacement tire truck for the Transportation Department and approve a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(3) All voting “Aye”. MOTION PASSED**

**32207      AUTHORIZE THE TREASURER’S OFFICE TO ACCEPT FUNDS FROM GERLOFF TO REPLACE A PORTION OF THE PAYROLL MANAGER’S OFFICE DESK AND AMEND THE BUDGET ACCORDINGLY**

A portion of the Payroll Manager's desk was damaged by Gerloff during the Government Center Pipe Replacement project. The company has submitted payment in full to cover the costs associated with replacing and installing the damaged piece. No additional funds are needed. Budget Amendment: Increase Compensation for Loss: Increase Office Equipment Operating. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Treasurer’s Office to accept funds from Gerloff to replace a portion of the Payroll Manager’s Office desk and amend the budget accordingly. All voting “Aye”. MOTION PASSED**

**32208      AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY, LICENSE & WEIGHT (DPS L&W) DIVISION TO SECURE SERVICES WITH AMTEX SCALE &**



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**SYSTEMS, INC FOR SALE REPAIRS AND AMEND THE BUDGET ACCORDINGLY**

The DPS L&W division currently has scales located on IH-35 Southbound that are not functional and in need of repair. This vendor is familiar with the system and discovered the additional problems during another repair. In order to secure additional quotes from other vendors, it would require \$600 per vendor to have them diagnose the issues. Therefore, it would be cost prohibitive to request additional quote. The division has a limited budget, therefore, respectfully requests the Court to transfer funds for these repairs. Potential Funding Source - County Wide contingencies. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Department of Public Safety, License & Weight (DPS L&W) Division to secure services with Amtex Scale & Systems, Inc for sale repairs and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**32209 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR BELTERRA SUBD. PHASE 4, SECTION 13, AND RELEASE THE PERFORMANCE BOND #76089436 IN THE AMOUNT OF \$1,612,300**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Delays regarding this acceptance stemmed from the sale of properties by the original developers. As a result, bonds were obsolete and confusing as the new developers weren't able to secure a construction contractor in a timely manner to complete the punch-list repairs. Roads include: Merion Drive (2,615 ft.), Sand Hills Lane (2,200 ft.), Alaina Court (248 ft.), Welshpool Court (184 ft.), and Spyglass Cove (511 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept of the roads into the county road system for Belterra Subd. Phase 4, Section 13, and release the Performance Bond #76089436 in the amount of \$1,612,300. All voting "Aye". MOTION PASSED**

**HOLD A PUBLIC HEARING TO ESTABLISH HAYS COUNTY-ENFORCED TRAFFIC REGULATIONS (STOP SIGNS & SPEED LIMITS) IN ELLIOTT RANCH, A PRIVATELY MAINTAINED SUBDIVISION**

This action will be to establish the following traffic regulations, enforceable by Hays County (see map): Stop signs on Little Bear Road at Oak Grove Road (1), on Little Bear Road at Overlook Mountain (2), on Little Bear Road at Overlook Mountain East (2), on Overlook Mountain at Little Bear Road (2), on Whitney Run at Overlook Mountain West (2), on Elliott Ranch Road at Overlook Mountain East (4), on Overlook Mountain East at Elliott Ranch Road (4), on Elliott Ranch Road at Little Bear Road (1), on Blythe Wilson Road at Little Bear Road (1), on Overlook Mountain East at Little Bear Road (1), and a speed limit of 30 MPH throughout the subdivision.  
**Clerks Note: Matt Ocker spoke on the matter.**

**32210 AUTHORIZE COUNTY JUDGE TO SIGN A PSA WITH BOWMAN CONSULTING TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS ON FM150**

If approved, Bowman Consulting will begin design of a culvert extension on the "skipped" portion of the FM 150 widening project. Bowman Consulting will design and update current plan set, then prepare a change order for the construction of the improvements. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize county judge to sign a PSA with Bowman Consulting to provide Engineering Services for the design of improvements on FM150. All voting "Aye". MOTION PASSED**

**32211 RELEASE CONSTRUCTION BOND No. K09325116 IN THE AMOUNT OF \$1,195,701.17 AND ACCEPT CONSTRUCTION BOND No. K09568736 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS FOR SHADOW CREEK PHASE 5, SECTION 1 IN THE AMOUNT OF \$1,195,701.17**

The final plat for the Shadow Creek Phase 5, Section 1 Subdivision has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. Transportation staff has formally approved the release of the Two Year Construction Bond and approved the One Year Construction Bond. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to release construction bond No. K09325116 in the amount of \$1,195,701.17 and accept construction bond No. K09568736 for the construction of street and drainage improvements for shadow creek phase 5, section 1 in the amount of \$1,195,701.17 construction bond All present voting "Aye". MOTION PASSED**



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**32212 SUB-580; REPLAT OF LOT 8, VISTA RIDGE ESTATES. APPROVE FINAL PLAT; HOLD A PUBLIC HEARING**

**Clerks note:** Caitlyn Hairell Spoke on the matter

Vista Ridge Estates is a recorded subdivision located off of Roy Creek Trail in Precinct 4. The proposed re-plat will divide the 11.09 acre lot 8 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final plat for SUB-580 Lot 8 of the Vista Ridge Estates. All voting "Aye". MOTION PASSED**

**32213 SUB-674; REPLAT OF LOT 8, HAYS CITY ESTATES. APPROVE FINAL PLAT; HOLD A PUBLIC HEARING**

**Clerks note:** Caitlyn Hairell Spoke on the matter

Hays City Estates is a recorded subdivision located off of FM 150 in Precinct 2. The proposed re-plat will divide the 20.26 acre lot 8 into 2 10.13 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final Plat of SUB-674 Lot 8 of the Hays City Estates. All voting "Aye". MOTION PASSED**

**32214 SUB-680 ESCONDIDA RANCH (19 LOTS) APPROVE PRELIMINARY PLAN**

The proposed Escondida Ranch is a 19 lot subdivision located off of RM 3237 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 Conley, seconded by Commissioner Whisenant to approve the Preliminary Plan for SUB-680 Escondida Ranch (19 Lots). All voting "Aye". MOTION PASSED** Clerks note: Caitlyn Hairell Spoke on the matter

**32215 CHANGE OPERATIONAL HOURS OF JACOB'S WELL NATURAL AREA, UPDATE RULES AND EXTEND SWIM SEASON**

Requesting operational hours for Jacob's Well Natural Area to be 10:00am-6:00pm year round. Currently, swim season is open Memorial Day-Labor Day. Staff is requesting extending swim season May 1-October 1 to allow more visitors to swim during the warmer months. Proposed changes to the existing rules include operation of drones by permit only and removing the tour requirement for swim access. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to change operational hours of Jacobs Well Natural Area, Update Rules and Extend Swim Season. All voting "Aye". MOTION PASSED**

**32216 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL FUNDING AGREEMENT WITH HAYS COUNTY EMERGENCY SERVICE DISTRICT No. 3/ SOUTH HAYS FIRE RELATED TO THE EXISTING CONCRETE SLABS AND STRUCTURES LOCATED AT 1401 WEST SAN ANTONIO STREET, SAN MARCOS, TEXAS**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Funding Agreement with Hays County Emergency Service District No. 3/ South Hays fire related to the existing concrete slabs and structures located at 1401 West San Antonio Street, San Marcos, Texas. All voting "Aye". MOTION PASSED**

**32217 AUTHORIZE COUNTY JUDGE TO EXECUTE AMENDMENT No. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH H.R. GRAY TO PROVIDE ON-CALL INSPECTION SERVICES AND TECHNICAL ASSISTANCE TO THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT AS IT RELATES TO THE ONGOING DEBRIS REMOVAL PROGRAM**

On November 1, 2016 Commissioners Court approved a professional services agreement with H.R. Gray for inspection services for the Transportation and Development Services Departments. The scope and period of need for the debris removal program, funded by NRCS, has changed since the agreement was signed and additional assistance will be needed from H.R. Gray for the remainder of the program. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones authorize County Judge to execute amendment No. 1 to the Professional Services Agreement with H.R. Gray to provide on-call inspection services and technical assistance to the development and community services department as it relates to the ongoing debris removal program. All voting "Aye". MOTION PASSED**



**32218 INCREASE THE JUSTICE OF THE PEACE, PCT.1-1 PART TIME JUSTICE CLERK, SLOT 0855-002 TO FULL TIME AND DESIGNATE A JUSTICE CLERK POSITION TO BE SPLIT 50% WITH JUSTICE OF THE PEACE, PCT.1-2 EFFECTIVE FEBRUARY 1, 2017 AND AMEND THE BUDGET ACCORDINGLY**

In order to achieve seamless functionality for both JP offices in precinct 1, it is necessary to increase the JP 1-1 part-time Justice Clerk to full time and to allocate one Justice Clerk to work 50% for JP 1-1 and 50% for JP 1-2. This will enable the shared clerk to process cases for each Judge and serve the public in a unified manner. Savings in County Wide salary adjustments due to attrition are available to fund the part-time to full-time request. If a designation of the shared Clerk is not made during Court, a consent item will be brought to the Court at a later date for approval. The shared Clerk's salary will be split equally between JP 1-1 & JP 1-2 with the budget moving accordingly. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to increase the Justice of the Peace, Pct.1-1 part time Justice Clerk, Slot 0855-002 to full time and designate a Justice Clerk position to be split 50% with Justice of the Peace, Pct.1-2 effective February 1, 2017 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**Clerks Note Re: Item #28- 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 MAY FOLLOW - was pulled**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 11:40 a.m. and reconvened into open court at 12:19 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley, Chief of Staff Lon Shell, and Shari Miller with Human Resources. No Action Taken

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551-074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HUMAN RESOURCES DEPARTMENT. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 10:48 a.m. and reconvened into open court at 11:40 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley, Chief of Staff Lon Shell, and Vanessa Garcia (Intern) with Mark Kennedys Office. No Action Taken

**Clerks Note Re: Item #31- DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW - was pulled**

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

Judge Cobb gave an update on the burn ban. The drought index is at 47 and the burn ban will remain in effect.

**Clerks Note Re: Item #33- 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 12:24 p.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 January 31, 2017.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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







STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 7<sup>TH</sup> DAY OF FEBRUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTOPHER ALANIZ	DEPUTY COUNTY CLERK
MICHAEL MACIAS	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**32219 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices. All present voting "Aye". MOTION PASSED

**32220 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 31, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of January 31, 2017. All present voting "Aye". MOTION PASSED

**32221 APPROVE OUT OF STATE TRAVEL FOR COMMUNICATIONS DIRECTOR ERICA CARPENTER TO ATTEND THE NAVIGATOR CONFERENCE IN NEW ORLEANS, LOUISIANA**

Out of state travel is needed to send Director Erica Carpenter to attend the Navigator Conference in New Orleans, Louisiana on April 12-14, 2017. The conference covers topics directly related to 911 Dispatch including police, fire, ems dispatching, 911 call taking, quality improvement and management. Erica has been asked to be a guest speaker during the conference and as a result the conference registration, hotel fees and airfare will be paid for by IAED. Per diem and cab fare to and from the airport will be paid for out of the Sheriff's Office Continuing Ed general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Communications Director Erica Carpenter to attend the Navigator Conference in New Orleans, Louisiana. All present voting "Aye". MOTION PASSED

**32222 APPROVE THE RE-APPOINTMENT OF CHUCK WARE, EDDIE GUMBERT AND RON SPANGENBERG AS MEMBERS OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #4**

This is for a 2 year term ending December 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Chuck Ware, Eddie Gumbert and Ron Spangenberg as members of Hays County Emergency Services District #4. All present voting "Aye". MOTION PASSED

**32223 AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO PURCHASE A NEW POLICE 21 PATROL BICYCLE AND AMEND THE BUDGET ACCORDINGLY**

The current police bike has been in use for three years and is in need of multiple repairs. It will be used as backup when needed. The new police bike will allow the Deputy Constable to patrol park areas and have continued presence as needed. Quote from Pedal Power Bicycles Budget Amendment Possible funding source County Wide contingencies. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Constable Precinct 3 office to purchase a new Police 21 Patrol Bicycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED



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**32224 AUTHORIZE THE COMMUNICATIONS SPECIALIST TO CREATE AND MAINTAIN A FACEBOOK PAGE FOR JACOB'S WELL NATURAL AREA PURSUANT TO THE HAYS COUNTY SOCIAL MEDIA POLICY**

**Clerks Note:** Clint Garza spoke on the matter

The Parks Department staff would like a mechanism to communicate more directly with citizens about Jacob's Well Natural Area operations, activities and educational opportunities. Staff feels only including the information on the County official page, limits exposure to these important messages. The Department will not have access to making page changes, updates, or comments. All communication will be approved by the Hays County Communications Specialist in collaboration with the Information Technology Department. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Communications Specialist to create and maintain a Facebook Page for Jacob's Well Natural Area pursuant to the Hays County Social Media Policy. All present voting "Aye". MOTION PASSED**

**32225 AUTHORIZE THE PARKS DEPARTMENT STAFF TO ACCEPT DONATIONS FROM THE PUBLIC VISITING JACOB'S WELL NATURAL AREA**

Many of the visitors to Jacob's Well have offered to make a donation to the Parks Department to help further improve the Natural Area. Staff would like to accept cash and check donations, issue receipts, present donations to court on a monthly basis. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Parks Department staff to accept donations from the public visiting Jacob's Well Natural area. All present voting "Aye". MOTION PASSED**

**32226 AMEND THE TRANSPORTATION DEPARTMENTS BUDGET FOR ROAD-BUILDING MATERIALS VALUED AT \$35,918 RECEIVED FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE 2017 TXDOT SURPLUS PROGRAM**

The Transportation Department will receive road-building materials offered to Hays County by the State through the 2017 TxDOT Surplus Program. This year the Department has requested cold-mix material totaling approximately 600 tons for use on any county-maintained roadway. Attachment: TxDot Surplus Program Purchase Order. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Transportation Departments budget for road-building materials valued at \$35,918 received from the Texas Department of Transportation through the 2017 TxDOT Surplus Program. All present voting "Aye". MOTION PASSED**

**32227 APPROVE THE CANCELLATION OF COURT ON THE FOLLOWING DATES IN 2017: MARCH 14, MAY 23, JUNE 13, JULY 4, SEPTEMBER 26, NOVEMBER 28 AND DECEMBER 26 AND AMEND THE HAYS COUNTY 2017 HOLIDAY CALENDAR BY REPLACING THE PREVIOUSLY APPROVED HOLIDAY OF DECEMBER 27 WITH DECEMBER 22**

Court dates have been presented for cancellation due to Holidays or County association conferences. The 2017 Hays County Holiday Calendar was approved on Sept. 13, 2016. The proposed amended County Calendar replaces Dec. 27 with Dec. 22. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the cancellation of Court on the following dates in 2017: March 14, May 23, June 13, July 4, September 26, November 28 and December 26 and amend the Hays County 2017 Holiday Calendar by replacing the previously approved Holiday of December 27 with December 22. All present voting "Aye". MOTION PASSED**

**32228 AUTHORIZE THE COUNTY JUDGE TO ACCEPT THE FY2017 FORMULA GRANT AWARD FROM THE TEXAS INDIGENT DEFENSE COMMISSION IN THE AMOUNT OF \$129,892.00**

**Clerks Note:** Kharley Smith spoke on the matter

On October 6, 2016 the Commissioners Court authorized submission of a formula grant application to the Texas Indigent Defense Commission (TIDC). These funds have been utilized by Hays County for a number of years to help offset costs associated with indigent defense. A Resolution was submitted as a required document to complete the application process. Although the Resolution is considered the County's acceptance of the grant when awarded by TIDC, it has been the practice of Hays County to formally accept the award by Commissioners Court action. The Statement of Grant Award for the FY2017 formula grant is attached. The award (\$129,892.00) reflects a \$9,021.00 increase from program funding in FY2016 (\$120,871.00). The funding period for this grant is October 1, 2016 through September 30, 2017. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to accept the FY2017 Formula Grant Award from the Texas Indigent Defense Commission in the amount of \$129,892.00. All Present Voting "Aye". MOTION PASSED**



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**32229      AUTHORIZE THE COUNTY JUDGE TO SUBMIT A FEDERAL ASSISTANCE APPLICATION TO THE NATURAL RESOURCES CONSERVATION SERVICE FOR FUNDING THROUGH THE EMERGENCY WATERSHED PROTECTION PROGRAM FOR AUXILIARY SPILLWAY REPAIR WORK ON THE UPPER SAN MARCOS DAM SYSTEM**

Following the All Saints Weekend Flood, Hays County requested an assessment be conducted on all five NRCS dams in the Upper San Marcos Dam system. This assessment determined erosion repairs and control measures were necessary in the auxiliary spillways at these sites. Federal funding for these activities is available through the EWP program, in which Hays County has been approved to participate. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to submit a federal assistance application to the Natural Resources Conservation Service for funding through the Emergency Watershed Protection program for auxiliary spillway repair work on the Upper San Marcos Dam system. All present voting "Aye". MOTION PASSED**

**32230      AUTHORIZE THE COUNTY JUDGE TO SUBMIT AN APPLICATION FOR EMERGENCY WATERSHED PROTECTION PROGRAM MATCHING FUNDS TO THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD REGARDING THE AUXILIARY SPILLWAY REPAIR AND CONTROL MEASURES FOR THE UPPER SAN MARCOS DAM SYSTEM PROJECT**

The Emergency Watershed Protection program through NRCS can provide 75% of the funds necessary for the auxiliary spillway repair and control but Hays County would be responsible for the remaining 25%. Through this program, the TSSWC could offset the County's required match by up to 95%. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to submit an application for Emergency Watershed Protection Program Matching Funds to the Texas State Soil and Water Conservation Board regarding the auxiliary spillway repair and control measures for the Upper San Marcos Dam System project. All present voting "Aye". MOTION PASSED**

**32231      AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 4 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR WORK RELATED TO THE RENOVATIONS AT THE COUNTY OWNED FACILITY AT 200 STILLWATER, IN PRECINCT 3; AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR TO APPROVE FUTURE CHANGE ORDERS UP TO \$10,000 INDIVIDUALLY AND CUMULATIVELY NOT TO EXCEED 5% OF PROJECT COST**

CO #4: Scope: 11 columns to be wrapped, Replace Plywood on floor in rooms 802,806,807,704. Design Fee's for Conference Room Change. Additionally, the Development and Community Services Director wishes authorization to approve future change orders on the critical construction path to prevent delays in construction. As written, the authorization would allow staff to approve change orders not exceeding 10,000 per CO and combined not exceeding 5% of total project cost. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 4 between Hays County and Wood and Thomason Construction, LP for work related to the renovations at the County Owned Facility at 200 Stillwater, in Precinct 3; authorize the Development and Community Services Director to approve future change orders up to \$10,000 individually and cumulatively not to exceed 5% of project cost. All present voting "Aye". MOTION PASSED**

**32232      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 January 27. 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 2-9-17): \$3,178,849.26. CTMC amount: \$1,359,429.19. Seton Hays amount: \$1,819,420.07. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant 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**



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Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED

**32233 APPROVE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE FEE PROPOSAL WITH HOK FOR PHASE 2 OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Jones, Seconded By Commissioner Whisenant to approve and authorize the County Judge to execute Fee Proposal with HOK for Phase 2 of the Hays County Public Safety Bond project. All Present Voting "Aye". MOTION PASSED

**32234 AUTHORIZE COUNTY JUDGE TO SIGN A PSA WITH COSTELLO, INC. TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF CULVERT IMPROVEMENTS ON FM2770.**

If approved, Costello Inc. will begin the hydraulic and hydrologic study of the existing culvert on FM 2770 south of Meadow Woods Drive. Once the hydraulic and hydrologic study is complete, Costello will design the necessary improvements to mitigate flooding in the area due to insufficient culvert capacity. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize County Judge to sign a PSA with Costello, Inc. to provide engineering services for the design of culvert improvements on FM2770. All present voting "Aye". MOTION PASSED

**32235 ESTABLISH TRAFFIC REGULATIONS (STOP SIGNS & SPEED LIMITS) IN ELLIOTT RANCH.**

This action will be to establish the following traffic regulations, enforceable by Hays County (see map): Stop signs on Little Bear Road at Oak Grove Road (1), on Little Bear Road at Overlook Mountain (2), on Little Bear Road at Overlook Mountain East (2), on Overlook Mountain at Little Bear Road (2), on Whitney Run at Overlook Mountain West (2), on Elliott Ranch Road at Overlook Mountain East (4), on Overlook Mountain East at Elliott Ranch Road (4), on Elliott Ranch Road at Little Bear Road (1), on Blythe Wilson Road at Little Bear Road (1), on Overlook Mountain East at Little Bear Road (1), and a speed limit of 30 MPH throughout the subdivision. A public hearing was opened and closed on January 31, 2017; however, the item was not posted for ACTION. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish traffic regulations (stop signs & speed limits) in Elliott Ranch. All present voting "Aye". MOTION PASSED

**32236 CALL FOR A PUBLIC HEARING ON FEBRUARY 21, 2017 TO ESTABLISH TRAFFIC REGULATIONS (3-WAY STOP) AT THE INTERSECTION OF MESA VERDE DRIVE AND ESTES DRIVE IN BELTERRA SUBDIVISION.**

This action will be to establish two new stop sign locations on Mesa Verde Drive, one on either side of the intersection with Estes Drive, to create a 3-way stop with accompanying stop bars on the pavement. Estes Drive currently has a posted stop sign at that intersection. Commissioner Whisenant spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on February 21, 2017 to establish traffic regulations (3-way stop) at the intersection of Mesa Verde Drive and Estes Drive in Belterra subdivision. All present voting "Aye". MOTION PASSED

**32237 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AGREEMENT #1 WITH PAPE-DAWSON ENGINEERS FOR THE FISCHER STORE ROAD TURN LANES PROJECT NEAR WIMBERLEY, TEXAS TO INCREASE THE COMPENSATION CAP BY \$62,000.00.**

This supplemental agreement is for additional work requested by the Transportation Department in regards to the addition of an acceleration lane from Fischer Store Road to FM 2325. It was determined that the addition of an acceleration lane to the original scope of the project would enhance safety by facilitating a merging movement onto a high speed facility, in lieu of having vehicles join traffic from a stop condition. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute supplemental work agreement #1 with Pape-Dawson Engineers for the Fischer Store Road Turn Lanes project near Wimberley, Texas to increase the compensation cap by \$62,000.00. All present voting "Aye". MOTION PASSED

**CLERK'S NOTE AGENDA ITEM #20 RE: SUB-721 MEDLIN CREEK RANCH PHASE 1 (4 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.- was pulled**



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**32238 CONSIDER THE APPOINTMENT OF JOE PENDLETON TO REPLACE CARL SCUDDERS AS A MEMBER OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #4.**

This is to complete a two year term ending December 2017. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to appoint Joe Pendleton to replace Carl Scudders as a member of Hays County Emergency Services District #4. All present voting "Aye". MOTION PASSED

**32239 PROMOTE AND FUND HEALTH CHECK 2017 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS, AND AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to promote and fund Health Check 2017 for Hays County employees and eligible dependents, and authorize payroll deduction of additional fees for optional services employees may elect. All present voting "Aye". MOTION PASSED

**32240 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY, TEXAS AND HOUSTON FORENSIC SCIENCE CENTER, INC. RELATED TO FORENSIC SERVICES, IN PARTICULAR AUDIO VIDEO SERVICES.**

Capt. Cumberland with the Sheriff's Office spoke on the matter. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County, Texas and Houston Forensic Science Center, Inc. related to forensic services, in particular Audio Video Services. All present voting "Aye". MOTION PASSED

**32241 AUTHORIZE THE DISTRICT ATTORNEY TO USE DRUG FORFEITURE FUNDS TO HIRE ONE (1) TEMPORARY FULL-TIME ADMINISTRATIVE ASSISTANT II POSITION EFFECTIVE FEBRUARY 16, 2017 THROUGH SEPTEMBER 30, 2017 AND AMEND THE BUDGET ACCORDINGLY.**

**Clerks Note:** District Attorney Wes Mau spoke on the matter. The District Attorney is requesting the Courts authorization to hire one temporary full-time Admin II position, effective February 16th and ending September 30th to be funded with Drug Forfeiture funds received. This temporary full-time position is needed to assist the Intake Division with evidence management. The Division currently has a backlog of pending cases that are in need of processing. This increased case load is due to several high profile cases that has a considerable amount of evidence to review and mark. The burden on the Intake Division has increased tremendously and in order to ensure each case has all of the evidence available, additional manpower is needed. Funds are available within the DA Drug Forfeiture fund to process this request. Budget Amendment: Decrease Misc Expense - (\$18,956) Increase Staff Salaries - \$17,609 Increase FICA - \$1,092 Increase Medicare - \$255 A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the District Attorney to use Drug Forfeiture Funds to hire one (1) temporary full-time Administrative Assistant II position effective February 16, 2017 through September 30, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32242 AUTHORIZE THE RENAMING OF OLD FM 1626 TO LONGLEY TRACE.**

The name needed to be changed for the purpose of 911 addressing because of the completion of the new alignment of FM 1626 north of FM 967. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the renaming of Old FM 1626 to Longley Trace. All present voting "Aye". MOTION PASSED

**32243 ADOPT A POLICY FOR COUNTY PARTICIPATION IN AGREEMENTS RELATED TO REINVESTMENT ZONES CREATED BY MUNICIPALITIES WITHIN HAYS COUNTY.**

This proposed policy has been prepared by the Office of General Counsel and the Chief of Staff. It represents an effort to commit many of Hays County's existing (and proposed) policies to writing. If passed by the Court, these standards shall be committed to any Interlocal Agreements associated with reinvestment zones. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Policy For County Participation in Agreements Related to Reinvestment Zones Created by Municipalities Within Hays County. All present voting "Aye". MOTION PASSED



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**Clerk's Note Re: Item 27 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**

**32244 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 RENEW.**

Court convened into Executive Session at 10:40 a.m. and reconvened into open court at 10:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy. **A first motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe. To rescind action taken on October 18, 2016. Authorizing the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County and RSI, Inc. All present voting "Aye". MOTION PASSED. A second motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize County Judge to execute an inter local agreement related to the economic development between Hays County and the City of Kyle as presented by counsel in executive session. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #29 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**

Hays County Fire Marshal Clint Browning spoke on the matter, Burn Ban to remain in effect.

**CLERK'S NOTE AGENDA ITEM #31 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 10:53 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 February 7, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 14<sup>TH</sup> DAY OF FEBRUARY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTOPHER ALANIZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**Clerks Note Re: Item #1- ADOPT A PROCLAMATION DECLARING FEBRUARY, 2017 AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN HAYS COUNTY - was pulled**

#### **PUBLIC COMMENTS**

Sam Brannon- a San Marcos resident and Matt Ocker- a Buda resident spoke.

#### **32245 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,329,474.28 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

#### **32246 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 7, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 7, 2017. All present voting "Aye". MOTION PASSED

#### **32247 ACCEPT AND APPROVE THE 2016 RACIAL PROFILING REPORT AND THE 2016 ANNUAL ACTIVITY REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 4**

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and approve the 2016 Racial Profiling Report and the 2016 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voting "Aye". MOTION PASSED

#### **32248 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE A MOTOR-ONE WIRELESS MOTOR KIT FOR A HONDA ST1300 MOTORCYCLE**

In the FY 2016 budget the Sheriff's Office was approved a replacement motorcycle; it was not received prior to 9/30/2016 and the funds were rolled over to FY 2017. At this time the Sheriff's Office is seeking approval to purchase a motor-one wireless motor kit for this unit. The wireless kit will link to the handheld radio and siren providing officer safety. No additional funds are needed; \$695.00 was identified in the Law Enforcement Equipment Operating g/l. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to purchase a motor-one wireless motor kit for a Honda ST1300 motorcycle. All present voting "Aye". MOTION PASSED

#### **32249 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION OF \$500.00 ISSUED TO THE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received a donation of \$500 from the Unity Church of Wimberley. The Church is requesting for the donation to be split between the following community programs; \$300 to Sunshine Kids and \$200 to Hays County Citizens Academy. Donated funds will be utilized for supplies and services for each program. Budget Amendment: Increase 052-618-00.4610 Contributions \$500.00. Increase 052-618-00.5222 Special



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Projects \$500.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to accept a donation of \$500.00 issued to the Community Outreach Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32250 APPROVE SPECIFICATIONS FOR RFQ 2017-P04 MATERIALS TESTING AND TECHNICAL INSPECTIONS, COMMISSIONING SERVICES FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM AND AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve specifications for RFQ 2017-P04 Materials Testing and Technical Inspections, Commissioning Services for the Hays County Public Safety Bond Program and authorize Purchasing to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

**32251 APPROVE OUT OF STATE TRAVEL FOR THE COUNTY COURT AT LAW 2 JUDGE AND VETERAN'S COURT TEAM TO ATTEND THE NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS CONFERENCE IN WASHINGTON, DC AND AMEND THE BUDGET ACCORDINGLY**

The CCL2 Judge requests the Court's authorization for himself and three members of the Veteran's Court Team, to attend the National Association of Drug Court Professionals conference in Washington, DC in July 2017. Funds were budgeted in the CCL2 budget for the Judge to attend and the NADCP conference. The granting agency has approved the VC Team to attend as part of the approved CJD grant budget, utilizing the VC Coordinator's declined medical insurance savings. Grant Budget Amendment: Increase Continuing Education - \$5,000. Decrease Medical Insurance - (\$5,000). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve out of state travel for the County Court at Law 2 Judge and Veteran's Court Team to attend the National Association of Drug Court Professionals conference in Washington, DC and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32252 AUTHORIZE THE RENEWAL OF THE COMPOUNDING SERVICE AGREEMENT BETWEEN B AND J PHARMACY AND HAYS COUNTY LOCAL HEALTH DEPARTMENT FOR SERVICES RELATED TO HCLHD-TB PROGRAM FEBRUARY 1, 2017**

These services will run from February 1, 2017. This agreement is written to automatically renew each fiscal year for a period of 5 years. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the renewal of the Compounding service agreement between B and J Pharmacy and Hays County Local Health Department for services related to HCLHD-TB program February 1, 2017. All present voting "Aye". MOTION PASSED

**32253 AUTHORIZE THE RENEWAL OF THE COMPOUNDING SERVICE AGREEMENT BETWEEN MED-PARK PHARMACY AND HAYS COUNTY LOCAL HEALTH DEPARTMENT FOR SERVICES RELATED TO HCLHD-TB PROGRAM FEBRUARY 1, 2017**

These services will run from February 1, 2017. This agreement is written to automatically renew each fiscal year for a period of 5 years. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the renewal of the Compounding service agreement between Med-Park Pharmacy and Hays County Local Health Department for services related to HCLHD-TB program February 1, 2017. All present voting "Aye". MOTION PASSED

**32254 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM IN THE AMOUNT OF \$122,790.00**

On January 10, 2017, the Commissioners Court authorized submission of a grant application to the Department of Health Services (DSHS), Public Health Emergency Preparedness (PHEP) program. Funds are used to support the salary and benefits of the Emergency Preparedness Coordinator and SNS Coordinator in the Hays County Local Health Department. This grant requires a 10% match (\$12,279.00) with match met through in-kind contributions from the health department operating funds for a total project amount of \$135,069.00. The term for this grant is July 1, 2017 through June 30, 2018. The contract will be signed electronically. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018 Public Health





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Emergency Preparedness (PHEP) Program in the amount of \$122,790.00. All present voting “Aye”.  
MOTION PASSED

**32255      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION FOR FUNDING TO SUPPORT THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,584.00**

On December 17, 2013 the Commissioners Court authorized creation of the Hays County Veterans Court, to be placed under the jurisdiction of County Court-at-Law #2. The Veterans Court provides a voluntary intensive treatment program for those military veterans who suffer from combat-related trauma and have been diagnosed with mental health issues, PTSD, or TBI, and have been arrested for a non-violent offense. The Court began on a pilot basis in May, 2014 and funding from the Governor's Office, Criminal Justice Division (CJD) – Specialty Courts program was received in September, 2014 for operation of the Court. This grant application to the same program requests support to continue operations of the Court, and includes funding for a Court Coordinator, travel and training expenses, office supplies, and contractual services including drug/alcohol testing and monitoring. Funding has been capped by CJD to the amount received last year minus any new ineligible items. The contract services for the Defense Attorney that were funded under the previous grant are now considered an ineligible cost, and the requested grant amount has been reduced accordingly. The grant must be submitted in electronic format by February 20, 2017 and the project period, if awarded, is from September 1, 2017 through August 31, 2018. No matching funds are required for the grant. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Resolution and submit a grant application to the Governor's Office, Criminal Justice Division for funding to support the Hays County Veterans Court in the amount of \$77,584.00. All present voting “Aye”.** MOTION PASSED

**32256      APPROVE OUT OF STATE TRAVEL FOR THE DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES FOR THE 2017 NATIONAL ENVIRONMENTAL HEALTH ASSOCIATION'S ANNUAL EDUCATIONAL CONFERENCE BEING HELD JULY 10-13 IN GRAND RAPIDS, MI**

NEHA's AEC is an opportunity to obtain real-world information and expertise in the field of environmental health. The education and skills acquired would prove beneficial in strengthening the daily operations of the Development and Community Services Department. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for the Director of Development and Community Services for the 2017 National Environmental Health Association's Annual Educational Conference being held July 10-13 in Grand Rapids, MI. All present voting “Aye”.** MOTION PASSED

**32257      CALL FOR A PUBLIC HEARING ON FEBRUARY 28, 2017 TO ESTABLISH TRAFFIC REGULATIONS ON EAGLE NEST DRIVE, LEWIS LANE & LONGLEY TRACE IN CIMARRON PARK SUBDIVISION NEAR FM 1626**

This action will be to establish a new stop sign on Eagle Nest Drive at Lewis Lane, a new stop sign on Longley Trace at Lewis Lane, and to remove an existing stop sign on Eagle Nest Drive at Longley Trace as a result of the completion of construction on FM 1626 and the new orientation of the roads within the subdivision (see map). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on February 28, 2017 to establish traffic regulations on Eagle Nest Drive, Lewis Lane & Longley Trace in Cimarron Park subdivision near FM 1626. All present voting “Aye”.** MOTION PASSED

**32258      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADVANCE FUNDING COMMITMENT AGREEMENT BETWEEN HAYS COUNTY AND FLINT HILLS RESOURCES CENTRAL TEXAS, LLC RELATED TO A LEFT TURN LANE TO BE LOCATED AT THE ENTRANCE OF 2361 JACK C. HAYS TRAIL, BUDA, TEXAS 78610**

**A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Advance Funding Commitment Agreement between Hays County and Flint Hills Resources Central Texas, LLC related to a left turn lane to be located at the entrance of 2361 Jack C. Hays Trail, Buda, Texas 78610. All present voting “Aye”.** MOTION PASSED

**32259      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CHAPARRAL PROFESSIONAL LAND SURVEYING, INC. FOR SURVEYING SERVICES NECESSARY FOR THE ACQUISITION OF THE REMAINING RIGHT OF WAY REQUIRED FOR THE DACY LANE PHASE II PROJECT**



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Dacy Lane was identified as a County roadway warranting safety improvements as part of the 2008 Priority Road Bond Program. The project scope described in the bond program included the initial engineering studies required to begin environmental clearance as well as ROW preservation. In addition, in November of 2016, Hays County voters approved Proposition 2 of the proposed 2016 Bond Program for road improvements throughout the County. Dacy Lane, including ROW acquisition, design and construction, was identified within this program. Therefore, funding is available for ROW procurement once the identified savings in the 2008 County Road Bond Program have been fully utilized. This Agreement is to complete the survey necessary for the acquisition of the remaining parcels on the northern end of the project between Windy Hill Road and Hillside Terrace. This effort was kept separate from the acquisition services being provided by Lockwood, Andrews and Newnam, Inc. to remove the need for the surveyor to charge sales tax for these services as well as remove sub-consultant management fees. The Professional Services Agreement is attached for the Court's review and approval. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement with Chaparral Professional Land Surveying, Inc. for surveying services necessary for the acquisition of the remaining right of way required for the Dacy Lane Phase II project. All present voting "Aye". MOTION PASSED**

**32260 SUB-721 MEDLIN CREEK RANCH PHASE 1 (4 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

The proposed Medlin Creek Ranch is a proposed 4 lot subdivision located off of W Fitzhugh Road in Precinct 4. The subdivision will be served by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. Hays County Planner Caitlyn Hairell spoke and staff gave recommendation. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve preliminary plan SUB-721 Medlin Creek Ranch Phase 1 (4 Lots). All present voting "Aye". MOTION PASSED**

**32261 SUB-651 REUNION RANCH PHASE 2, SECTION 5 (26 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$413,225.50 (BOND # SU1143656)**

This section includes 26 single family residential lots. All lots will be served by the Reunion Ranch Water Control and Improvement District. Hays County Planner Caitlyn Hairell spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat; accept fiscal surety for the construction of street and drainage improvements in the amount of \$413,225.50 (Bond # SU1143656) SUB-651 Reunion Ranch Phase 2, Section 5 (26 lots). All present voting "Aye". MOTION PASSED**

**32262 SUB-630 SHADOW CREEK PHASE 8, SECTION 2 (78 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NO. K0956889A FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$969,723.55**

The preliminary plan for the Shadow Creek Subdivision was originally approved on June 15, 2004 as a 1440 lot subdivision located off of Windy Hill Road in Precinct 2. This section includes 76 single-family residential lots and 2 greenspace/drainage lots. All lots will be served by GoForth Special Utility District and sewer provided by North Hays County Municipal Utility District Number 1. Hays County Planner Caitlyn Hairell spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat; accept Construction Bond No. K0956889A for the construction of street and drainage improvements in the amount of \$969,723.55 for SUB-630 Shadow Creek Phase 8, Section 2 (78 lots). All present voting "Aye". MOTION PASSED**

**32263 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH VISIONBEE, LLC, DBA BEE®, FOR THE REVIEW OF THE UTILITY ASSESSMENT REPORT, MEASUREMENT & VERIFICATION PLAN AND THE SAVINGS ESTIMATION CALCULATIONS PREPARED BY PERFORMANCE SERVICES INC. IN CONNECTION WITH THE PROPOSED ENERGY SAVINGS PERFORMANCE CONTRACT**

Bee® has been selected by Hays County as an independent third party to review various documents and the savings estimation calculations prepared by Performance Services Inc. in relation to the proposed Energy Savings Performance Contract. The contractor will provide a letter reporting findings from the review to Hays County once their review has been completed. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a professional services agreement with VisionBee, LLC, dba Bee®, for the review of the Utility Assessment Report, Measurement &**



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Verification Plan and the savings estimation calculations prepared by Performance Services Inc. in connection with the proposed Energy Savings Performance Contract. All present voting "Aye".  
MOTION PASSED

**32264 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A BUSINESS ASSOCIATES AGREEMENT AND SUBSCRIPTION AGREEMENT WITH VIRTRU FOR THE LOCAL HEALTH DEPARTMENT RELATED TO ENCRYPTED EMAIL AND FILE PROTECTION AND AMEND THE BUDGET ACCORDINGLY**

The HIPAA Privacy and Security Rules require that covered entities enter into contracts with their business associates to ensure that the business associate will appropriately safeguard protected health information. The agreement protects personal health information in accordance with HIPAA guidelines. HIPAA requires that agreements be in writing, whether in the form of a contract or other agreement between the covered entity and the business associate. Approval and execution of the Business Associates Agreement ensures paper and electronic records are handled in accordance with all applicable rules. Additionally, the Security Rules requires a covered entity implement technical policies and procedures to limit access, destruction, or alteration of protected health information being transmitted electronically. The Security Rule requires that a covered entity implement technical measures to guard against unauthorized access to protected health information that is being transmitted over an electronic communications network (45 CFR 164.312 (e)). This includes having integrity controls and encryption. The attached Subscription Agreement ensures protected health information is transmitted in accordance with all applicable rules and includes the proposal for the software licenses needed. Attachments: Virtru Business Associate Agreement; Virtru Subscription Agreement. Budget Amendment: Local Health Department; Increase 120-675-00.5429; Decrease 120-675-00.5391. Clint Garza, Director of Development spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Business Associates Agreement and Subscription Agreement with Virtru for the Local Health Department related to encrypted email and file protection and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**APPOINTMENT OF COMMISSIONERS TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9), AND MATTERS RELATED THERETO**

Chief of Staff, Lon Shell and Chief David Smith of San Marcos Hays County EMS spoke on the matter. No action was taken. 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. Other matters related to ESD#9 may be discussed during this item.

**Clerks Note Re: Item #23- 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**

**Clerks Note Re: Item #24- 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**

**32265 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. COBB/SMITH/BROWNING**

Hays County Fire Marshal Clint Browning gave recommendation to lift burn ban. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to lift the current burn ban. All present voting "Aye". MOTION PASSED**

**Clerks Note Re: Item #26- 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 10:00 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 February 14, 2017.**



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*Liz Q Gonzalez*

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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 21<sup>ST</sup> DAY OF FEBRAURY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
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.

**PUBLIC COMMENTS**

Jennifer Anderson – Elections Administrator spoke. Matt Ocker – Buda resident, David Crowell – Kyle resident, Sam Brannon – San Marcos resident.

**32266 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$1,457,704.15 as submitted by the Hays County Auditor. All voting "Aye". MOTION PASSED

**32267 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 21, 2017**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioner Court Minutes of February 21, 2017. All voting "Aye". MOTION PASSED

**32268 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 IMMUNIZATION/LOCAL GRANT PROGRAM IN THE AMOUNT OF \$192,341.00**

On January 10, 2017, the Commissioners' Court approved to submit a renewal grant application to the Texas Department of State Health Services (DSHS) for the FY2018 Immunization Program. Funds will be utilized to provide support of the salary and benefits of the staffs involved in this program. The grant period beings September 1, 2017 through August 31, 2018. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018 Immunization/Local Grant Program in the amount of \$192,341.00. All voting "Aye". MOTION PASSED

**32269 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL FOR FY2018 STATE FUNDS IN THE AMOUNT OF \$25,875.00**

DSHS provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25, 875, with a 20% match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal 2018 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2017 through August 31, 2018. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to submit a grant application to the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control for FY2018 State Funds in the amount of \$25,875.00. All voting "Aye". MOTION PASSED



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**32270 APPROVE THE TRANSFER OF A 2008 DODGE CHARGER AND EQUIPMENT FROM THE SHERIFF'S OFFICE TO CONSTABLE PCT. 1**

The Sheriff's Office is seeking approval to transfer the following assets from the Sheriff's Office inventory to Constable Pct. 1 2008 Dodge Charger, VIN: 2B3KA43G88H180651, County Tag ID: 16704, County Tag: 16708, Mobile Camera – Serial Number: DV10 116439, County Tag ID: 16705, Radar – Serial Number: DS 24006, County Tag ID: 16706. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2008 Dodge Charger and equipment from the Sheriff's Office to Constable Pct. 1. All voting "Aye". MOTION PASSED**

**32271 APPROVE THE TRANSFER OF A 2008 DODGE CHARGER AND EQUIPMENT FROM THE SHERIFF'S OFFICE TO CONSTABLE PCT. 3**

The Sheriff's Office is seeking approval to transfer the following assets from the Sheriff's Office inventory to Constable Pct. 3 2008 Dodge Charger – VIN: 2B3KA43G58H180638, County Tag ID: 16716, Cage – County Tag ID: 16720, Mobile Camera – Serial Number: 10DV 116438, County Tag ID: 16591, Radar – Serial Number: DS 24025, County Tag ID: 16718, Light Bar – Serial Number: 960L 49 7F7R. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2008 Dodge Charger and equipment from the Sheriff's Office to Constable Pct. 3. All voting "Aye". MOTION PASSED**

**32272 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH PLATEAU LAND & WILDLIFE MANAGEMENT IN THE AMOUNT OF \$2808.24 FOR ANNUAL WILDLIFE MANAGEMENT SERVICES CONTRACT FOR DAHLSTROM PUBLIC ACCESS AREA**

Annual Wildlife Management Plan includes site monitoring visits, inspection and maintenance of nest boxes and wildlife station, spring bird survey and an annual report for CAD. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute an agreement with Plateau Land & Wildlife Management in the amount of \$2808.24 for annual wildlife management services contract for Dahlstrom Public Access Area. All voting "Aye". MOTION PASSED**

**32273 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2951 FM-2001, BUDA, TX 78610**

Asifali Darowalia is proposing an OSSF to serve the new Mi Rancho Meat Market located at 2951 FM-2001. This is a 5.94 acre property that will be served by a public water supply. The system designer, Russell Cain, R.S., has designed a treatment system which consist of a pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield at a maximum daily rate of 1,782 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 2951 FM-2001, Buda, TX 78610. All voting "Aye". MOTION PASSED**

**32274 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RENEWAL OF THE AGREEMENT BETWEEN HAYS COUNTY AND THOMSON REUTERS RELATED TO LICENSURE OF LEGAL RESEARCH SOFTWARE FOR THE DISTRICT ATTORNEY'S OFFICE AND THE OFFICE OF GENERAL COUNSEL**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a renewal of the Agreement between Hays County and Thomson Reuters related to licensure of legal research software for the District Attorney's Office and the Office of General Counsel. All voting "Aye". MOTION PASSED**

**32275 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS (3-WAY STOP) AT THE INTERSECTION OF MESA VERDE DRIVE AND ESTES DRIVE IN BELTERRA SUBDIVISION**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to hold a public hearing to establish traffic regulations (3-way stop) at the intersection of Mesa Verde Drive and Estes Drive in Belterra subdivision. Discussion and possible action to follow. All voting "Aye". MOTION PASSED**



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**32276 ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR RIM ROCK SUBD. PHASE 2, SECTION 5, AND RELEASE THE MAINTENANCE BOND #PRF9153419MNT-2 IN THE AMOUNT OF \$79,245.45**

Commissioner Jones spoke of staff recommendation. The Transportation Department has inspected and approved the punch list repairs. Roads include: Sapling Drive (2,736 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to discussion and possible action to consider the acceptance of the roads into the county road system for Rim Rock Subd. Phase 2, Section 5, and release of maintenance bond #PRF9153419mnt-2 in the amount of \$79,245.45. All voting "Aye". MOTION PASSED**

**32277 SUB-721 MEDLIN CREEK RANCH PHASE 1 (4 LOTS) APPROVE FINAL PLAT**

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Medlin Creek Ranch is proposed 4 lot subdivision located off of W Fitzhugh Road in Precinct 4. 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 Whisenant, seconded by Commissioner Jones to SUB-721 Medlin Creek Ranch Phase 1 (4 Lots). Discussion and possible action to approve final plat. All voting "Aye". MOTION PASSED**

**32278 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INSTALLATION CONTRACT WITH PERFORMANCE SERVICES INC. RELATED TO THE ENERGY EFFICIENCY PROJECT AND THE TECHNICAL ENERGY AUDIT PERFORMED IN 2016**

On July 19, 2016, Commissioners Court passed a memorandum of understanding authorizing Performance Services Incorporated to perform a technical energy audit and report back to Hays County. The audit was completed over the summer and fall. In November, 2016, the court approved a resolution pertaining to financing of the project. Staff and PSI have identified possible funding sources and are ready to move forward and begin the project. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Installation Contract with Performance Services Inc. related to The Energy Efficiency Project and the technical energy audit performed in 2016. All voting "Aye". MOTION PASSED**

**32279 APPROVE RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC PROPERTY FINANCE CONTRACT WITH RESPECT TO THE ACQUISITION, PURCHASE, AND FINANCING OF A COUNTY WIDE ENERGY CONSERVATION PROJECT; AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE ALL REQUIRED DOCUMENTS**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution Authorizing the Execution and Delivery of a Public Property Finance Contract with Respect to the Acquisition, Purchase, and Financing of a County Wide Energy Conservation Project; and authorize the County Judge to execute all required documents. All voting "Aye". MOTION PASSED**

**32280 APPROVE RESOLUTION AUTHORIZING THE FINANCING OF A COUNTY WIDE ENERGY CONSERVATION PROJECT; AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE ALL REQUIRED DOCUMENTS**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution authorizing the Financing of a County Wide Energy Conservation Project; and authorize the County Judge to execute all required documents. All voting "Aye". MOTION PASSED**

**32281 APPROVE PAYMENT WITHOUT ISSUANCE OF A PURCHASE ORDER FOR SUPPLIES PURCHASED FOR THE COUNTY CLERK'S OFFICE**

Liz Gonzalez, County Clerk, spoke. The County's Purchasing Policy states that a single invoice totaling \$500 or more requires a purchase order and must be issued prior to making the purchase or securing the services. In order to process the invoice for payment, Commissioners' Court approval must be obtained. The County Clerk's office has a new person that is handling all purchases and wasn't aware of the County's Purchasing Policy. County Clerk respectfully asks for the Court's consideration.



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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payment without issuance of a purchase order for supplies purchased for the County Clerk's office. All voting "Aye". MOTION PASSED

**Clerk's Note: Court took a break at 11:01 a.m. and reconvened at 11:13 a.m.**

**32282 HOLD A PUBLIC HEARING AND FINALIZE CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS; DISCUSSION WITH STAFF REGARDING PROPOSED CHANGES TO THE HAYS COUNTY DEVELOPMENT REGULATIONS**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Caitlyn Hairell, County Planner, gave highlights on the changes being proposed. Amendments to the Hays County Development Regulations are being proposed. Documentation and justification the proposed changes are provided in backup. If additional changes to the regulations are requested, they will be heard and codified at the public hearing. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to finalize changes to the Hays County Development Regulations; discussion with staff regarding proposed changes to the Hays County Development Regulations. Possible action may follow in court.** All voting "Aye". MOTION PASSED

**32283 RESOLUTION OF COUNTY COMMISSIONERS COURT REGARDING THE CREATION OF ONE ADDITIONAL JUDICIAL DISTRICT COURT AND ONE ADDITIONAL COUNTY COURT-AT-LAW FOR HAYS COUNTY IN THE UPCOMING 85TH LEGISLATIVE SESSION**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant on resolution of the Hays County Commissioners Court regarding the creation of one additional Judicial District Court and one additional County Court-at-Law for Hays County in the upcoming 85th legislative session. All voting "Aye". MOTION PASSED

**32284 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE SCOPE OF WORK (SOW) FROM DYNAMIC SYSTEMS, INC. FOR A HOT WATER STORAGE TANK REPLACEMENT AT THE JAIL FACILITY AND AMEND THE BUDGET ACCORDINGLY**

Captain Mike Davenport of the Sheriff's Office spoke. The Sheriff's Jail Division needs to replace the 200 gallon hot water storage tank supplying hot water for sinks and showers for the inmates in Quad-C. The current storage tank is approximately 20+ years old and has a water leak. The Maintenance Director obtained three quotes, with Dynamic Systems coming in with the lowest bid. Also, included in the quote is for the vendor to configure a manual by-pass to isolate the tank for future service. Funds were budgeted during the FY 2017 budget process in County Wide for miscellaneous capital improvements for the Jail as needed. Budget Amendment: Decrease Co-Wide Misc. Capital Improvements - 001-645-00.5741; Increase Jail Misc. Equipment -001-618-03.5719\_700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept the Scope of Work (SOW) from Dynamic Systems, Inc. for a Hot Water Storage Tank replacement at the Jail Facility and amend the budget accordingly.**

An amended motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept the Scope of Work (SOW) from Dynamic Systems, Inc. for a Hot Water Storage Tank replacement at the Jail Facility and amend the budget accordingly to include recommendations from Development Services and/or the County Judge. All voting "Aye". MOTION PASSED

**Clerk's Note Court broke for lunch at 11:35 a.m. and reconvened at 1:26 p.m.**

**32285 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO OFFER A SALARY EXCEPTION FOR THE EPIDEMIOLOGIST, SLOT 1142-002 POSITION AT THE 14TH PERCENTILE (GRADE 113) EFFECTIVE MARCH 1, 2017**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Personal Health Department to offer a salary exception for the Epidemiologist, slot 1142-002 position at the 14th percentile (grade 113) effective March 1, 2017. All voting "Aye". MOTION PASSED

**CLERK'S NOTE AGENDA ITEM #21 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**





**32286 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE COUNTY COURT-AT-LAW**

Court convened into Executive session at 1:32 p.m. and reconvened into open court at 1:34 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to place Slot 0910-006 at the 32<sup>nd</sup> percentile of her grade, and to place Slot 0910-001 at the 13<sup>th</sup> percentile of her grade, utilizing salary savings associated with the County Courts- at-Law, effective March 1, 2017. All 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, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY**

Court convened into Executive session at 1:34 p.m. and reconvened into open court at 1:49 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. No Action Taken.

**CLERK'S NOTE AGENDA ITEM #24 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 – 8. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

**CLERK'S NOTE AGENDA ITEM #26 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 Ingalsbe to adjourn court at 1:56 p.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 February 21, 2017.



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





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

**ON THIS THE 28<sup>TH</sup> DAY OF FEBRAURY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<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>COUNTY CLERK</b>

**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.

**PUBLIC COMMENTS**

John Leonard – San Marcos resident, Matt Ocker – Buda resident, Craig Young – Wimberley resident, James Kohler – Kyle resident, Sam Brannon – San Marcos resident, Dan Lyon – San Marcos resident, Ariel Axelrod – Driftwood resident, Ashley Whittenberger, Dwaine York – Wimberley resident, and Naomi Narvaiz – San Marcos resident, spoke.

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller of Human Resources presented the Hays County Service Awards. 10 Years – Eliseo Galarza, Jr, Juvenile Detention Center – Leticia Romo De Narvaiz. 15 Years – Transportation, Joseph Delarosa, Sheriff, Rogelio Ramirez. 20 Years – Starlene Varnell. Commissioners Court thanked all the recipients for the hard work and dedication to Hays County.

**PRESENTATION FROM THE HAYS COUNTY ELECTIONS ADMINISTRATOR REGARDING HER PRESS RELEASE OF FEBRUARY 20, 2017, AS WELL AS OTHER QUESTIONS RECENTLY POSED ABOUT LOCAL ADMINISTRATION OF THE NOVEMBER 8, 2016 ELECTION.**

Jennifer Anderson, Elections Administrator presented the Court with findings of investigation done regarding the November 8, 2016 Election. Ms. Anderson’s findings indicate that an MBB (??) was found returned and not counted during the election totals. Ms. Anderson then contacted the Elections Committee and the Secretary of State (SOS). Secretary of State advised that those votes could not be included in the November 8, 2016 Election, since those votes had already been canvassed.

**Clerk’s Note Court took break at 10:45 a.m. and reconvened at 11:00 a.m.**

**32287 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 \$676,828.26 as presented by the County Auditor. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting “Aye”. Commissioner Conley not present for vote. MOTION PASSED

**32288 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 21, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 21, 2017 as submitted by the County Clerk. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting “Aye”. Commissioner Conley not present for vote. MOTION PASSED



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**32289 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1007 on Graef Rd. issued to Goforth SUD as presented by the Transportation Department. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32290 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 1 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 1 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Hays County Flood Debris Removal Program. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32291 AUTHORIZE THE DISTRICT COURT TO HIRE THE BAILIFF, SLOT 1153-007 POSITION AT THE 45TH PERCENTILE EFFECTIVE MARCH 1, 2017**

The District Court is seeking approval to hire the Bailiff position at the 45<sup>th</sup> percentile of the pay grade (\$50,500 annually). This is a new position that was created and approved during the FY17 budget process. They currently have a candidate within Hays County with over 10 years of County law enforcement experience. This experience will be an asset to the department, allowing the individual to transition into the role more effectively with his knowledge of County policies and procedures and familiarity with the court processes. The employee's current salary is at \$47,919 with an annualized fiscal impact of \$3,096 (includes fringe). Savings within their operating budget salary line items are available due to the delayed start date of this new position. No additional funds are needed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the District Court to hire the Bailiff, Slot 1153-007 position at the 45<sup>th</sup> percentile effective March 1, 2017. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

**32292 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HARRIS COUNTY DEPARTMENT OF EDUCATION (HCDE) TO BECOME A MEMBER WITH CHOICE PARTNERS COOPERATIVE FOR COUNTY WIDE PROCUREMENT AND CONTRACT SOLUTIONS**

Choice Partners Purchasing Cooperative offers procurement and contract solutions to meet government purchasing requirements. The contracts are awarded by the HCDE governing board of trustees, and Interlocal agreements are between HCDE and the government entity wishing to use the Choice Partners Cooperative Contract. Because Choice Partners is a division of HCDE, it meets all legal requirements per Local Government Code, Chapter 262. Membership with Choice Partners Cooperative will allow the County to access over 600 contracts that have already gone through the appropriate competitive process. There is no membership fee associated with this Cooperative Agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Agreement with the Harris County Department of Education (HCDE) to become a member with Choice Partners Cooperative for County-Wide Procurement and Contract Solutions. All voting "Aye". MOTION PASSED**

**32293 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO PURCHASE TWO DELL PRECISION LAPTOPS UTILIZING DEPARTMENT OF STATE HEALTH SERVICES (DSHS) EBOLA GRANT FUNDS AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Personal Health Department to purchase two Dell Precision Laptops utilizing Department of State Health Services (DSHS) Ebola Grant Funds and amend the budget accordingly. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED



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**32294 AUTHORIZE THE COUNTY JUDGE TO ACCEPT THE NOTICE OF GRANT AWARD FROM THE NATURAL RESOURCES CONSERVATION SERVICE FOR AUXILIARY SPILLWAY REPAIRS ON THE UPPER SAN MARCOS DAM SYSTEM**

On February 7<sup>th</sup> the Commissioner's Court authorized the submittal of a grant application to NRCS for auxiliary spillway repairs on the Upper San Marcos Dam System. The grant funds have been awarded for a total cost of \$8,463,375 with a 25% local match. Potential sources for matching funds are the Texas State Soil and Water Conservation Board, the City of San Marcos, the Upper San Marcos Watershed and Hays County reserves. The project budget will be established once entities share of local match are determined. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to accept the Notice of Grant Award from the Natural Resources Conservation Service for Auxiliary Spillway repairs on the Upper San Marcos Dam System. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

**32295 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON EAGLE NEST DRIVE, LEWIS LANE & LONGLEY TRACE IN CIMARRON PARK SUBDIVISION NEAR FM 1626**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. This action will establish a new stop sign on Eagle Nest Drive at Lewis Lane, a new stop sign on Longley Trace at Lewis Lane, and to remove an existing stop sign on Eagle Nest Drive at Longley Trace as a result of the completion of construction on FM 1626 and the new orientation of the roads within the subdivision. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish traffic regulations on Eagle Nest Drive, Lewis Lane & Longley Trace in Cimarron Park Subdivision near FM 1626. All voting "Aye". MOTION PASSED**

**GRANT A REQUEST FOR WAIVER OF PENALTY AND INTEREST ON ONE PROPERTY TAX ACCOUNT - R40989**

Luanne Caraway, Hays County Tax Assessor/Collector, spoke. David Valle, Chief Appraiser, Hays Central Appraisal District, sent letter to the tax office dated February 16, 2017, stating that his office failed to change the ownership on an account when the deed was filed on 11/20/15. Due to this clerical error in his office, the correct owner did not receive the appraisal notice or tax bill for the 2016 tax year. The correct owner of the property paid the 2016 taxes on 2/14/17 and also paid the penalty and interest due at that time. The property owner is now requesting a refund of the penalty and interest that he paid that day. This item will be brought back next week.

**32296 ADOPT A RESOLUTION IN SUPPORT OF A LEGISLATIVE BILL RELATED TO WINE PRODUCTION AND RETAIL OPERATIONS WITHIN THE DRIFTWOOD ECONOMIC DEVELOPMENT MUNICIPAL MANAGEMENT DISTRICT**

Legislation has been filed as HB 1429 and SB 590 which are identical. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a Resolution in support of Legislative Bill related to Wine Production and Retail Operations within the Driftwood Economic Development Municipal Management District. All voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #14 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*

**CLERK'S NOTE AGENDA ITEM #15 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 – 25. Burn Ban will remain lifted. Judge reminded the citizens of Hays County to use extreme caution while conducting outdoor burning.



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**CLERK'S NOTE AGENDA ITEM #17 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 Conley to adjourn court at 11:17 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 February 28, 2017.



A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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

A decorative flourish consisting of a series of loops and curves, resembling a stylized wave or scroll.



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 7<sup>TH</sup> DAY OF MARCH A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<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>CHRISTOPHER ALANIZ</b>	<b>DEPUTY COUNTY CLERK</b>

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.

**PUBLIC COMMENTS**

Matt Ocker – Buda resident, Sam Brannon – San Marcos resident, Cristin Hearne – Austin resident, Sharon Michaelis – Kyle resident, Lisa Marie Coppoletta – San Marcos resident, Dan Lyon – San Marcos resident, Rob Roark – San Marcos resident, Michael Aulick – Driftwood resident, Pat Chisholm – Buda resident, spoke

**32297 ADOPT A PROCLAMATION DECLARING FEBRUARY, 2017 AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN HAYS COUNTY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a proclamation declaring February, 2017 as Dating Violence Awareness and Prevention Month in Hays County. All present voting "Aye". MOTION PASSED

**32298 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$2,586,481.43 as presented by the Hays County Auditor All present voting "Aye". MOTION PASSED

**32299 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 28, 2017**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 28, 2017. All present voting "Aye". MOTION PASSED

**32300 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SHERIFF DRUG FORFEITURE FUNDS TO PURCHASE TWO SERVERS FOR COMPUTER FORENSIC EVIDENCE AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is requesting an immediate on-site storage solution for computer forensic evidence. The Sheriff's Office needs to purchase two 24tb servers for the storage solution. This storage would be housed in a server rack located in the Computer Forensic Detective's Office and be used to store digital evidence collected that cannot be placed or connected to any internet based servers. The evidence by its very nature is considered extremely inappropriate for cloud-based storage solutions. One server would be used as a redundant storage, which is an industry standard, in case the original server crashed. The recommendation from County IT is to purchase The Buffalo servers, the cost of each server \$2,175.00. The Sheriff's Office will utilize Sheriff Drug Forfeiture Funds for this purchase. Budget Amendment: Decrease Criminal Investigation (\$4350.00). Increase Computer Equipment Operating \$4,350.00 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize Sheriff Drug Forfeiture Funds to purchase two servers for computer forensic evidence and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32301 APPROVE UTILITY PERMITS**

Permit: 1008: Norwood Road: PEC (electric line). Permit: 1009: Williamson Road: Goforth SUD (water line). Permit: 1010: Summit Drive East: PEC (electric line). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permits. All present voting "Aye". MOTION PASSED**



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**32302 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE A NEW SWINGLINE 250X SHREDDER UTILIZING DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY**

The District Attorney's Office is in need of a heavy duty shredder for their administrative staff. The current shredder is not functional for large jobs. The Swingline 250X Shredder features a cross-cut shred for confidentiality and PIN code access for unattended operation. The programmable 4-digit code also prevents unauthorized operation. DA Drug Forfeiture Funds are available to fund this request. Increase .5711\_400 Office Eqpt. Reduce .5391 Misc Expense. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the District Attorney's Office to purchase a new Swingline 250X Shredder utilizing Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32303 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT CONTRACT AMENDMENT NO. 13 AND AMEND THE BUDGET ACCORDINGLY**

The Texas Juvenile Justice Department awarded the Hays County Juvenile Probation Department an additional \$2,150 for expenses related to CPR training. Increase .5201 General Supplies. Increase .4301 Intergovernmental Revenue. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Juvenile Probation Department to accept additional grant funding from the Texas Juvenile Justice Department Contract Amendment No. 13 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32304 AUTHORIZE THE COUNTY COURT AT LAW 2 OFFICE TO PURCHASE A NEW FUJITSU SCANNER AND AMEND THE BUDGET ACCORDINGLY**

The CCL2 division is in need of a new scanner for their receptionist. The additional equipment will enable the front office staff to assist with collections and other scanning projects. Savings within the operating budget are available to fund this request. Increase 001-612-00.5712\_400 Computer Eqpt. Reduce 001-612-00.5493 Committals. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Court at Law 2 Office to purchase a new Fujitsu Scanner and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32305 APPROVE A TRANSFER REQUEST OF A 2010 CHEVY 1500 FROM THE TRANSPORTATION DEPARTMENT TO THE HAYS COUNTY TEXAS A&M AGRILIFE EXTENSION OFFICE**

The Transportation Department is seeking approval to transfer the following asset from the Transportation Department's inventory to the Texas A&M AgriLife Extension Office: 2010 Chevy 1500 1/2 ton pickup; VIN:1GCSPEAOAZ143618; County Tag #17555. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a transfer request of a 2010 Chevy 1500 from the Transportation Department to the Hays County Texas A&M AgriLife Extension Office. All present voting "Aye". MOTION PASSED**

**32306 APPROVE THE RE-APPOINTMENT OF KENNETH DOWNING AS COMMISSIONER OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #4**

On February 7, 2017 Chuck Ware was mistakenly re-appointed to ESD #4. Mr. Ware did not require reappointment at that time, his term will end 12/31/2017. If approved, Mr. Downing's term will end 12/31/2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the re-appointment of Kenneth Downing as Commissioner of Hays County Emergency Services District #4. All Present Voting "Aye". MOTION PASSED**

**32307 AUTHORIZE THE DESTRUCTION OF 3 MOTOR VEHICLES THAT ARE SALVAGE PROPERTY OWNED BY HAYS COUNTY (VIN#S JT2EL45F4N0110888, 1GND13S622500452 AND 1GCEC19WXWE172686), AND AUTHORIZE THAT THE PROCEEDS OF ANY CONSIDERATION PROVIDED FOR SCRAP METAL VALUE OF SAID MOTOR VEHICLES MAY BE DONATED TO THE HAYS COUNTY CRIME STOPPERS, NOTING ADOPTION OF THE FINDINGS CITED IN TEXAS LOCAL GOVERNMENT CODE SECTION 263.152 BY THE COMMISSIONERS COURT**



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These vehicles were awarded to the County by Court Order. However, the condition of the vehicles warrants a finding that they are Salvage Property and that appropriate action should be taken under Chapter 263 of the Texas Local Government Code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the destruction of 3 motor vehicles that are salvage property owned by Hays County (VIN#s JT2EL45F4N0110888, 1GNDS13S622500452 and 1GCEC19WXWE172686), and authorize that the proceeds of any consideration provided for scrap metal value of said motor vehicles may be donated to the Hays County Crime Stoppers, noting adoption of the findings cited in Texas Local Government Code Section 263.152 by the Commissioners Court. All present voting “Aye”. MOTION PASSED**

**32308      AUTHORIZE AN INCREASE IN THE LINE OF CREDIT FROM \$1,500 TO \$6,500 FOR THE CARD HELD BY THE DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT**

The Development & Community Services Department is requesting an increase from \$1,500 to \$6,500 for the department card they currently hold. The card is used to make purchases, travel arrangements and other miscellaneous departmental expenses. The current credit limit is not sufficient in supporting the multiple divisions/departments that comprise the Development & Community Services Department. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize an increase in the line of credit from \$1,500 to \$6,500 for the card held by the Development & Community Services Department. All present voting “Aye”. MOTION PASSED**

**32309      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018 TUBERCULOSIS PREVENTION AND CONTROL (TB) PROGRAM, STATE PROGRAM FUNDS IN THE AMOUNT OF \$25,875.00**

On February 21, 2017 the Commissioners Court approved submission of an inter-local grant application to the Department of State Health Services (DSHS) for funding under the FY16 Tuberculosis Prevention and Control (TB) program State funds. DSHS provides funding to local health departments for the identification and treatment of persons with, or exposed to, tuberculosis (TB). The funding period for this program is from September 1, 2017 through August 31, 2018. Attached is the contract for the funding and acceptance is done electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018 Tuberculosis Prevention and Control (TB) program, State program funds in the amount of \$25,875.00. All present voting “Aye”. MOTION PASSED**

**32310      APPROVE THE SEPTEMBER 2016 TREASURER'S REPORTS AND INVESTMENT REPORTS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the September 2016 Treasurer's Reports and Investment Reports. All present voting “Aye”. MOTION PASSED**

**32311      CALL FOR A PUBLIC HEARING ON MARCH 21, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 13, BURNET RANCH SECTION 2**

Burnet Ranch Section 2 is a recorded subdivision located off of Sandy Creek Road in Precinct 3. The proposed re-plat will divide the 15.83 acre lot 13 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to call for a public hearing on March 21, 2017 to discuss final plat approval of the Replat of Lot 13, Burnet Ranch Section 2. All Present Voting “Aye”. MOTION PASSED**

**32312      SUB-747 TO VACATE THE AMENDED LOT 3A-1 IN THE CREEKSIDE ADDITION**

Caitlyn Hairell, County Planner gave staff recommendation. The Creekside Addition is a platted subdivision located off Sycamore Creek drive in NW PCT 4. In 2011, the owners of lots 3A and 4A-2 applied for and were granted permission for an amended plat that would combine the two 4.0 acre into one 8.0 acre lot. The owner now wishes to vacate the amended plat and put the lots back to the original configurations. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to vacate the amended Lot 3A-1 in the Creekside Addition SUB-747. All present voting “Aye”. MOTION PASSED**





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**32313 SUB-495 MOUNTAIN GATEWAY ORDER SUBDIVISION (2 LOTS). ACTION TO APPROVE PRELIMINARY PLAN**

Caitlyn Hairell, County Planner gave staff recommendation. The proposed Mountain Gateway Order Subdivision is a 2 lot subdivision located off of the private portion of Hart Lane in Precinct 4. The subdivision will be served by the private well and rainwater. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-495 Mountain Gateway Order Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

**32314 CONSIDER 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 9 IN THE HAYS COUNTRY OAKS, SECTION 2 SUBDIVISION**

Caitlyn Hairell, County Planner gave staff recommendation. Hays Country Oaks Section 2 is a subdivision located within in Precinct 2. The house and original septic system were built on the portion of lot 9 in 1985, prior to rules requiring a higher minimum lot size for a conventional OSSF system and a private well. The owner has applied for a permit to construct an On-Site Sewage Facility to replace the existing failing system. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to replace his failing OSSF. The property owner has been made aware of the platting requirement, and is already working on meeting the Hays County requirements. He has spoken with his neighbor, and they will bring both portions up to Hays County rules by replatting the entirety of lot 9 together. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to consider 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 9 in the Hays Country Oaks, Section 2 Subdivision. All present voting "Aye". MOTION PASSED**

**32315 CONSIDER THE APPOINTMENT OF DANIEL O'BRIEN AND GEOFFREY TAHUAHUA TO THE BOARD OF COMMISSIONERS FOR ESD #1**

Resume is attached for these appointments. Daniel O'Brien will fill the unexpired term of Walter Graner and Geoffrey Tahuahua will fill the unexpired term of Robert Chaffee. Both will serve with terms ending December 31, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to consider the appointment of Daniel O'Brien and Geoffrey Tahuahua to the board of Commissioners for ESD #1. All present voting "Aye". MOTION PASSED**

**32316 AUTHORIZE THE TAX ASSESSOR COLLECTOR TO CONVERT THE LEAD CUSTOMER SERVICE REPRESENTATIVE SLOT 0339-004 TO A SUBSTATION CHIEF DEPUTY FOR THE WIMBERLEY SATELLITE OFFICE EFFECTIVE APRIL 1, 2017**

Luanne Caraway, Hays County Tax Assessor/Collector, spoke. The Tax Assessor Collector is seeking court approval to convert the Lead CSR position to a Substation Chief Deputy for the Wimberley Satellite office. This is a new position that was created and approved during the FY17 budget process. The position was requested and approved as a Lead CSR, however, this was an oversight as the intention was to fill the position as a Substation Chief Deputy. This level of position is needed due to the level of responsibility required. Those duties include all daily functions at the satellite office; supervising employees, reconciling and depositing all funds received, securing inventory and opening and closing the office. Additionally, this organizational structure is in place at all other satellite offices. The requested base salary is \$34,091 (annualized impact of \$3,099/\$3,717 with fringe). Savings within their operating budget salary line items are available due to the delayed start date of this new position. No additional funds are needed. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the Tax Assessor Collector to convert the Lead Customer Service Representative slot 0339-004 to a Substation Chief Deputy for the Wimberley Satellite Office effective April 1, 2017. All present voting "Aye". MOTION PASSED**

**32317 AUTHORIZE COMMERCIAL OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10-W(6) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 7080 WEST HIGHWAY 290, DRIPPING SPRINGS, TX 78620**

Roxie Mcinnis spoke. Keith Wilcox is proposing an on-site sewage facility to serve an existing welding shop and a new building with 3 office/shop spaces. This OSSF is a standard treatment system in which the effluent will gravity flow to a leaching chamber drainfield. The system is designed for a maximum of 180 GPD. The water will be supplied by a private water well that is located on the 1.07 acre tract. The system designer, Jim Conner, R.S.



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is requesting a variance to Section 10 W(6) of the Hays County rules for on-site sewage facilities which requires an effluent meter which is capable of measuring the daily flow. His justification for the variance is: "Installing flow meters on the water lines entering each building will provide equal protection to the rule. The same amount of water going through the meters will be going to the on-site sewage facility ". **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit and grant a variance to Section 10-W(6) of the Hays County Rules for On-Site Sewage Facilities at 7080 West Highway 290, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**32318 AUTHORIZE THE JUSTICE OF THE PEACE, PRECINCT 2 OFFICE TO HIRE THE JUSTICE CLERK, SLOT 0855-008 POSITION AT THE 41ST PERCENTILE EFFECTIVE MARCH 13, 2017 AND AMEND THE BUDGET ACCORDINGLY**

The Justice of the Peace, Pct. 2 is seeking approval to hire a vacant Justice Clerk position at approximately the 41st percentile of the pay grade (\$34,000 annually). They currently have an applicant that was previously employed as a Justice Clerk with the JP2 Office for over 26 years. This experience will be a huge asset to the department, allowing the individual to transition into the role more effectively with her knowledge of County policies and procedures and familiarity with the court processes. The requested base salary is \$34,000 (annualized impact of \$2,412/\$2,893 with fringe); with a total FY17 impact of \$1,835. There is approximately \$750 savings within their operating budget salary line items. Possible funding for the additional \$1,085 – County Wide salary adjustments. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Justice of the Peace, Precinct 2 Office to hire the Justice Clerk, slot 0855-008 position at the 41st percentile effective March 13, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32319 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, THE HAYS COUNTY CONSTABLE FOR PRECINCT 3, AND THE CITY OF WIMBERLEY, TEXAS, RELATED TO THE PROVISION OF CERTAIN LAW ENFORCEMENT SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY AND AMEND THE BUDGET ACCORDINGLY**

Constable Ray Helm, Hays County Sherriff Gary Cutler, Mayor of the City of Wimberley Mac McCullough, Wimberley City Councilmen Craig Fore, John White and Gary Barchfield spoke on the matter. The City of Wimberley recently requested that the Hays County Constable for Pct.3 consider providing dedicated law enforcement within the corporate limits of Wimberley. The City primarily wants a dedicated Deputy Constable to provide traffic enforcement, select code enforcement, and otherwise be present for general peace keeping during peak business periods in the Wimberley Valley. The attached ILA is reflective of that agreement. Budget Amendment: Increase Intergovernmental Revenue Increase Salaries/Fringe. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement between Hays County, the Hays County Constable for Precinct 3, and the City of Wimberley, Texas, related to the provision of certain law enforcement services within the corporate limits of the City of Wimberley and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #24 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**

**32320 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HUMAN RESOURCES DEPARTMENT. POSSIBLE ACTION MAY FOLLOW**

Court convened into Executive session at 11:15 a.m. and reconvened into open court at 11:52 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Tammy Crumley and Chief of Staff Lon Shell. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Shari Miller as interim Human Resources Director effective March 16, 2017, with corresponding salary at the minimum of grade 120, until such time as a permanent Director has been hired by the Commissioners Court. All voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #26 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**



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**DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.**

Today's Drought Index – 21. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

**CLERK'S NOTE AGENDA ITEM #28 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 11:57 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 March 7, 2017.



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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

**ON THIS THE 21<sup>ST</sup> DAY OF MARCH A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<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>COUNTY CLERK</b>

**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 ON THE HAYS COUNTY-TEXAS DEPARTMENT OF TRANSPORTATION PARTNERSHIP PROGRAM FM 150 WEST CHARACTER PLAN PROJECT**

Joe Canteloupo, Sr. Vice President of K. Friese & Associates and Project Manager for FM 150 West Project, gave a powerpoint presentation on the project. This presentation will provide information regarding the schedule and progress of Phase 2. The Hays County-Texas Department of Transportation Partnership Program was formalized by an Advance Funding Agreement (AFA) executed between Hays County and the Texas Department of Transportation on December 18, 2013 and Texas Transportation Commission action on August 29, 2013 identifying project development funding (corridor study, schematic development, right-of-way preservation) for the FM 150 West Character Plan for FM 150 between Arroyo Ranch Road and RM 12. On May 20, 2014, the County entered into a professional services agreement with K. Friese & Associates for the development of a Corridor Plan and Nature & Character Plan for the FM 150 corridor from Arroyo Ranch Road northwest through the County to RM 12 in Dripping Springs. Since that time, the County established a Phase 1 Citizens Advisory Panel (CAP) which met 11 times, and hosted three Public Meetings. Presentations to the Court on the status of the project were made on January 13, 2015, December 15, 2015 and April 5, 2016. At the April 5, 2016 presentation, the Commissioners Court acknowledged and accepted the final report of Phase 1, the "FM 150 West Character Plan: Features and Themes Report." Since that time, Phase 2 of the project has been initiated with a Phase 2 CAP. The CAP has met three times and the County has hosted one Public Meeting.

**32321 ADOPT A PROCLAMATION DECLARING MARCH 24, 2017 AS WORLD TB DAY**

Iris Barrera RN, TB Coordinator and Wilma Lewter, National Certified Medical Assistant, spoke regarding TB. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a Proclamation declaring March 24, 2017 as World TB Day. All present voting "Aye". MOTION PASSED**

**PUBLIC COMMENTS**

Ari Axelrod – Driftwood resident, Lila Virginia Fleming – Buda resident, Carl Urban – Buda resident, Margaret Williams – Buda resident, JoAne Inscore, Michael Aulick – Driftwood resident, Pat Chisholm – Buda resident, Matt Ocker – Buda resident, Dan Lyon – San Marcos resident, Sam Brannon – San Marcos resident, and Jeff Shaw – Driftwood resident made public comments.

**Clerk's note Court took break at 10:34 a.m. and reconvened into open court at 10:52 a.m.**

**32322 APPROVE PAYMENTS OF COUNTY INVOICES**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve payments of county invoices in the amount of \$2,641,349.39 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED**

**32323 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 7, 2017**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve Commissioners Court Minutes of March 7, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED**



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**32324      AUTHORIZE COMMERCIAL OSSF PERMIT AT 12345 PAUL'S VALLEY, AUSTIN, TX 78737**

Eric Thierry of Craftsman Park LLC is proposing to upgrade an existing OSSF for six - 1400 square foot office facilities. Each building will serve two employees daily, except a brewery and distillery. These two businesses will serve up to 250 customers on Friday and Saturdays. The property is 5.01-acre lot is Lot 1 of the Ray Moore Subdivision. The lot is served by a rainwater collection system, but the brewery and the distillery are working with the TCEQ to upgrade to a public water supply. The system designer, Stephen Jetton, R.S., has designed a treatment system which consists of pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 360 gallons. 92B225B258B291B The total cost of the replacement is \$3,544.00. No additional funds are needed, funds have been identified within the Jail Operations budget. Budget Amendment – Decrease 001-618-03.5718\_400 Software Operating (\$ 450.00); Increase 001-618-03.5719\_400 Miscellaneous Equipment Operating Expense \$ 450.00; Decrease 001-618-03.5411. Equipment Maintenance & Repair (\$1,536.00). **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize Commercial OSSF Permit at 12345 Paul's Valley, Austin, TX 78737. All present voting "Aye". MOTION PASSED**

**32325      AUTHORIZE THE SHERIFF'S OFFICE JAIL DIVISION TO PURCHASE A REPLACEMENT CARD ACCESS SYSTEM AND AMEND THE BUDGET ACCORDINGLY**

During the lightning event, February 18, 2017, a damaging surge was experienced to our Maxxess Card Access system at both 1307, (Jail), and 1303, (Dispatch) buildings. These systems provide security access for our staff and also records the card user's time and date. It may be possible to re-use the controller at 1307 to make repairs to 1303, depending on our network capabilities. Rather than contributing to an outdated system and to provide expansion for the future Jail additions, we recommend the Hirsch MX-4 controller, with installation. Increase 001-618-03.5719\_400. Miscellaneous Equipment Operating Expense \$1,536.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the Sheriff's Office Jail Division to purchase a replacement card access system and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32326      APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT DAVID BURNS TO ATTEND THE NATIONAL HOMELAND SECURITY CONFERENCE IN BUFFALO, NY**

Out of state travel is needed to send Lieutenant David Burns to the National Homeland Security Conference in Buffalo, New York on June 6-8, 2017. This conference is where Law Enforcement, Public Safety and Intelligence personnel meet to discuss case studies and technologies when it comes to sharing information, training and prevention. Public and private partnerships will have a chance to connect and share best practices with those that are tasked with keeping our nation safe. Lt. Burns will have the opportunity to network with Homeland Security professionals, Emergency Managers, representatives from Local, State and Federal Government as well as subject matter experts from the private sector. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. Austin Regional Intelligence Center will reimburse the county for all expenses incurred. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Lieutenant David Burns to attend the National Homeland Security Conference in Buffalo, NY. All present voting "Aye". MOTION PASSED**

**32327      APPROVE UTILITY PERMITS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve Permit #1011 on Purgatory Road issued to Centurylink; Permit #1012 on Petras Way issued to Goforth SUD; Permit #1013 on Mesa Verde Drive issued to AT&T; Permit #1014 on Crystal Hill Drive issued to PEC; Permit #1015 on Sawyer Ranch Road issued to Frontier Communications Company; Permit #1016 on Petras Way issued to Goforth SUD as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

**32328      APPROVE THE CONTINUING EDUCATION HOURS FOR THE HAYS COUNTY TAX ASSESSOR-COLLECTOR**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve the Continuing Education Hours for the Hays County Tax Assessor-Collector. All present voting "Aye". MOTION PASSED**

**32329      ACCEPT A DONATION OF \$100.00 ISSUED TO THE HAYS COUNTY SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY**



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The Sheriff's Office received a donation totaling \$100.00 from Everett and Beth Smith to be utilized by the Communications Division. The donation is for supplies and materials for the 2017 National Telecommunicator Week that will occur April 9-15, 2017. Budget Amendment - \$100.00: Increase Revenue 001-618-00.4610 Contributions \$100.00; Increase Expense 001-618-00.5391 Miscellaneous \$100.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation of \$100.00 issued to the Hays County Sheriff's Office Communications Division and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32330 RATIFY THE COUNTY JUDGE'S EXECUTION OF A ZONE VARIANCE APPLICATION FORM REQUIRED BY THE CITY OF SAN MARCOS, TEXAS, RELATED TO THE JAIL/PUBLIC SAFETY BUILDING PROJECT, AND AUTHORIZE THE DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES TO EXECUTE ANY FUTURE APPLICATIONS REQUIRED FOR THIS PROJECT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to Ratify the County Judge's execution of a Zone Variance Application Form required by the City of San Marcos, Texas, related to the Jail/Public Safety Building project, and authorize the Director of Development and Community Services to execute any future applications required for this project. All present voting "Aye". MOTION PASSED

**32331 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE A NEW SAMSUNG GALAXY TABLET FOR DATA COLLECTION FROM RADAR SIGNS AND AMEND THE BUDGET ACCORDINGLY**

The Transportation Department would like to purchase a new tablet in order to collect data from the ten permanent traffic radar signs that are located throughout the county. A device that is wi-fi compatible is needed in order to download the data from the machines. This data will be utilized to determine volume of traffic as well as traffic violations and will be shared with the Sheriff's and Constable's Offices. Savings have been identified in the materials line item, no additional funds are needed. Budget Amendment: Increase Computer Eqpt\_Op Decrease Road Materials. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Transportation Department to purchase a new Samsung Galaxy Tablet for data collection from radar signs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32332 AUTHORIZE PAYMENT TO CATALYST MARKETING INNOVATIONS FOR EXPENSES RELATED TO THE HISTORICAL COMMISSION'S WEB DESIGN IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment to Catalyst Marketing Innovations for expenses related to the Historical Commission's web design in which no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

**32333 AUTHORIZE REIMBURSEMENT TO KATE JOHNSON FOR EXPENSES RELATED TO THE HISTORICAL COMMISSION'S KYLE DEPOT RESTORATION PROJECT IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize reimbursement to Kate Johnson for expenses related to the Historical Commission's Kyle Depot Restoration Project in which no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

**32334 AUTHORIZE PAYMENT TO HART OF TEXAS FOR EXPENSES RELATED TO RECYCLING AND SOLID WASTE FORKLIFT REPAIR IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY**

Emergency repairs were needed on Driftwood facility's forklift to continue day-to-day operations. The cost exceeded \$500 and a purchase order was not obtained prior to work. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment to Hart of Texas for expenses related to Recycling and Solid Waste forklift repair in which no purchase order was issued or quotes obtained as required per County Purchasing policy. All Present Voting "Aye". MOTION PASSED**



**32335      AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 12 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR WORK RELATED TO THE RENOVATIONS AT THE COUNTY OWNED FACILITY AT 200 STILLWATER, IN PRECINCT 3**

CO #12: Scope: Design fees for remodel of Sheriff's Dept. side, Addition of 3 panic bars, Structural engineer for awning, New power for septic/reroute and addition of new conduit for fiber, Change in lighting at ramp and in Rm 703, Rework of office 603. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 12 between Hays County and Wood and Thomason Construction, LP for work related to the renovations at the County Owned Facility at 200 Stillwater, in Precinct 3. All present voting "Aye". MOTION PASSED**

**32336      AUTHORIZE COUNTY JUDGE TO EXECUTE AGREEMENT WITH RVI IN AN AMOUNT NOT TO EXCEED \$14,000 FOR RE-DESIGN OF PARKING AREA FOR GAY RUBY DAHLSTROM NATURE PRESERVE AND AMEND THE BUDGET ACCORDINGLY**

During pre-construction site survey, new sensitive features were discovered in proposed parking area. There is a 150' buffer requirement for construction within the development zone and the parking area will need to be relocated to protect the features. An additional geological assessment was performed by SWCA and the new design will avoid karst features on site. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize County Judge to execute agreement with RVI in an amount not to exceed \$14,000 for re-design of parking area for Gay Ruby Dahlstrom Nature Preserve and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32337      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE GREATER TEXAS LANDSCAPE SERVICE CONTRACT EFFECTIVE MARCH 8, 2017 RELATED TO COUNTY WIDE CEMETERY MAINTENANCE (IFB 2017-B03)**

Purchasing received 1 bid from Greater Texas Landscape Services. This vendor was awarded the previous contract and has performed the services satisfactorily. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Greater Texas Landscape Service contract effective March 8, 2017 related to county wide cemetery maintenance (IFB 2017-B03). All present voting "Aye". MOTION PASSED**

**32338      AUTHORIZE THE CONSTABLE PRECINCT 2 OFFICE TO ADD ONE TELEPHONE ALLOWANCES EFFECTIVE MARCH 1, 2017 FOR DEPUTY CONSTABLE, SLOT 0885-016 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 - 001-636-00.5489 \$245; Increase - 001-636-00.5194 \$245. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Constable Precinct 2 Office to add one telephone allowances effective March 1, 2017 for Deputy Constable, slot 0885-016 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32339      AUTHORIZE PURCHASES FOR TECHNOLOGY AND SAFETY ENHANCEMENTS FOR THE CONSTABLE PRECINCT 2 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize purchases for technology and safety enhancements for the Constable Precinct 2 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32340      CALL FOR A PUBLIC HEARING ON APRIL 4, 2017 TO ESTABLISH TRAFFIC REGULATIONS ON CREEK ROAD NEAR THE BALL FIELDS (SPEED LIMIT)**

This action will be to establish a 25 MPH speed limit on Creek Road for both directions of travel for approximately 700 feet on both sides of the ball park driveway. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on April 4, 2017 to establish**



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traffic regulations on Creek Road near the ball fields (speed limit). All present voting "Aye". MOTION PASSED

**32341 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH LOCKWOOD, ANDREWS AND NEWNAM, INC. FOR PROFESSIONAL RIGHT-OF-WAY ACQUISITION SERVICES ON THE FM 110 (SH123 TO YARRINGTON ROAD) PROJECT IN HAYS COUNTY AS PART OF THE PARTNERSHIP PROGRAM**

Delays in environmental approval and revisions to the design have led to additional project meetings, necessity for updated appraisals, unmotivated landowners without the threat of eminent domain, changes in ownership since project initiation and additional time to deal with landowners and their representatives. There has been out of scope work requested by county including 3 rounds of right of entry agreements and Early Possession and Use Agreements. Parcel 1 Middle had 6 unanticipated tenant relocations and the Coleman Quarry has the potential for a more complex acquisition and appraisal. The racetrack parcel also involved substantial unanticipated costs related to relocation activities and potential damage claims. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental Agreement No. 1 to the Professional Service Agreement with Lockwood, Andrews and Newnam, Inc. for professional Right-of-Way Acquisition Services on the FM 110 (SH123 to Yarrington Road) project in Hays County as part of the Partnership Program. All present voting "Aye". MOTION PASSED**

**32342 POSTPONE THIS ITEM FOR TWO WEEKS TO CONSIDER ADOPTION OF A TRAFFIC CALMING POLICY PREPARED BY THE TRANSPORTATION DEPARTMENT FOR COUNTYWIDE USE**

Adam Leach, Assistant Transportation Director, spoke. The Hays County Transportation Department has developed a policy for traffic calming measures on County maintained roadways. The policy was developed after careful review of previous calming measures (speed bumps, tables, and buttons) and speed studies conducted by the County in various subdivisions. The Transportation Department feels that a uniform policy with petitions is the best way to ensure that the needs of the community are represented and that good engineering predicates the type of installation the County performs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to postpone this item for two weeks to consider the adoption of a traffic calming policy prepared by the Transportation Department for Countywide use. All present voting "Aye". MOTION PASSED**

**32343 HOLD A PUBLIC HEARING ON SUB-662 REPLAT OF LOT 13, BURNET RANCH SECTION 2 APPROVE FINAL PLAT**

Judge Cobb opened the public hearing. No input was received. Judge Cobb closed the public hearing. Caitlyn Hairell, Hays County Planner, gave staff recommendation. Burnet Ranch Section 2 is a recorded subdivision located off of Sandy Creek Road in Precinct 3. The proposed re-plat will divide the 15.83 acre lot 13 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat on SUB-662 Replat of Lot 13, Burnet Ranch Section 2. All present voting "Aye". MOTION PASSED**

**32344 SUB-495 MOUNTAIN GATEWAY ORDER SUBDIVISION (2 LOTS) APPROVE FINAL PLAT**

Caitlyn Hairell, Hays County Planner, gave staff recommendation. The proposed Mountain Gateway Order Subdivision is a 2 lot subdivision located off of the private portion of Hart Lane in Precinct 4. The subdivision will be served by the private well and rainwater. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat on SUB-495 Mountain Gateway Order Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

**32345 AUTHORIZE THE COUNTY JUDGE TO SIGN A LETTER AMENDMENT TO THE AGREEMENT WITH SCOTT YARBROUGH RELATED TO EMPLOYEE HEALTH BENEFIT SERVICES, ADDING SERVICES AND FEES RELATED TO THE DEVELOPMENT AND ANALYSIS OF REQUESTS FOR PROPOSALS FOR THE UPCOMING EMPLOYEE MEDICAL AND DENTAL BENEFITS PLAN AND INCREASING THE NOT-TO-EXCEED FEE**





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This contract fee is charged to our Medical and Dental Professional and Administrative Services Fee fund. The Yarbrough Agency has provided consulting and administrative services since 2010 for Hays County. Recent services included plan analysis, renewals, Health Care Reform information and advice, as well as upcoming open enrollment and employee benefit meetings. The HR department is currently working on the process to request proposals for next year's Employee Health Benefits. Hays County's contract with Humana expires at the end of this year. A Letter Amendment will be presented in Court to: Amend the term of the Agreement with Scott Yarbrough to follow the County's fiscal year from October 1, 2016 through September 30, 2017, maintaining the provision for yearly renewals. Increase the not-to-exceed fee to accommodate a FY 2017 Employee Health Benefits RFP and analysis. The not-to-exceed fee will increase to \$36,000.00 per year to accommodate RFP services. The additional fee for RFP services will apply to 2017 only. If both parties wish to renew this agreement in future years, the contract price will return to \$18,000.00 per year for health benefit service consulting. Amend the notice section to provide for notice from the Contractor to the Human Resource Director at 712 S. Stagecoach Trail in San Marcos. Amend Exhibit A-Work Authorizations and Scope to include RFP services. Amend Exhibit B-Fees to include RFP services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to sign a Letter Amendment to the Agreement with Scott Yarbrough related to employee health benefit services, adding services and fees related to the development and analysis of Requests for Proposals for the upcoming employee medical and dental benefits plan and increasing the not-to-exceed fee. All present voting "Aye".**  
**MOTION PASSED**

**32346            AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE VACANT ROAD MAINTENANCE WORKER SENIOR, SLOT 1070-003, AT THE 50TH PERCENTILE EFFECTIVE APRIL 1, 2017**

The Transportation Director requests the court approval to hire this position at the 50th percentile. The prospective employee has knowledge and experience that merits the salary exception and his experience in operating equipment, ability to read plans, shoot grade, equipment/truck maintenance, supervisory experience, and Class A CDL will greatly benefit the department. Salary savings (due to vacancies) within the department have been identified to fund this request. FY17 fiscal impact - \$376 Annualized impact - \$751. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Transportation Director to hire vacant Road Maintenance Worker Senior, slot 1070-003, at the 50th percentile effective April 1, 2017. All present voting "Aye".** MOTION PASSED

**32347            AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTY WIDE FUNDS FOR THE REPAIR OF SEWER LINES FOR THE HAYS COUNTY JAIL AND AMEND THE BUDGET ACCORDINGLY WITH ASSISTANCE FROM CLINT GARZA, DIRECTOR OF DEVELOPMENT & COMMUNITY SERVICES**

Captain, Mike Davenport, spoke. The Sheriff's Office, Jail Division requests a budget amendment to cover the cost of repair of a sewer line in the jail. Due to the age of the building, a sewer line collapsed and must be replaced. Attached is a quote to replace a 4" cast iron sewer pipe for the bathroom area of the kitchen in the jail. Budget Amendment Reduce 001-645-00.5741 - County Wide (\$30,539.00) Increase 001-618-03.5741 - Miscellaneous Capital Improvements +\$30,539.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize County Wide Funds for the repair of sewer lines for the Hays County Jail and amend the budget accordingly with assistance from Clint Garza, Director of Development & Community Services. All present voting "Aye".** MOTION PASSED

**32348            AWARD WORK TO SELECT RESPONDENTS OF RFQ 2017-P04, RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM; TO AUTHORIZE GENERAL COUNSEL TO FINALIZE PROFESSIONAL SERVICES AGREEMENTS WITH AWARDEES; AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAID AGREEMENTS**

Staff and consultants reviewed RFQ responses and have recommended the following firms for the corresponding work -Terracon – Materials Testing and Inspection 27B- Lackey de Carvajal Cx – Commissioning. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to award work to select respondents of RFQ 2017-P04, related to the Hays County Public Safety Bond Program; to authorize General Counsel to finalize Professional Services Agreements with awardees; and to authorize the County Judge to execute said Agreements. All present voting "Aye".** MOTION PASSED

**32349            ADOPT A RESOLUTION IN SUPPORT OF LEGISLATION TO ADD SEVERAL HIGHWAYS IN HAYS COUNTY TO SECTION 391, SUBCHAPTER I OF THE TEXAS TRANSPORTATION CODE WHICH RESTRICTS CERTAIN OFF-PREMISE SIGNAGE**



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Section 391, Subchapter I, of the Transportation Code lists certain state highways in Texas in which limitations on off-premise signage exist. Off-premise signage in the statute is defined as "an outdoor sign displaying advertising that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located." Political signs, on-premise advertising signs, and other non-commercial signs are exempt from the prohibition. Currently HB 1423 has been filed adding FM 1826 and RM 150 in Hays County to the list of highways in the statute. HB 1423 does not distinguish between RM 150 from HWY 21 to RM 12 near Dripping Springs. The Court may wish to offer language that would provide distinctions for various, more urban sections of RM 150. The Resolution supports the addition of FM 1826 and sections of RM 150 as well as the filing of additional legislation to restrict off-premise signage on the following highways or sections of highways in Hays County: RM 12 from the intersection of RM 12 (Wonderworld Dr.) and the Old Ranch Road 12 in San Marcos to the 28B intersection of RM 12 and SH 290 in Dripping Springs -FM 2325, -FM 3237, -RM 32, Existing off-premise signage is allowed to remain per restriction in 391.253. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a Resolution in support of legislation to add several highways in Hays County to Section 391, Subchapter I of the Texas Transportation Code which restricts certain off-premise signage. Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant voting "Aye". Judge Cobb voting "No". MOTION PASSED**

**32350 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF DRIPPING SPRINGS RELATED TO THE COUNTY'S PARTICIPATION IN DRIPPING SPRINGS TIRZ NO.1 AND DRIPPING SPRINGS TIRZ NO.2, IN COMPLIANCE WITH THE POLICY FOR COUNTY PARTICIPATION IN AGREEMENTS RELATED TO REINVESTMENT ZONES CREATED BY MUNICIPALITIES WITHIN HAYS COUNTY**

Michelle Fischer, Dripping Springs City Administrator, and David Edwards, Dripping Springs Chamber of Commerce Economic Development Chairman, spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Dripping Springs related to the County's participation in Dripping Springs TIRZ No.1 and Dripping Springs TIRZ No.2, in compliance with the Policy for County Participation in Agreements Related to Reinvestment Zones Created by Municipalities within Hays County. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #32 RE: ADOPT A RESOLUTION IN SUPPORT OF THE CITY OF DRIPPING SPRINGS WASTEWATER EXPANSION PLAN AND DISCHARGE PERMIT APPLICATION – was pulled**

**32351 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE AGREEMENT WITH TERRACON CONSULTANTS, INC. RELATED TO GEOTECHNICAL SERVICES AT THE PUBLIC SAFETY FACILITY SITE ON STAGECOACH TRAIL IN SAN MARCOS, TEXAS ADDING SERVICES AND INCREASING THE NOT-TO-EXCEED FEE BY \$4,500**

Additional Borings may be needed at the site for the Public Safety Building. The current not-to-exceed fee of \$13,750 is increased by \$4,500 in the attached letter amendment. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Letter Amendment to the Agreement with Terracon Consultants, Inc. related to geotechnical services at the Public Safety Facility Site on Stagecoach trail in San Marcos, Texas adding services and increasing the not-to-exceed fee by \$4,500. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #34 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**

**CLERK'S NOTE AGENDA ITEM #35 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**

The Burn Ban will remain lifted. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.



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**CLERK'S NOTE AGENDA ITEM #37 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 12:06 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 March 21, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 28<sup>TH</sup> DAY OF MARCH A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
ROXANNE SANCHEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

### PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller from Human Resources presented awards for years of service in Hays County. Ten Year: Juvenile Detention Center: Lieutenant, Sandra Parra. DPS: Administrative Assistant II, Angela Beatrice Nunez. Justice of The Peace 2: Justice Clerk, Daniel A. Gonzales. District Court: District Court Reporter, Grace Duncan. Fifteen Years: Sheriff: Correction Officers, Ernest Sierra and Vincent Bujnoch. Retirement: Sheriff: Captain Brad Robinson. Juvenile Detention Center: Juvenile Supervision Officer, Beverly Lee. Transportation: Road Supervisor, Benjamin Y. Picasio.

**Clerks Note Re: Item #2-** *ADOPT A PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN HAYS COUNTY - was pulled*

### 32352 ADOPT A PROCLAMATION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS MONTH

Melissa Rodriguez, Director of Community Partnership with Hays-Caldwell Women's Center spoke. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant To approve a proclamation recognizing April as sexual assault awareness month. All present voting "Aye". MOTION PASSED

### PUBLIC COMMENTS

Cristin Hearne of Dripping Springs, Matt Ocker of Buda, James Meeks of Dripping Springs, Dan Lyon of San Marcos and Chisholm of Buda spoke.

### 32353 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$875,916.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

### 32354 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 21, 2017

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court minutes of March 21, 2017. All present voting "Aye". MOTION PASSED

### 32355 APPROVE AND CONFIRM THE APPOINTMENT OF EARL MAYFIELD PIATT, JR. AS A REGULAR FULL-TIME DEPUTY CONSTABLE AND ROBERT GENE ELLER AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE

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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business



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originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and confirm the appointment of Earl Mayfield Piatt, Jr. As a regular full-time deputy constable and Robert Gene Eller as reserve deputy constable in the hays county constable precinct 2 office. All present voting "Aye". MOTION PASSED**

**32356 APPROVE UTILITY PERMITS.**

Permit: 1017. Road Name: Crumley Ranch Rd/Fitzhugh Rd/Trautwein Rd. Utility: AT&T (fiber optic cable line). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve utility permits. All present voting "Aye". MOTION PASSED**

**32357 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) GRANT PROGRAM IN THE AMOUNT OF \$92,662.80 AND AMEND THE BUDGET ACCORDINGLY.**

On August 30, 2016 the Commissioners Court authorized submission of a grant application to the Texas Commission on Environmental Quality (TCEQ), Local Emergency Planning Committee (LEPC) Grant Program. Hays County maintains an LEPC currently chaired by the Hays County Emergency Services Department Director with membership of numerous local jurisdictions and organization, and will serve as the lead agency for the grant. Of the total request of \$444,612.00 for various items, \$92,662.80 has been awarded by the TCEQ for the equipment and installation of four Remote Automated Weather Station (RAWS) sites for monitoring of weather conditions and advanced warning of potentially hazardous events. These sites will be located in those areas of the County currently without adequate resources to warn of such occurrences. Annual maintenance costs will be budgeted through the Emergency Services Department. The term of the grant contract will expire on December 31, 2017 and acceptance will be done through electronic submittal. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the county judge to accept a grant award from the Texas Commission on Environmental Quality (TCEQ), Local Emergency Planning Committee (LEPC) grant program in the amount of \$92,662.80 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32358 AUTHORIZE CAPITAL IMPROVEMENTS TO THE HISTORICAL COMMISSION KYLE DEPOT RESTORATION PROJECT AND AMENDMENT THE BUDGET ACCORDINGLY.**

The Historical Commission director raised additional funding to complete the stamped concrete walkways at the Kyle Depot Station. Quintero Construction performed the initial work and was contracted to complete the project. Donated funds are available in the Historical Commission Publication fund to cover this amendment. Budget Amendment: Increase - Misc Capital Improv; Decrease - Contract Services. **A motion was made by Commissioner Conley, seconded by Whisenant to authorize a Nunc Pro Tunc to amend the amount required to \$6,250.00 for capital improvements to the Historical Commission Kyle Depot restoration project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32359 ACCEPT A DONATION OF \$150.00 ISSUED TO THE HAYS COUNTY SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY.**

The Sheriff's Office received a donation totaling \$150.00 from The Leaning Pear out of Wimberley to be utilized by the Communications Division. The donation is for supplies and materials for the 2017 National Telecommunicator Week that will occur April 9-15, 2017. Budget Amendment: \$150.00. Increase Revenue 052-618-00.4610 Contributions \$150.00. Increase Expense 052-618-00.5391 Misc \$150.00. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept a donation of \$150.00 issued to the Hays County Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32360 ACCEPT THE DELIVERY OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) STATEMENT OF FINANCIAL POSITION FOR THE FISCAL YEAR ENDING ON AUGUST 31, 2016 FOR FILING WITH THE HAYS COUNTY COMMISSIONERS COURT PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004 AND THE TEXAS**



**DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVERSIONS FINANCIAL MANAGEMENT MANUAL.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the delivery of the Community Supervision and Corrections Department (CSCD) Statement of Financial Position for the Fiscal Year ending on August 31, 2016 for filing with the Hays County Commissioners Court pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice-Community Justice Assistance Diversion Financial Management Manual. All present voting "Aye". MOTION PASSED

**32361 APPROVE AND ACCEPT THE 2016 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve and accept the 2016 Racial Profiling Report for the Hays County Sheriff's Office. All present voting "Aye". MOTION PASSED

**32362 AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT - RECYCLING AND SOLID WASTE DIVISION - TO CLOSE DRIFTWOOD AND WIMBERLEY FACILITIES FOR THANKSGIVING NOVEMBER 22-26, 2017 AND CHRISTMAS DECEMBER 22-26, 2017.**

Staff has requested that facilities be closed on Saturday during Thanksgiving and Christmas break 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to Authorize the Development and Community Services Department - Recycling and Solid Waste Division - to close Driftwood and Wimberley facilities for Thanksgiving November 22-26, 2017 and Christmas December 22-26, 2017. All present voting "Aye". MOTION PASSED

**32363 RATIFY THE COUNTY JUDGE'S EXECUTION OF THE AMENDED INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY, THE HAYS COUNTY CONSTABLE FOR PRECINCT 3, AND THE CITY OF WIMBERLEY, TEXAS, RELATED TO THE PROVISION OF CERTAIN LAW ENFORCEMENT SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY.**

The initial effective date of the Interlocal Agreement was May 1, 2017. The City of Wimberley has since requested a start date of April 1, 2017. The amended ILA is attached. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to Ratify the County Judge's execution of the amended Interlocal Agreement between Hays County, the Hays County Constable for Precinct 3, and the City of Wimberley, Texas, related to the provision of certain law enforcement services within the corporate limits of the City of Wimberley. All present voting "Aye". MOTION PASSED

**32364 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE ORIGINAL AGREEMENT WITH HOK FOR PHASE 2 OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT.**

A motion was made by Commissioner Whisenant, Seconded by Commissioner Conley to Authorize the County Judge to execute an amendment to the original Agreement with HOK for Phase 2 of the Hays County Public Safety Bond project. All Present Voting "Aye". MOTION PASSED

**32365 APPROVE THE APPOINTMENT OF ERICA JEAN GALLARDO TO THE HAYS COUNTY CHILD PROTECTIVE BOARD.**

This position is for a three year term. A motion was made by Commissioner Whisenant, Seconded By Commissioner Conley to Approve the appointment of Erica Jean Gallardo to the Hays County Child Protective Board. All Present Voting "Aye". MOTION PASSED

**32366 AUTHORIZE THE COUNTY JUDGE AND COMMISSIONER JONES TO EXECUTE CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH STERLING DELAWARE HOLDING COMPANY (TEXAS STERLING) FOR THE FM 1626 SOUTH PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM WITH TXDOT IN HAYS COUNTY.**



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Jerry Borcharding of Hays County Transportation and Laura Harris of HNTB spoke. This Change Order is within the Pass-Through budget for the FM 1626 South project. Change Order No. 1 adds a new Contract Items and plan sheets for Texas Sterling to relocate portions of the City of Buda's waterline that are conflict with the proposed roadway improvements. The City of Buda waterline relocations are 100% reimbursable for their relocations based upon existing easements. The waterline plans have been reviewed and approved by the City of Buda. This Change Order is a cost savings to the County as the utility construction estimates for a separate City of Buda construction contract exceeded \$1M. Change Order No. 1 results in an increase of \$886,799.00 to the Contract amount. The original Contract totaling \$20,562,622.32 will be adjusted to \$21,449,421.32. As a result of this Change Order, \$886,799.00 has been added to the contract resulting in 4.31% net increase in Contract cost. No additional days will be added or deducted at this time as a result of this Change Order. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge and Commissioner Jones to execute Change Order No. 1 to the Construction Contract with Sterling Delaware Holding Company (Texas Sterling) for the FM 1626 South project as part of the Pass-Through Finance Program with TxDOT in Hays County. All present voting "Aye".**

**32367 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #73122809 IN THE AMOUNT OF \$529,175.62, AND ACCEPTANCE OF THE MAINTENANCE BOND #75139745 IN THE AMOUNT OF \$37,823.85 FOR A 2-YEAR PERIOD FOR BELTERRA SUBDIVISION, PHASE 4, SECTION 15.**

Staff recommends 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 Whisenant, seconded by Commissioner Conley to accept road construction and drainage improvements, release of the construction bond #73122809 in the amount of \$529,175.62, and acceptance of the maintenance bond #75139745 in the amount of \$37,823.85 for a 2-year period for Belterra subdivision, Phase 4, Section 15. All Present Voting "Aye". MOTION PASSED**

**32368 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR SHADOW CREEK SUBD. PHASE 4, SECTION 2B, AND RELEASE OF MAINTENANCE BONDS #4396651 & #4396652 IN THE AMOUNT TOTALING \$120,498.15.**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Roads include: Painted Desert Lane (760 ft.), Diamondback Cove (578 ft.), and the remainder of Heron Drive (855 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept roads into the county road system for Shadow Creek subd. Phase 4, Section 2B, and release of maintenance bonds #4396651 & #4396652 in the amount totaling \$120,498.15. All Present Voting "Aye". MOTION PASSED**

**32369 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE COUNTY JUDGE TO SIGN A PSA WITH GARVER LLC FOR PHASE 1 ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS TO VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2 AND AMEND THE BUDGET ACCORDINGLY.**

Jerry Borcharding, Director of Hays County Transportation Department and Adam Leach, Assistant Director of Transportation spoke. Garver LLC will, if approved, perform phase 1 engineering services on the 15 low water crossings identified throughout precincts 1 & 2. Phase 1 engineering services will consist of schematic level engineering, drainage analysis of each crossing and surveying of all 15 identified crossings. Additionally, the crossing on Chaparral Road at Bear Creek will be completely designed, and all other preliminary phase services (environmental, utility, and geotechnical) services will be performed on Cotton Gin Road near Shady Oaks. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$298,116 Increase Contract Services Consultant: .5448\_008 - \$298,116 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize County Judge to sign a PSA with Garver LLC for phase 1 engineering services for the design of improvements to various low water crossings throughout precincts 1 & 2 and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32370 DISCUSSION AND POSSIBLE ACTION TO CONSIDER 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 A 1.0 ACRE TRACT OUT OF THE JESSE B. EAVES SURVEY.**



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Caitlyn Strickland of Developmental Services spoke. The owner applied for a permit to construct an On-Site Sewage Facility to replace the existing failing system. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to replace his failing OSSF. The property owner has been made aware of the platting requirement, and is already working on meeting the Hays County requirements. He has spoken with his neighbors, and they will bring all of the noncompliant parcels up to Hays County rules by platting the entirety of the parcel that was subdivided by metes and bounds. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve 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 a 1.0 acre tract out of the Jesse B. Eaves Survey. All Present Voting "Aye". MOTION PASSED**

**32371 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE 2016 BOND SUPERVISION REPORT FOR THE HAYS COUNTY PRE-TRIAL BOND PROGRAM.**

Lisa Pacheco, Deputy Director of Hays CSCD (Adult Probation) and Jason Facundo, Hays CSCD (Adult Probation) Pre-Trial Bond Officer spoke. Representatives from the Hays County Community Supervision & Corrections Department (CSCD) will present the Report during Court. See attached report. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept the 2016 Bond Supervision Report for the Hays County Pre-Trial Bond Program. All Present Voting "Aye". MOTION PASSED**

**32372 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS FOR DELL NETWORKING SWITCHES AND AMEND THE BUDGET ACCORDINGLY.**

Captain Mike Davenport of Hays County Sheriff's Office spoke. The Sheriff's Office would like to utilize salary savings to purchase four (4) network switches to add two offices for the Mental Health Taskforce division. Salary savings due to attrition are available to fund this request. Budget Amendment: Increase Computer Eqpt - .5712\_400 Decrease Staff Salaries - .5021 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize salary savings for Dell Networking Switches and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32373 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE TRANSPORTATION DEPARTMENT TO UTILIZE AUCTION PROCEEDS FOR REPLACEMENT VEHICLES AND HEAVY EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY.**

The Transportation Department would like to utilize a portion of the last auction proceeds to replace two (2) half ton pick-up trucks, one (1) single axle dump truck and one (1) new sand spreader insert. The two pick-up trucks are high mileage vehicles that will be scheduled for replacement in the next budget cycle. These units are #154 and #146 with 234,252 & 293,000 miles respectively. Additionally, the single axle dump truck unit #207 is 25 years old, has over 118k miles and has ongoing maintenance issues. The new sand spreader requested will be utilized in precinct 4, which would ensure that all precincts have this equipment available for use Funds are available from the December auction to fund 100% of this request. Also, if approved the replacement equipment will be placed in the next auction generating additional revenue Budget Amendment: Increase Revenue-Auction Sales: .4635 - \$143,929 Increase Expense-Vehicles: .5713\_700 - \$50,660- Heavy Eqpt: .5714\_700 - \$93,269 **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Transportation Department to utilize auction proceeds for replacement vehicles and heavy equipment and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**32374 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE FISCAL YEAR 2016 HAYS COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AS AUDITED BY ABIP, PC CERTIFIED PUBLIC ACCOUNTANTS.**

Janet Pitman spoke. A representative of ABIP, PC will be present to discuss the report and to answer any questions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept the Fiscal Year 2016 Hays County Comprehensive Annual Financial Report (CAFR) as audited by ABIP, PC Certified Public Accountants. All Present Voting "Aye". MOTION PASSED**

**32375 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN UPDATED FEE SCHEDULE FOR THE RECYCLING AND SOLID WASTE FACILITIES LOCATED IN DRIFTWOOD AND WIMBERLEY, EFFECTIVE JUNE 1, 2017.**

Clint Garza, Director of Developmental Services spoke. Staff performed a rate survey in Q4, 2016, to develop a comprehensive update the existing price and fee schedule for the recycling and solid waste facilities. The most recent changes to fee schedule occurred in 2010, since that time, Hays County has seen price increases in disposal fees as well as the fees of other locations providing similar services to our Recycling and Solid Waste





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Centers. Due to price increases to the County, staff would like to change fee schedule to reflect price increase for solid waste disposal. Recyclables will still be accepted for no fee. Fee waiver will be issued to the Wimberley Fire Department for debris disposal. Existing and proposed fees included along with comparative pricing for other solid waste facilities in the area. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt an updated fee schedule for the Recycling and Solid Waste facilities located in Driftwood and Wimberley, Effective June 1, 2017. All Present Voting "Aye". MOTION PASSED**

**32376 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ENGAGEMENT LETTER BETWEEN HAYS COUNTY AND DAVIS KAUFMANN PLLC RELATED TO THE 85TH LEGISLATIVE SESSION OF THE TEXAS LEGISLATURE.**

Marisol Alonzo, Hays County Auditor spoke. Funds will be coming from Tobacco Settlement Fund. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an engagement letter between Hays County and Davis Kaufmann PLLC related to the 85th legislative session of the Texas Legislature. All Present Voting "Aye". MOTION PASSED**

**32377 DISCUSSION AND POSSIBLE ACTION TO APPOINT JOHN MCGLOTHLIN TO THE BOARD OF SAN MARCOS TAX INCREMENT REINVESTMENT ZONE NO.5, EFFECTIVE UPON APPROVAL OF THE SAN MARCOS CITY COUNCIL.**

Since Ed Mihalkanin was elected to the San Marcos City Council, he is no longer able to serve as the 5th neutral appointee to the TIRZ No. 5 Board. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to appoint John McGlothlin to the Board of San Marcos Tax Increment Reinvestment Zone No.5, effective upon approval of the San Marcos City Council. All Present Voting "Aye". MOTION PASSED**

**32378 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATED TO SAN MARCOS TEXAS TAX INCREMENT REINVESTMENT ZONE NO.5.**

Mark Kennedy of General Counsel spoke. This first amendment to the San Marcos TIRZ No.5 ILA extends the term of the TIRZ and establishes qualifications for expenditures of County-contributed funds from the Effective Date of the Amendment. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute the First Amendment to Interlocal Agreement Between Hays County and the City of San Marcos Related to San Marcos Texas Tax Increment Reinvestment Zone No.5. All Present Voting "Aye". MOTION PASSED**

**32379 DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HALFF AND ASSOCIATES TO STUDY AND UPDATE FLOODPLAIN MODELS, AS NECESSARY, IN AND AROUND HAYS COUNTY OWNED PROPERTIES AND AMEND THE BUDGET ACCORDINGLY.**

Clint Garza, Director of Developmental Services spoke. Staff wishes to enter into a Professional Services Agreement with Halff and Associates to create a 2D hydraulic model of areas in and around Hays County owned properties. Halff and Associates is an approved vendor on the County's pre-certified list. Additionally, this group worked on the 1 dimensional model with AECOM and FEMA as part of the current map revision and is familiar with the process, site conditions, and models. Savings within the County Wide misc capital improvement projects are available to fund this request. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Professional Services Agreement with Halff and Associates to study and update floodplain models, as necessary, in and around Hays County owned properties and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #31 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT - 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 11:15 a.m. and went into recess at 12:17 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy of General Counsel, Tammy Crumley, Vickie Dorsett, Hays County Auditor Assistant,



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Jerry Borcharding, Director of Hays County Transportation Department, Adam Leach, Assistant Director of Transportation and Stewart Whitehead of Winstead P.C. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Counsels and Consultants to coordinate with the Auditors Office to establish and make final payment, if any, to SEMA Construction for construction work on FM 1626 North, funds to be paid out of line item 030-802-96-629.5611-40.**

Court reconvened into Executive session at 12:17 p.m. and reconvened into open court at 12:40 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Mark Kennedy of General Counsel, Tammy Crumley, Vickie Dorsett, Hays County Auditor Assistant, Jerry Borcharding, Director of Hays County Transportation Department and Adam Leach, Assistant Director of Transportation. No Motion Made.

**CLERK'S NOTE RE: ITEM #33 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 drought index is at 140 and the burn ban will remain lifted.

**CLERK'S NOTE RE: ITEM #35-** *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 12:44 p.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 March 28, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 4<sup>TH</sup> DAY OF APRIL A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<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>OSCAR MEJIA</b>	<b>DEPUTY COUNTY CLERK</b>

**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.

**32380 ADOPT A PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH**

Julia New spoke. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a proclamation recognizing April as Child Abuse Prevention Month. All present voting "Aye".  
**MOTION PASSED**

**PRESENTATION BY REPRESENTATIVES OF RS&H REGARDING WORK ZONE AND CONSTRUCTION AREA AWARENESS AND SAFETY**

Brad Hildebrand and Lonnie Doyle of RS&H gave a presentation. National Work Zone Awareness Week will be observed April 3-7, 2017. TxDOT and the Federal Highway Administration will be urging drivers to slow down, pay attention and be extra cautious when driving through work zones and construction areas. According to TxDOT, in 2016, there were 25,713 crashes in Texas work zones, resulting in 181 fatalities; an increase of 27 percent from the previous year. The County has a number of construction projects underway, including the FM 150 Center Turn Lane project and the FM 1626 South project. The presentation will focus on Texas facts on work zone accidents; overview of dangers to drivers in work zones; safety controls used in work zones to protect workers and public; and best practices for motorists to safely navigate through work zones.

**PRESENTATION TO UPDATE THE COMMISSIONERS COURT ON THE HAYS COUNTY SCHOOL SAFETY PROJECT**

Director Kharley Smith gave an update on the Hays County School Safety Project. The Office of Emergency Services secured Homeland Security grant funding to further the school safety efforts within Hays County through the purchase of emergency medical supplies to be allocated to schools, public buildings and emergency responders.

**PRESENTATION FROM WELLBRIDGE HEALTHCARE, FORMERLY OCEANS BEHAVIORAL HEALTH HOSPITAL, REGARDING MENTAL HEALTH SERVICES PROVIDED AT THE SAN MARCOS FACILITY**

Clara Hollis gave a presentation regarding Mental Health Services. Representatives from Wellbridge Healthcare will be present in court to introduce the recent change in hospital management and provide an update on the mental health services provided at their facility.

**PUBLIC COMMENTS**

Sam Brannon- a San Marcos resident spoke.

**32381 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payments of county invoices in the amount of \$306,155.78 as submitted by the County Auditor. All present voting "Aye".  
**MOTION PASSED**

**32382 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 28, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of March 28, 2017. All present voting "Aye".  
**MOTION PASSED**

**32383 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2018/2019 RLSS/LOCAL PUBLIC HEALTH SYSTEM (LPHS) IN THE AMOUNT OF \$102,929.00**



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On January 10, 2017, the Commissioners Court authorized submission of a grant application to the Department of Health Services (DSHS) for the RLSS/LPHS grant program. Funds will be used to provide partial support of the salary and benefits of the Community Health RN supervisor over a two-year period. The term of this grant is September 1, 2017 through August 31, 2019. Contract will be signed through DocuSign. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for the FY2018/2019 RLSS/Local Public Health System (LPHS) in the amount of \$102,929.00. All present voting "Aye". MOTION PASSED**

**32384 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR FUNDING FOR THE FY2018/2019 EMERGING AND ACUTE INFECTIOUS DISEASE PROGRAM IN THE AMOUNT OF \$165,000.00**

On January 14, 2017, the Commissioners Court authorized submission of the application to the Department of State Health Services for Emerging and Acute Infectious Disease program. The period for this grant program is September 1, 2017 through August 31, 2019. The contract and provisions are attached and acceptance is done electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a contract with the Department of State Health Services (DSHS) for funding for the FY2018/2019 Emerging and Acute Infectious Disease program in the amount of \$165,000.00. All present voting "Aye". MOTION PASSED**

**32385 AUTHORIZE COMMISSIONER CONLEY TO EXECUTE SUPPLEMENTAL NO. 3 TO WORK AUTHORIZATION NO. 1 OF HDR ENGINEERING, INC. PROFESSIONAL SERVICES AGREEMENT FOR RIGHT OF WAY ACQUISITIONS SERVICES ON THE RM 12 PARKWAY PROJECT**

The Professional Services Agreement (PSA) and Work Authorization No. 1 (WA1) for HDR Engineering, Inc. to provide right of way acquisition services to Hays County for 48 parcels on the RM 12 Parkway project was approved by Commissioner's Court on December 12, 2014. This supplement is for additional services that were necessary for the completion of the project. The primary additional services are identified below: 1) Refreshing 36 right of entries which expired permitting the final survey and setting of final corner pins. 2) Additional relocation effort regarding the relocation of 2 outdoor advertising signs due to a change in the TxDOT reimbursement policy. Compliance with this policy will allow these acquisitions to remain eligible for reimbursement by TxDOT. 3) Additional coordination with TxDOT to accept the use of temporary surveys permitting TxDOT review and approval of offers as the surveyor was obtaining new right of entries necessary to complete surveys in order to expedite acquisition. 4) Update and review of four (4) appraisals for eminent domain activities. Funding is available within the identified project funds within the 2008 Priority Road Bond Program. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Commissioner Conley to execute Supplemental No. 3 to Work Authorization No. 1 of HDR Engineering, Inc. Professional Services Agreement for right of way acquisitions services on the RM 12 Parkway project. All present voting "Aye". MOTION PASSED**

**32386 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 295 COUNTY ROAD 202, KYLE, TX**

Lenn King is proposing an OSSF to serve a business park with 18 office/warehouse buildings east of Kyle. This property is 10 acres in size and water will be supplied by public water system. The system designer, Russell Cain, R.S. has designed a treatment system which consists of standard treatment tanks with pump tanks and effluent meters at each building which will dose to a central pump tank, which will then dose the effluent to a low pressure dosed drainfield at a daily usage rate of 1318 gallons. This permit was originally authorized in February 2015 but the owner couldn't start on it before it expired. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize Institutional OSSF Permit at 295 County Road 202, Kyle, TX. All present voting "Aye". MOTION PASSED**

**32387 APPROVE OUT OF STATE TRAVEL FOR DIRECTOR KHARLEY SMITH TO ATTEND THE BRIEFING, A SCHOOL SAFETY SYMPOSIUM HELD AT COLUMBINE HIGH SCHOOL IN LITTLETON, COLORADO WHERE SHE WILL PRESENT THE HAYS COUNTY STANDARD RESPONSE PROTOCOL (SRP) AND REUNIFICATION PROGRAMS**

Director Kharley Smith, along with representatives from the San Marcos Marshal's Office and Police Department, were requested to attend "The Briefings" at Columbine High School in Littleton, CO to offer best practices to other jurisdiction on the development and adaptation of the SRP and Reunification programs. The Symposium examines lessons learned from traumatic events and reveals new, preemptive school safety measures growing in multiple realms. It is designed to provide a number of takeaways that districts, departments and agencies can implement immediately. All travel expenses will be paid for out of the Office of Emergency Services Continuing Education general ledger. Amount not to exceed \$1500.00 001-656-00.5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Director Kharley Smith to attend The Briefing, a school safety symposium held at Columbine High School in Littleton, Colorado where she will present the Hays County Standard Response Protocol (SRP) and Reunification programs. All present voting "Aye".**



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**MOTION PASSED**

**32388 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JERI SKROCKI TO ATTEND THE BRIEFING, A SCHOOL SAFETY SYMPOSIUM HELD AT COLUMBINE HIGH SCHOOL IN LITTLETON, COLORADO WHERE SHE WILL PRESENT THE HAYS COUNTY STANDARD RESPONSE PROTOCOL (SRP) AND REUNIFICATION PROGRAMS**

Lt. Jeri Skrocki, along with representatives from the San Marcos Marshal's Office and Police Department, were requested to attend "The Briefings" at Columbine High School in Littleton, CO to offer best practices to other jurisdiction on the development and adaptation of the SRP and Reunification programs. The Symposium examines lessons learned from traumatic events and reveals new, preemptive school safety measures growing in multiple realms. It is designed to provide a number of takeaways that districts, departments and agencies can implement immediately. All travel expenses will be paid for out of the Sheriff's Office Continuing Education general ledger. Amount not to exceed \$1500.00 001-618-00.5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Lieutenant Jeri Skrocki to attend The Briefing, a school safety symposium held at Columbine High School in Littleton, Colorado where she will present the Hays County Standard Response Protocol (SRP) and Reunification programs. All present voting "Aye". MOTION PASSED**

**32389 APPROVE THE RE-APPOINTMENT OF COMMISSIONER DEBBIE GONZALES INGALSBE TO THE CAPITAL AREA RURAL TRANSPORTATION DISTRICT'S BOARD OF DIRECTORS FOR A TWO YEAR TERM BEGINNING MARCH 2017**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve the re-appointment of Commissioner Debbie Gonzales Ingalsbe to the Capital Area Rural Transportation District's Board of Directors for a two year term beginning March 2017. All present voting "Aye". MOTION PASSED**

**32390 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO ADD A TELEPHONE ALLOWANCE FOR THE EPIDEMIOLOGIST EFFECTIVE 04/01/2017, SLOT NUMBER 1142-002 AND AMEND THE BUDGET ACCORDINGLY**

General Counsel Mark Kennedy spoke and amended the agenda item to read Epidemiologist instead of Epidemiology Specialist and changed the slot number to 1142-002. The stipend has been requested and approved via the Request Justification Form for Electronics and Related Equipment Services for the Epidemiology Specialist position. The Epidemiology Specialist position requires the use of a smart phone in order to conduct daily activities. Budget Amendment: Decrease Telephone and Data Lines: 120-675-99-094.5489. Increase Telephone Allowance: 120-675-99-094.5194. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the Personal Health Department to add a telephone allowance for the Epidemiologist effective 04/01/2017, slot number 1142-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32391 AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE APRIL 1, 2017 FOR DEPUTY CONSTABLE, SLOT 0885-022 AND AMEND THE BUDGET ACCORDINGLY**

A county issued cell phone was approved for this position during the budget process; however the employee has opted to receive the stipend which is a savings for the County. 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 Ingalsbe, seconded by Commissioner Conley to authorize the Constable Precinct 3 Office to add a telephone allowance effective April 1, 2017 for Deputy Constable, slot 0885-022 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32392 AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, HIS SUCCESSOR(S), OR ASSIGNS TO SERVE AS THE INTERIM FLOODPLAIN ADMINISTRATOR FOR THE CITY OF WIMBERLEY FOR A PERIOD NOT TO EXCEED 6 MONTHS FROM EXECUTION OF AGREEMENTS; AUTHORIZE THE COUNTY JUDGE TO EXECUTE ANY REQUIRED AGREEMENT(S) AFTER REVIEW BY THE OFFICE OF GENERAL COUNSEL**

Hays County and each of its cities have partnered for nearly a decade on county-wide drainage studies, flood map revisions, and various areas of jurisdictional overlap. The Development Services Division has collaborated with the City of Wimberley in flood recovery, rebuilding, and other efforts following the flood disasters in 2015.



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The City of Wimberley has requested the County's assistance in administering their flood protection and permitting program. The City is in the process of hiring a new city administrator/floodplain administrator and will require assistance until the position is filled. As residents rebuild, floodplain permits will be required, and it is the desire of staff to ensure development authorizations inside the City of Wimberley are handled as efficiently as areas within the County's jurisdiction, during the City's time of transition in administration. As drafted, there will be no additional cost to the City of Wimberley for these services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the Development and Community Services Director, his successor(s), or assigns to serve as the Interim Floodplain Administrator for the City of Wimberley for a period not to exceed 6 months from execution of agreements; authorize the County Judge to execute any required agreement(s) after review by the Office of General Counsel. All present voting "Aye". MOTION PASSED**

**32393 ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD SYSTEM FOR SUNFIELD SUBD. PHASE 2, SECTION 3, AND RELEASE OF MAINTENANCE BOND #1028731 IN THE AMOUNT TOTALING \$1,093,149.42**

Staff gave approval. Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. The maintenance bond covered streets, water and sewer. Roads include: segments of Sundown Avenue (577 ft.) and of Sunbright Boulevard (2,065 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the roads into the county road system for Sunfield subd. Phase 2, Section 3, and release of maintenance bond #1028731 in the amount totaling \$1,093,149.42. All present voting "Aye". MOTION PASSED**

**32394 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON CREEK ROAD NEAR THE BALL FIELDS. DISCUSSION AND POSSIBLE ACTION TO FOLLOW**

Judge Cobb opened the public hearing at 10:17 a.m. and closed the public hearing at 10:17 a.m. with no public input. This action will be to establish a 25 MPH speed limit on Creek Road for both directions of travel for approximately 700 feet on both sides of the ball park driveway (see maps). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to establish traffic regulations on Creek Road near the ball fields. All present voting "Aye". MOTION PASSED**

**32395 SUB-707 INTEGRITY OAKS SUBDIVISION (9 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

County Planner Marcus Pacheco spoke. Staff gave approval. 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 Conley, seconded by Commissioner Whisenant to approve preliminary plan for SUB-707 Integrity Oaks Subdivision (9 Lots). All present voting "Aye". MOTION PASSED**

**32396 APPROVAL OF PHASING AGREEMENT FOR THE ANTHEM SUBDIVISION**

County Planner Marcus Pacheco spoke. Staff gave approval. The Anthem Subdivision is an approximately 1850 residential lot planned development in Precinct 2. The developer anticipates a 30 year build out for the 23 phases currently planned. The execution of this agreement will ensure the project is allowed to move forward with current development regulations and fees while allowing Hays County to adopt reasonable timelines for approvals for all final phases. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve phasing agreement for the Anthem Subdivision. All present voting "Aye". MOTION PASSED**

**32397 APPOINTMENT OF COMMISSIONERS TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9), AND MATTERS RELATED THERETO.**

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. Other matters related to ESD#9 may be discussed during this item. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to nominate Bruce Snyder a resident of Neiderwald and Chad Crawford a resident of San Marcos for over 35 years as members of the newly-created Emergency Services District No.9 (ESD#9). All present voting "Aye". MOTION PASSED**

**32398 APPROVE A PRELIMINARY HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2018**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve a preliminary Hays County budget calendar for Fiscal Year 2018. All present voting "Aye". MOTION PASSED**



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**32399      AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 2 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM AND AMEND THE BUDGET ACCORDINGLY**

Tom Darmstadter II of Ultrahome spoke. The Development and Community Services Department would like to increase the contract between the County and Cahaba Disaster Recovery, LLC to address cost overruns related to the Blanco River Debris Removal Project. This change order will increase the current contract by 25% (\$373,629.36) from \$1,494,545.65 to \$1,868,175.01 The contract will be converted from a lump sum payment method to unit price payment method at a rate of \$39.52 per cubic yard for all sites where the cost overruns were deemed to be reimbursable by NRCS. The total cost for these sites will not exceed \$1,227,255.08. The remaining 22 sites where the cost overruns were deemed not reimbursable by NRCS will remain at lump sum payment as specified in the original schedule of values. The total cost for these sites will not exceed \$640,919.93. There is currently \$378,859.35 remaining in the initial grant awarded by NRCS which requires a 25% match by the County. A breakdown of the funding sources needed to complete the debris removal project is as follows; NRCS 75% Match: \$280,222.02. Hays County 25% Match: \$93,407.34. Potential Funding Source: County Wide Capital Improvements. Attachment: Change Order No. 2. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order Authorization No. 2 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Hays County Flood Debris Removal Program and amend the budget accordingly and to empower General Counsel and Development Services Director to give the go ahead to the Auditors office to pay Cahaba for these funds. All present voting "Aye". MOTION PASSED**

**32400      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A DEBRIS REMOVAL CONTRACT WITH CAHABA DISASTER RECOVERY, LLC FOR THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM PHASE III; GRANT A DISCRETIONARY EXEMPTION PURSUANT TO 262.024(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE AND AMEND THE BUDGET ACCORDINGLY**

Tom Darmstadter II of Ultrahome spoke. A large portion of the Blanco River Debris Removal Program has been covered by federal grant money as a part of the Emergency Watershed Protection Program. However, estimated debris totals to date have exceeded the total allocation available through the EWP grant award and will not be billable as part of the original debris removal contract. Development and Community Services Staff have identified the additional debris amounts, verified cost estimates and propose a lump sum contract not to exceed \$760,692.57. Staff requests the Court grant a discretionary exemption pursuant to 262.024(a)(2) of the Texas Local Government Code, waiving competitive bid requirements to preserve or protect the public health or safety of Hays County Residents. Potential Funding Source: Countywide Misc Capital Improvements; projects budgeted during the FY17 budget process but not yet started may be delayed to allow for the seamless continuation of the debris removal program. Attachment: Cahaba Debris Removal Contract. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Debris Removal Contract with Cahaba Disaster Recovery, LLC for the Hays County Flood Debris Removal Program Phase III; grant a discretionary exemption pursuant to 262.024(a)(2) of the Texas Local Government Code and amend the budget accordingly with the addition of a modification to Article 9 regarding liquidated damages at the time and modification to Article 28, which currently provides for adjustments if what's on the ground varies more than 25% of the estimates. All present voting "Aye". MOTION PASSED**

**32401      APPROVAL OF FLEET MAINTENANCE/EARLY PACKAGE DESIGN DOCUMENTS; AUTHORIZATION TO PROCEED WITH BIDDING AND AWARD OF WORK FOR FLEET MAINTENANCE PRE-ENGINEERED METAL BUILDING, AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELATED DOCUMENTS**

Brenda Jenkins from ECM International, Codi Newsom, Linda Bernauer from HOK, Curt Parde from HOK, Hays County Sheriff Gary Cutler, and Jeff Pittman with Turner Construction spoke. Members of the Public Safety Program Design Team including ECM, HOK, and Turner will be in court to provide an update to the court on the following:- general design update- review and possible action to approve the 100% CD Package for Phase I: Fleet/Maintenance Building. Approval of the drawings would authorize Turner to obtain bids for GMP which will be brought back to court for consideration in May- possible action to approve the award of the Pre-Engineered Metal Building (PEMB) for Phase I. Turner has advertised to obtain bids and will be recommending a manufacturer and cost. The early procurement and award is recommended due to the long lead time of this item. **A motion was made by Commissioner, seconded by Commissioner to approve of fleet maintenance/early package design documents; authorization to proceed with bidding and award of work for fleet maintenance Pre-Engineered Metal Building, and authorizing the County Judge to execute all related documents. Commissioner Conley, Commissioner Ingalsbe, and Commissioner Whisenant voting "Aye". Commissioner Jones and Judge Cobb voting "No". MOTION PASSED**

**Clerk's Note: Court took a break at 11:10 a.m. and returned into open session at 11:22 a.m.**



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**CLERK'S NOTE RE: ITEM #26 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**

**32402 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 REAL PROPERTY RELATED THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 12:45 p.m. and reconvened into open court at 12:50 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Judge Cobb, Mark Kennedy of General Counsel, and Tammy Crumley, **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the letter as presented in Executive Session to terminate the contract between Hays County and W.L. and B.J. Wootan Revocable Trust. 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, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 12:50 p.m. and reconvened into open court at 1:10 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Judge Cobb, Mark Kennedy of General Counsel, and Tammy Crumley. No action taken.

**CLERK'S NOTE RE: ITEM #29 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 drought index is at 26 and the burn ban will remain lifted.

**CLERK'S NOTE RE: ITEM #31- 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 1:10 p.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 April 4, 2017.



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







STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 11<sup>TH</sup> DAY OF APRIL A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**32403 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,497,295.84 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32404 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 4, 2017**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 4, 2017. All present voting "Aye". MOTION PASSED

**32405 APPROVE THE OCTOBER 2016 - DECEMBER 2016 TREASURER'S REPORTS AND INVESTMENT REPORTS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the October 2016 - December 2016 Treasurer's Reports and Investment Reports All present voting "Aye". MOTION PASSED

**32406 APPROVE UTILITY PERMITS**

Permit 1018 Road Turkey Hollow-Burnett Ranch Estates Utility PEC (electric line & pole). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permits. All present voting "Aye". MOTION PASSED

**32407 ACCEPT A DONATION OF \$450 AND A DONATION OF T-SHIRTS TO THE SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY.**

The Communications Division received a donation of \$200 from Wimberley Emergency Medical Services and \$250 from the Wimberley Volunteer Fire Department. The division will also receive 24 custom t-shirts from Seton Hospital, the total value of the custom t-shirts is \$490.00. Donations are for the 2017 National Telecommunicator Week that will occur April 9-15, 2017. Budget Amendment \$940.00 Increase revenue 052-618-00.4610 Contributions \$940.00 29 Increase expense 052-618-00.5391 Special Projects \$940.00 A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept two donations of \$450 and a donation of t-shirts to the Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED



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**32408            AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE BUDGET ACCORDINGLY**

The County Fire Marshal receives funds annually from the State Comptroller's Office per Texas Occupations Code 1701.156 for expenses related to the continuing education of license peace officers. Budget Amendment Increase LEOSE Revenue: 001-656-00.4310 (\$742) LEOSE Expense: 001-656-00.5552 \$742. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32409            APPROVE OUT OF STATE TRAVEL FOR DEPUTY INSPECTOR ROD VENNER TO ATTEND THE FORCE SCIENCE CERTIFICATION TRAINING IN ROCHESTER, NY.**

Out of state travel is needed to send Deputy Inspector Rod Venner to the Force Science Certification training in Rochester, New York on September 25-29, 2017. This training will allow for Inspector Venner to learn from experts whose work directly impacts the analysis and investigation of force related incidents. Inspector Venner will learn to determine whether an officer is being honest when he recounts the recollection of an incident even when evidence conflicts with his memory. He will also learn how to avoid critical mistakes during post incident interviews. This training is imperative and will assist in his role as Inspector in the Office of Professional Responsibility. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for Deputy Inspector Rod Venner to attend the Force Science Certification Training in Rochester, NY. All present voting "Aye". MOTION PASSED**

**32410            AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE HELMET MOUNTS FOR NIGHT VISION OPTICS UTILIZING SHERIFF DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office SWAT Team recently acquired ANVIS night vision optics. The optics did not come with mounts, and at this time the Sheriff's Office is seeking approval for the purchase of five helmet mounts. Approval of the purchase will allow SWAT to have full night time capabilities that are currently non-existent. The vendor, Wilcox Engineering & Research is a sole source provider for this product. No additional funds are needed, Sheriff Drug Forfeiture funds will be used for the purchase. Budget Amendment Decrease 053-618-00.5391 Miscellaneous \$2,925.00 Increase 053-618-00.5717 400 Law Enforcement Equipment Operating \$2,925.00 **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase helmet mounts for night vision optics utilizing Sheriff Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32411            APPROVAL TO HOLD AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152 (A) (1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE.**

The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at [www.renebates.com](http://www.renebates.com). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approval to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a) (1) and authorize Purchasing Manager to advertise. All present voting "Aye". MOTION PASSED**



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**32412      AUTHORIZE THE CONSTABLE PCT. 1 OFFICE TO RE-GRADE THE PART-TIME ADMINISTRATIVE ASSISTANT I POSITION TO A JUSTICE CLERK EFFECTIVE JANUARY 3, 2017 AND AMEND THE BUDGET ACCORDINGLY.**

During the FY 2017 budget process, the Commissioner's Court approved a part-time Administrative Assistant I (grade 106) position effective January 1, 2017 for the Constable Pct. 1 Office. However, the position was erroneously posted and filled as a Justice Clerk (grade 108). The current employee possesses the skills and knowledge to function at the grade 108 level. Additionally, the employee is performing the same functions as the full-time Justice Clerk, therefore the Constable would like to re-grade the position appropriately. Potential Funding Source: Savings within in the County Wide Salary Adjustments line item are available due to attrition. Budget Amendment: Increase Staff Salaries - \$1,833 Increase Fringe Benefits - \$366 Decrease Salary Adjustments - (\$2,199) **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Authorize the Constable Pct. 1 Office to re-grade the part-time Administrative Assistant I position to a Justice Clerk effective January 3, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32413      APPROVE RENEWAL OF ANNUAL CONTRACT FOR ELECTRICAL SERVICES WITH TED BREIHAN ELECTRIC COMPANY FOR ONE ADDITIONAL YEAR.**

The Building Maintenance Department is recommending a renewal for electrical services with our current vendor, Ted Breihan Electric. The current contract term expires on April 30, 2017 with an option to renew per the original terms outlined in IFB 2014-B03. All current terms and conditions and pricing remain unchanged and in full force and effect as provided in original bid. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve renewal of annual contract for Electrical Services with Ted Breihan Electric Company for one additional year. All present voting "Aye". MOTION PASSED**

**32414      AUTHORIZE COMMERCIAL OSSF PERMIT AT 4000 E HWY 290, DRIPPING SPRINGS, TX 78620.**

The Sunset Canyon Baptist Church is proposing an OSSF to serve their new Family Life Center. This new building will accommodate up to 135 people, up to 5 days a week. This 1.62-acre property is Lot 234 in the Sunset Canyon Subdivision. The property is served by a public water supply. The system designer, Erin Banks, P.E., has designed a system which consists of standard treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 475 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 4000 E Hwy 290, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**32415      APPROVE THE APPOINTMENT OF DAVID J. GRAHAM AS DEPUTY CONSTABLE, IN PRECINCT 4.**

Constable Ron Hood spoke. Deputy Constable David Graham will fill the recently vacated part-time position in Constable Hood's office. In compliance with Texas Local Government Code - Section 86-11 the Commissioners Court is asked to approve this appointment as a necessary position to properly handle the business of the Constable's office. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the appointment of David J. Graham as Deputy Constable, in Precinct 4. All present voting "Aye". MOTION PASSED**

**32416      ACTION TO ADOPT AN ORDER OF COMMISSIONERS COURT AUTHORIZING THE SALE OF MIXED BEVERAGES, WINE, AND BEER DURING EXTENDED HOURS (MIDNIGHT TO 2 A.M.), PURSUANT TO SECTIONS 105.03, 105.04, AND 105.05 OF THE TEXAS ALCOHOLIC BEVERAGE CODE, IN THE UNINCORPORATED AREAS OF HAYS COUNTY,**



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**THAT HAVE NOT BEEN DESIGNATED AS "DRY AREAS" PURSUANT TO SECTION 251.71 OF THE TEXAS ALCOHOLIC BEVERAGE CODE.**

Robert Badger resident of Buda spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt an Order of Commissioners Court authorizing the sale of mixed beverages, wine, and beer during extended hours (midnight to 2 a.m.), pursuant to Sections 105.03, 105.04, and 105.05 of the Texas Alcoholic Beverage Code, in the unincorporated areas of Hays County, that have not been designated as "dry areas" pursuant to Section 251.71 of the Texas Alcoholic Beverage Code. All present voting "Aye". MOTION PASSED

**32417 ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE COUNTY'S FM 2001 PARTNERSHIP PROJECT FROM I-35 TO SH 21 AND URGING THE TEXAS DEPARTMENT OF TRANSPORTATION TO APPROVE THE FM 2001 ENVIRONMENTAL DOCUMENT IN A TIMELY MANNER SO THAT THE DEVELOPMENT OF THE PROJECT MAY PROCEED TO CONSTRUCTION AS EXPEDITIOUSLY AS POSSIBLE.**

Commissioner Jones spoke. The expansion of FM 2001 from a two-lane roadway to a four-lane roadway from I-35 to SH 21 is included in the CAMPO Mobility 2040 Long-Range Plan and the Hays County Transportation Plan; expansion and realignment of FM 2001 is included in the County's Partnership Program with the Texas Department of Transportation. The proposed improvements will address safety, mobility and connectivity needs in the eastern portion of Hays County. The Texas Department of Transportation, in conjunction with Hays County, conducted a Public Hearing on the draft Environmental Assessment for the project on March 28, 2017 at the Studio Estates Club House in Kyle. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a resolution in support of the County's FM 2001 Partnership Project from I-35 to SH 21 and urging the Texas Department of Transportation to approve the FM 2001 environmental document in a timely manner so that the development of the project may proceed to construction as expeditiously as possible. All present voting "Aye". MOTION PASSED

**32418 SUB-739 HOME CAMP SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.**

Caitlyn Strickland of Developmental Services spoke. The proposed Home Camp Subdivision is a 1 lot subdivision located off of Caliche Road in Precinct 3. The subdivision will be served by the private well and rainwater. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve preliminary plat SUB-739 Home Camp Subdivision (1 Lot). All present voting "Aye". MOTION PASSED

**32419 SUB-720 PANTHER HOLLOW SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.**

Caitlyn Strickland of Developmental Services spoke. 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 Conley, seconded by Commissioner Whisenant to approve preliminary plan of SUB-720 Panther Hollow Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

**32420 SUB-722 LITTLE COUNTRY SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN.**

Caitlyn Strickland of Developmental Services spoke. Clint Garza, Director of Developmental Services spoke. The proposed Little Country Subdivision is a 2 lot subdivision located off of Summit Pass Road in Precinct 4.



The subdivision will be served by rainwater collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve preliminary plan of SUB-722 Little Country Subdivision (2 Lots). All present voting “Aye”. MOTION PASSED**

**32421 ACTION TO APPOINT COMMISSIONER RAY WHISENANT AND MIKE FIGER TO THE BOARD OF DIRECTORS FOR THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONES NO. 1 AND NO. 2.**

Hays County entered into an Interlocal Agreement with the City of Dripping Springs on March 21, 2017 related to Dripping Springs Tax Increment Reinvestment Zone (TIRZ) No. 1 and TIRZ No. 2. Per the creating documents for both reinvestment zones, Hays County is provided with two appointments to each TIRZ Board. A resume for Mr. Figer will be provided in Court. appointments will be for two year terms. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Commissioner Ray Whisenant and Mike Figer to the Board of Directors for the Dripping Springs Tax Increment Reinvestment Zones No. 1 and No. 2. All present voting “Aye”. MOTION PASSED**

**32422 ACTION TO ADOPT THE 2017 HAYS COUNTY, TEXAS TITLE VI/NONDISCRIMINATION PLAN AS REQUIRED AS A RECIPIENT OF FEDERAL FUNDS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND OTHER AGENCIES.**

Jeff Hauff Grants Director spoke. Shari Miller, Human Resources Director spoke. TxDOT has been conducting an audit of our Title VI/Nondiscrimination policies and procedures as a requirement of receipt of federal funding through grants and other assistance from USDOT/FHWA. We are and have been in compliance with many of the elements of nondiscrimination through past and current practice, but one of the new outstanding items needed was the preparation, adoption, and implementation of a Title VI/Nondiscrimination Plan for Hays County that demonstrates continued compliance with Title VI of the Civil Rights Act of 1964 and associated legislation. This Plan is modelled from a template document provided and recommended by TxDOT and also includes format and content drawn from similar Plans adopted by Dallas, Hidalgo, and Travis counties. Sections of the Plan include the general nondiscrimination policy of Hays County; Assurances to be included with all contracts that involve federal transportation funding; component plans to address Limited English Proficiency (LEP) and Environmental Justice for low income and minority populations as well as general public participation opportunities in activities proposed by the County; methods to collect, analyze and report information associated with nondiscrimination; a process to handle nondiscrimination complaints; and roles and responsibilities of various County departments/offices to assure nondiscrimination compliance. Annual reports will be required on activities that address nondiscrimination compliance and updates to the Plan will be made when circumstances warrant. The Hays County Grants Administration and Human Resources departments, as well as the Hays County Auditor's Office, have worked jointly to prepare the Plan document as well as provide information for other aspects of the TxDOT audit. TxDOT has reviewed the draft plan and determined it to be complete and acceptable. Staff recommends and requests that the Commissioners Court adopt the 2017 Hays County Title VI/Nondiscrimination Plan. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt the 2017 Hays County, Texas Title VI/Nondiscrimination Plan as required as a recipient of federal funds through the Texas Department of Transportation (TxDOT) and other agencies. All present voting “Aye”. MOTION PASSED**

**32423 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 14 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR WORK RELATED TO THE RENOVATIONS AT THE COUNTY OWNED FACILITY AT 200 STILLWATER, IN PRECINCT 3.**



Clint Garza spoke. CO #12: Scope: 1. install step-down SFMR for bath exhaust fans. \* Facility previously used as warehouse space. Electrical into building not compatible with the required components. 2. TXDOT required infrastructure for Tax Office \* Addition of fiber line and dedicated T1 for TXDOT computer for Tax Office Location 3. Crack and gap repair at front elevation to prevent further water damage. (pictures attached) 4. Remove Rock sill cap and reconstruct with flashing. \* Gap in rock leading to water penetration in facility. 5. Building Awning, structural, waterproofing, and masonry patchwork. \*at the time of design, architect left awning to be determined at a later date after structural engineer was retained. Change was anticipated at bid time 6. Venthood with fire suppression system. \*cooking demonstrations are part of normal operation for the Extension Office and a number of the volunteer organizations using the facility. Venthood and fire suppression are required per code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute Change Order Authorization No. 14 between Hays County and Wood and Thomason Construction, LP for work related to the renovations at the County Owned Facility at 200 Stillwater, in Precinct 3. All present voting “Aye”. MOTION PASSED**

**32424 APPROVE A FLOOD CONTROL INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND TRAVIS COUNTY REGARDING FLOOD CONTROL MEASURES IN THE ONION CREEK DRAINAGE BASIN; AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE AGREEMENT.**

Hays and Travis Counties each have large portions of the Onion Creek drainage basin within their jurisdictional boundaries. Each County has adopted regulations to promote public health, safety, and general welfare of citizens, however, flood damage and losses have resulted in an increased focus on future flood damage prevention. It is the opinion of staff that a coordinated effort for planning throughout the basin will benefit the citizens of both Hays and Travis Counties. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a Flood Control Interlocal Agreement between Hays County and Travis County regarding flood control measures in the Onion Creek drainage basin; authorize the County Judge to execute the agreement. All present voting “Aye”. MOTION PASSED**

**32425 APPOINT ROGER BOYD TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9)**

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. Two Board members were appointed during the April 4th Court meeting. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to appoint Roger Boyd to the board of the newly-created Emergency Services District No.9 (ESD#9). All present voting “Aye”. MOTION PASSED**

**CLERK’S NOTE RE: ITEM #24 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 MAY FOLLOW.-was pulled**

**CLERK’S NOTE RE: ITEM #25 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 drought index is at 88 and the burn ban will remain lifted.



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**CLERK'S NOTE RE: ITEM #27-** 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 10:02a.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 April 11, 2017.



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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 18<sup>TH</sup> DAY OF APRIL A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**32426 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$ 685,037.14 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32427 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 11, 2017**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of April 11, 2017. All present voting "Aye". MOTION PASSED

**32428 AUTHORIZE THE SHERIFF'S OFFICE TO ADMINISTER A RETIRED PEACE OFFICER'S PROGRAM AS REQUIRED BY SECTION 614.124 OF THE TEXAS GOVERNMENT CODE**

Captain Mike Davenport of Hays County Sheriff's Office spoke. Section 614.124 of the Texas Government Code requires the head of a law enforcement agency to issue a honorably retired peace officers identification card to those individuals who request and meet the qualifications listed in both the Texas Government Code and the Texas Occupations Code Section 1701.357(g) of the Texas Occupations Code states, " A county law enforcement agency must obtain approval of the program authorized by this section from the Commissioners Court of the county before issuing a certificate of proficiency under this section." A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to administer a Retired Peace Officer's Program as required by Section 614.124 of the Texas Government Code. All present voting "Aye". MOTION PASSED

**32429 AUTHORIZE THE HISTORICAL COMMISSION TO ACCEPT VARIOUS DONATIONS FOR THE KYLE DEPOT PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received donations for the Kyle Depot Projects for misc supplies. Budget Amendment: Increase - 5201 Supplies Increase - 4610 Contributions. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Historical Commission to accept various donations for the Kyle Depot Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32430 ACCEPT A DONATION OF LABOR AND MATERIALS (VALUED AT \$1800) TO THE PARKS DEPARTMENT, JACOB'S WELL NATURAL AREA AND AMEND THE BUDGET ACCORDINGLY**

The Parks Department received a donation of labor and materials from Ball Brothers Paint and Drywall, located in Wimberley, to remove two windows, frame and drywall area in the Nature Center to create a new space to show educational films and hold presentations for the public. This donation is valued at \$1800. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation of labor and materials (valued at \$1800) to the Parks Department, Jacob's Well Natural Area and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32431 AUTHORIZE PAYMENT TO CHUCK NASH CHEVROLET FOR EXPENSES RELATED TO THE VETERAN'S OFFICE VAN REPAIRS IN WHICH NO**





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**PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY AND AMEND THE BUDGET FOR ADDITIONAL MAINTENANCE ITEMS NEEDED**

The Veteran's Office 2008 van was taken into Chuck Nash Chevrolet for repairs to the harness/crank sensor and hvac system. The office did not obtain the required purchase orders prior to the repairs totaling \$2,769. Additionally, the 2008 and the 2011 vans are in need of tires for a cost of \$1,217. Total cost of repairs and maintenance items is \$3,986. The department has identified some savings in their continuing education line item and also has donated funds in a miscellaneous line item available to fund the additional needed for these repairs. Budget Amendment: Increase Vehicle Maintenance - .5413 - \$2,143 Decrease Miscellaneous .5391 - \$1,443 Decrease Cont Education .5551 - \$700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize payment to Chuck Nash Chevrolet for expenses related to the Veteran's Office van repairs in which no purchase order was issued or quotes obtained as required per the County Purchasing Policy and amend the budget for additional maintenance items needed. All present voting "Aye". MOTION PASSED**

**32432 AMEND THE EXTENSION OFFICE TRAVEL BUDGET FOR TRAVEL RELATED TO YOUTH EDUCATION AND OUTREACH PROGRAMS**

Additional funds are needed for travel to area livestock shows and educational outreach programs. Savings within their operating budget have been identified to fund this request. Budget Amendment: Increase - 5501 Travel - \$1,500 Decrease - 5271 Fuel - (\$1,000) Decrease - 5551 Cont Ed - (\$500). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Extension Office travel budget for travel related to youth education and outreach programs. All present voting "Aye". MOTION PASSED**

**32433 APPROVE SPECIFICATIONS FOR IFB 2017-B06 FOR COUNTYWIDE AIR CONDITIONING AND HEATING SERVICES AND AUTHORIZE THE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

The current vendor contract will expire in May 2017 and the Building Maintenance Department has requested that these services be rebid. Attachment: IFB 2017-B06. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve specifications for IFB 2017-B06 for Countywide Air Conditioning and Heating Services and authorize the Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**32434 ACCEPT GRANT CONTRIBUTIONS ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY**

The Hays County Child Protective Board has received grant funding utilizing the county federal tax identification number as authorized. The total awards received are as follows; City of San Marcos - \$10,000 City of Buda - \$1500 The HCCPB will deposit these funds with the county as their pass through agency. The funds will be allocated back to the agency to be utilized for the following expenses; >Basic clothing >Participation in extracurricular school activities and scholastic achievements >Equipment and services to encourage and assist academic success and improve graduation rates >Recognition of significant milestones >Provide for physical and mental health services not covered by governmental programs >Provide support for CPS case workers participation in professional training >Increase public awareness of child abuse Funds will be released to HCCPB in incremental payments once the granting municipalities have deposited their funds with the county. Budget Amendment: Increase Contributions: .4610 Increase Social Service Grant Funding: .5800. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept grant contributions on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32435 AUTHORIZE THE CONSTABLE PRECINCT 5 OFFICE TO PURCHASE THREE (3) REPLACEMENT STALKER DUAL RADAR SYSTEMS AND AMEND THE BUDGET ACCORDINGLY**

The Constable would like to replace three (3) radar systems that are currently not functional and would not be cost effective to repair. Partial funds have been identified in the Constable's operating budget. Remaining potential funding source is County Wide contingencies. Budget Amendment: Increase Law Enforcement Eqpt: .5717\_400 - \$6,503 Decrease Computer Equipment: .5717\_400 - (\$3,964) Decrease County Wide Contingencies: 001-645-00.5399 - (\$2,539). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Constable Precinct 5 Office to purchase three (3) replacement Stalker Dual Radar Systems and amend the budget accordingly. All Present Voting "Aye". MOTION PASSED**



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**32436 SUB-722 LITTLE COUNTRY SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT**

County Planner Marcus Pacheco spoke. The proposed Little Country Subdivision is a 2 lot subdivision across 3.40 acres and is located off of Summit Pass Road in Precinct 4. The subdivision will be served by rainwater collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final plat of SUB-722 Little Country Subdivision (2 Lots). All present voting “Aye”. MOTION PASSED**

**32437 SUB-742 CALL FOR A PUBLIC HEARING ON MAY 2, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 19, HILL COUNTRY ESTATES SECTION 3**

The proposed Little Country Subdivision is a 2 lot subdivision across 3.40 acres and is located off of Summit Pass Road in Precinct 4. The subdivision will be served by rainwater collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Call for a public hearing on May 2, 2017 to discuss final plat approval of the Replat of Lot 19, Hill Country Estates Section 3 SUB- 742. All present voting “Aye”. MOTION PASSED**

**32438 SUB-778 SHADOW CREEK REVISED PRELIMINARY PLAN (1701 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

County Planner Marcus Pacheco spoke. This proposed Shadow Creek Revised Preliminary plan will condense Phases 9-2 and 11-3 into a single phase called Phase 9-2. The lots from these phases will go from 50' to 40' width, which will result in an additional 45 lots being created, bringing the total amount of single family residence lots to 1,701. In addition, the inclusion of the 46 greenbelt lots and the associated acreage will be included with this revision. All residential lots will be served by the GoForth Special Utility District for water service and North Hays County MUD #1 for wastewater service. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve preliminary plan of SUB-778 Shadow Creek Revised Preliminary Plan (1701 Lots). All present voting “Aye”. MOTION PASSED**

**32439 SUB-739 HOME CAMP SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT**

County Planner Marcus Pacheco spoke. The proposed Home Camp Subdivision is a 1 lot subdivision across 6.86 acres and is located off of Caliche Road in Precinct 3. The subdivision will be served by private well and rainwater. Wastewater service will be provided by individual onsite sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat of SUB- 739 Home Camp Subdivision (1 Lot). All present voting “Aye”. MOTION PASSED**

**32440 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 1 BETWEEN HAYS COUNTY AND GERLOFF COMPANY, INC. FOR WORK RELATED TO THE PIPE REPLACEMENT PROJECT AT THE HAYS COUNTY GOVERNMENT CENTER**

Clint Garza, Director of Developmental Services spoke. CO #1 Scope: 1. Repair plumbing leak on domestic cold water line in Break Room. 2. Additional ceiling access panels as required by City inspector. 3. Labor and Materials for installation of ceiling access panels. 4. General labor and cleanup of sites. 5. Supplemental power and fuel to work sites. Costs incurred under this change order will be reimbursed by County Insurance and have been approved by TAC. **A motion was made by Commissioner Ingalsbe, seconded By Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 1 between Hays County and Gerloff Company, Inc. for work related to the pipe replacement project at the Hays County Government Center. All Present Voting “Aye”. MOTION PASSED**

**32441 UTILIZE COUNTY RECORDS PRESERVATION FUNDS TO HIRE TEMPORARY PERSONNEL FOR SCANNING OF THE DEVELOPMENT SERVICES DIVISION'S PERMIT RECORDS AND AMEND THE BUDGET ACCORDINGLY**



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Clint Garza, Director of Developmental Services spoke. In May 2016 the Commissioner's Court authorized the Development Services Director to contract with ARC Document Solutions for off-site scanning services. Due to problems with scanning quality, document retrieval, and other areas within original scope, the vendor was unable to complete the job satisfactorily. A \$12,000 refund has been issued to the county and will be utilized to hire on site temporary staff to complete the project. Budget Amendment: Decrease Contact Services: .5448 (\$12,000) Increase Salaries: .5021 - \$11,145 Increase FICA: .5101\_100 - \$692 Increase Medicare: .5101\_200 - \$163. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to utilize County Records Preservation Funds to hire temporary personnel for scanning of the Development Services Division's permit records and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32442 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 1 BETWEEN HAYS COUNTY AND TDINDUSTRIES FOR WORK RELATED TO SEWER LINE REPAIRS AT THE HAYS COUNTY JAIL AND AMEND THE BUDGET ACCORDINGLY**

Clint Garza, Director of Developmental Services spoke. On March 21, 2017 the Court authorized sewer line repairs to the bathroom area in the Jail kitchen. Initial scope of work was to replace a 4x8 section with 4" cast iron sewer piping. However, upon further inspection as work has progressed, a total 8x16 section is in need of piping replacement as well as a new flush valve and handicap water closet. Attachment: TDI Quote TCPN Contract: R150501-TX-13586 Funds were budgeted during the FY 2017 budget process in County Wide (\$500k) for miscellaneous capital improvements for the Jail as needed. Including this change order, a total of \$73,570 has been used leaving a balance of \$426,430. Budget Amendment: Decrease Co Wide Misc Capital Improvements - 001-645-00.5741 Increase Jail Misc Capital Improvements - 001-618-03.5741. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Change Order Authorization No. 1 between Hays County and TDIndustries for work related to sewer line repairs at the Hays County Jail and amend the budget accordingly. 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 9:33 a.m. and reconvened into open court at 10:47 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Sheriff Gary Cutler, Lt. SS Julie Villalpando, and Capt. L.E. Mike Davenport. No Action Taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.076 OF THE TEXAS GOVERNMENT CODE, CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING SECURITY PERSONNEL AND/OR DEVICE(S) AT THE HAYS COUNTY JAIL, 1307 UHLAND ROAD, SAN MARCOS, TX**

Court convened into Executive Session at 10:47 a.m. and reconvened into open court at 10:55 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Conley, Commissioner Whisenant, and Judge Cobb. No Action Taken.

**Clerk's Note Re: Item 20 DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. -WAS PULLED**

**DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.**

Judge Cobb gave an update on the burn ban. The drought index is at 57 and the burn ban will remain lifted.

**Clerk's Note Re: Item 22 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 Judge Cobb, seconded by Commissioner Whisenant to adjourn court at 10:58 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 April 18, 2017.

*Liz Q Gonzalez*

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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 25<sup>TH</sup> DAY OF APRIL A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<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>COUNTY CLERK</b>

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 OF HAYS COUNTY SERVICE AWARDS**

Shari Miller, Interim Human Resources Director presented the Hays County Service Awards. 1 Year – Conrad Ostler, Rod Venner, Nathaniel Sitsler, Trae Howard, Alexander Pinillo, Patrick Brady, Daniel Weber, Eli Rosales, Andrew Warnica – Sheriff’s Department, Jennifer Gonzales – District Attorney’s Office, Christopher Alaniz – County Clerk’s Office. 5 Years – Mario Saucedo – Transportation Department, Angela Avona – Treasurer’s Office, Henry Alvarez – Maintenance Department. 10 Years – Yadira Valenzuela – Maintenance Department, Jacob Wardlow – Sheriff’s Department, Manuel Esquivel – Transportation Department, Melody Jaramio – Sheriff’s Department. 15 Years – Deanna Avalon – Juvenile Detention Center, Susana Cisneros – Juvenile Detention Center. 20 Years – Woodie Hall – Sheriff’s Department. 25 Years – Debbie Ingalsbe – Commissioner Pct. 1.

**32443 ADOPT A PROCLAMATION DECLARING MAY 1-5, 2017 AS AIR QUALITY AWARENESS WEEK**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Proclamation declaring May 1-5, 2017 as Air Quality Awareness Week. All present voting “Aye”. MOTION PASSED

**32444 ADOPT A PROCLAMATION DECLARING APRIL 30 - MAY 7, 2017 AS SOIL & WATER STEWARDSHIP WEEK**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a Proclamation declaring April 30-May 7, 2017 as Soil & Water Stewardship Week. All present voting “Aye”. MOTION PASSED

**32445 ADOPT A PROCLAMATION DECLARING APRIL 22ND - 29TH AS NATIONAL INFANT IMMUNIZATION WEEK**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation declaring April 22<sup>nd</sup> – 29<sup>th</sup> as National Infant Immunization Week. All present voting “Aye”. MOTION PASSED

**PUBLIC COMMENTS**

Dan Lyon – San Marcos resident made a public comment.

**32446 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of county invoices in the amount of \$1,302,411.62 as submitted by the County Auditor. All present voting “Aye”. MOTION PASSED

**32447 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 18, 2017**



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

**32448 AUTHORIZE THE CONSTABLE PRECINCT 2 OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE APRIL 3, 2017 FOR DEPUTY CONSTABLE, SLOT 0885-021 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 - 001-636-00.5489 \$210 Increase - 001-636-00.5194 \$210. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Constable Precinct 2 Office to add a telephone allowance effective April 3, 2017 for Deputy Constable, Slot 0885-021 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32449 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 155 BEACON HILL RD, BUDA, TX**

Hays CISD is proposing to replace a failing septic system to serve the bus depot at 155 Beacon Hill in Precinct 2. This property is not within a subdivision and has an approved 10 year variance. The water will be supplied by public water supply. The components of this on-site sewage facility will consist of a 1500 gallon two-compartment septic tank and a 1500 gallon pump tank. After treatment, effluent will be dispersed to a low pressure dosage field. The system was designed by Dan Balboa for a flow of 300 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Institutional OSSF Permit at 155 Beacon Hill Rd., Buda, TX. All present voting "Aye". MOTION PASSED**

**32450 AUTHORIZE THE HAYS COUNTY COMMISSIONERS COURT TO SUBMIT A REQUEST FOR FUNDS TO THE TEXAS COMPTROLLER'S OFFICE FOR UNCLAIMED CAPITAL CREDITS PURSUANT TO THE TEXAS PROPERTY CODE, SECTION 74.602 AND CERTIFY ANY AVAILABLE FUNDING WILL BE USED PER LOCAL GOVERNMENT CODE, SECTION 381.004**

The County Auditor's office has received notification from the Texas Comptroller of Public Accounts regarding possible available funding through unclaimed capital credits received from electric cooperatives in this area. The County must request these funds and certify that funds will be used for purposes as specified under section 381.004 of the Local Government Code. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Hays County Commissioners Court to submit a Request for Funds to the Texas Comptroller's Office for Unclaimed Capital Credits Pursuant to the Texas Property Code, Section 74.602 and Certify any available funding will be used per Local Government Code, Section 381.004. All present voting "Aye". MOTION PASSED**

**32451 ACCEPT A DONATION OF \$40.00 TO THE SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY**

The Communications Division received a donation of \$40.00 from the Constable Pct. 3 Office. Donations are for the 2017 National Telecommunicator Week that occurred April 9-15, 2017. Budget Amendment: \$40.00 Increase revenue 052-618-00.4610 Contributions, Increase expense 052-618-00.5391 Special Projects. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept a donation of \$40.00 to the Sheriff's Office Communications Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32452 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER AMENDMENT TO THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY, AS CONSTRUCTION MANAGER AT RISK FOR JAIL, LAW ENFORCEMENT CENTER, AND 911/EOC CENTERS**

Because Hays County initially believed that some federal monies might be available for portions of these capital improvements, a prevailing wage standard under Davis/Bacon was written into the Agreement. Upon further consideration, it appears that Hays County can now apply a State statutory standard under Chapter 2258 of the Texas Government Code, instead of the federal standard under Davis/Bacon. 61B188B215B242BA local prevailing wage survey is currently being conducted. If the results of that survey are not available by the time the Commissioners Court considers this item, then staff recommends that the Court delegate authority to accept



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the rates established in the survey, which will streamline CM at Risk's efforts to achieve a Guaranteed Maximum Price (GMP) for the projects. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Letter Amendment to the Agreement between Hays County and Turner Construction Company, as Construction Manager at Risk for Jail, Law Enforcement Center, and 911/EOC Centers. All present voting "Aye". MOTION PASSED**

**32453 AUTHORIZE THE JUVENILE PROBATION OFFICE TO ADD TWO TELEPHONE ALLOWANCES EFFECTIVE APRIL 1, 2017 FOR PROBATION OFFICERS, SLOT 0972-001 & 0971-002 AND AMEND THE BUDGET ACCORDINGLY**

Telephone Stipends have been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for two Juvenile Probation Officer positions. These positions travel throughout the county transporting juvenile offenders, serving warrants or directives to apprehend. It is imperative that they are available to their supervisor, staff as well as families in the community in order to remain productive and perform duties effectively. County issued cell phones have been disconnected for identified savings to fund this request. Budget Amendment: Decrease - 001-686-00.5489 \$420, Increase - 001-686-00.5194 \$420. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Juvenile Probation Office to add two telephone allowances effective April 1, 2017 for Probation Officers, Slot 0972-001 & 0971-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32454 APPROVE SPECIFICATIONS FOR IFB 2017-B04 FLEET FUEL FOR TANKS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

The Transportation and Sheriff's Departments are currently purchasing fuel for the above ground tanks from vendors available through the counties Choice Partners Cooperative Contract. The departments utilizing this service believe it will be cost effective to issue an Invitation for Bid for this commodity. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve specifications for IFB 2017-B04 Fleet Fuel for tanks and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**32455 AUTHORIZE THE JUVENILE DETENTION CENTER TO ADD TWO TELEPHONE ALLOWANCES EFFECTIVE APRIL 1, 2017 FOR ASST FACILITY ADMINISTRATOR SLOT 9010-001 & TRANSITIONAL COORDINATOR SLOT 0970-002 AND AMEND THE BUDGET ACCORDINGLY**

Telephone Stipends have been requested and approved via the Request/Justification Form for Electronics and Related Equipment/Services for two positions. These positions travel throughout the county transporting and supervising juvenile offenders. It is imperative that they are available to their supervisor, staff as well as families in the community in order to remain productive and perform duties effectively. County issued cell phones have been disconnected for identified savings to fund this request. Budget Amendment: Decrease - 070-685-00.5489 \$420, Increase - 070-685-00.5194 \$420. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the Juvenile Detention Center to add two telephone allowances effective April 1, 2017 for Asst. Facility Administrator Slot 9010-001 & Transitional Coordinator Slot 0970-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32456 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 1000 CYPRESS CREEK LANE, WIMBERLEY, TX**

Sibyl Burrows is proposing an on-site sewage facility to serve the Messina Inn Wedding/Event Center in Precinct 3. This property is in the Twin Mountain Estates Subdivision on a 13 acre lot. The water will be supplied by public water supply. The system was designed by Jim Conner for a maximum flow of 780 gallons per day. The components of this on-site sewage facility will consist of a standard two-compartment septic tank and a 2500 gallon pump tank that is set up to equalize the flow to the leaching chamber drainfield at a rate of 200 gallons per day. This property has been replatted and approved in the past year to make the tract compliant, but the plat was recently resubmitted so that a drainage easement could be moved. This permit will not be issued until this replat has final approval. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize Institutional OSSF Permit at 100 Cypress Creek Lane, Wimberley, TX. All present voting "Aye". MOTION PASSED**

**32457 APPROVE SPECIFICATIONS FOR IFB 2017-B07 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**



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A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve specifications for IFB 2017-B07 Dahlstrom Ranch Public Access Development and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

**32458 ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR MEADOWS AT BUDA SUBD. PHASE 4A**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. There wasn't a maintenance bond provided to Hays County as the developer/contractor issued it to the City of Buda. Roads include: a segment of Blossom Valley Stream (1,029 ft.), a segment of Hot Spring Valley (1,030 ft.), Honey Grove (181 ft.), and Crystal City Creek (958 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the roads into the County Road System for Meadows at Buda Subd. Phase 4A. All present voting "Aye". MOTION PASSED**

**32459 ACCEPT LETTER OF CREDIT NO.SBP702531 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 21-1 IN THE AMOUNT OF \$725,440.63**

Jerry Borcharding, Director of Transportation gave staff recommendation. Belterra Section 21-1 is a proposed 59 lot segment, across 62.97 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-1 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 Jones to accept Letter of Credit No. SBP702531 for street and drainage improvements for Belterra Subdivision Section 21-1 in the amount of \$725,440.63. All present voting "Aye". MOTION PASSED**

**32460 SUB-699 HIGHPOINTE PHASE 5, SECTION 3 (54 LOTS) APPROVE FINAL PLAT AND ACCEPT THE CONSTRUCTION OF ROAD AND DRAINAGE IMPROVEMENTS**

Caitlyn Strickland, Hays County Planner, gave staff recommendation. The preliminary plan for HighPointe Phase 5 was approved in July 2008 as a 135 lot phase. Water service will be provided by the West Travis County Public Utility Agency and wastewater service will be provided by Hays County Municipal Utility District No. 5. The Transportation Department has inspected and approved the improvements. The roads in this subdivision will be privately maintained. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat and accept the construction of road and drainage improvements for Sub-699 Highpointe Phase 5, Section 3 (54 Lots). All present voting "Aye". MOTION PASSED**

**32461 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE TRI-PARTY AGREEMENT PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF PECAN WOODS BETWEEN HAYS COUNTY ("COUNTY"), THE CITY OF KYLE ("CITY") AND WALTON TEXAS, LP, A TEXAS LIMITED PARTNERSHIP ("WALTON TEXAS") WALTON PECAN WOODS, LP, A DELAWARE LIMITED PARTNERSHIP ("WALTON PECAN WOODS"), AND WPW DEVELOPMENT SUB, LP, A DELAWARE LIMITED PARTNERSHIP ("WPW" AND, TOGETHER WITH WALTON TEXAS AND WALTON PECAN WOODS, THE "OWNERS")**

Becky Collins, General Manager of Walton Development and management in the Austin-San Marcos Region spoke. Owner plans to develop Pecan Woods as a master-planned mixed use community in accordance with this Agreement between Owner, County and City. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute the Tri-Party Agreement providing for Regulation of Subdivision and Approval of Pecan Woods between Hays County ("County"), The City of Kyle ("City") and Walton Texas, LP a Texas Limited Partnership ("Walton Texas") Walton Pecan Woods, LP a Delaware Limited Partnership ("Walton Pecan Woods"), and WPW Development Subd., LP, a Delaware Limited Partnership ("WPW" and, together with Walton Texas and Walton Pecan Woods, the "Owners"). All present voting "Aye". MOTION PASSED**

**32462 AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE VACANT ROAD MAINTENANCE WORKER SENIOR, SLOT 1070-019 AT THE 50TH PERCENTILE EFFECTIVE MAY 1, 2017**





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The Transportation Director requests the court approval to hire this position at the 50th percentile. The prospective employee has knowledge and experience that merits the salary exception and his experience in operating equipment, drainage work, shoot grade, equipment/truck maintenance, supervisory experience, and Class A CDL will greatly benefit the department. Salary savings (due to vacancies) within the department have been identified to fund this request. FY17 fiscal impact - \$3,872, Annualized impact - \$9,293. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Director to hire vacant Road Maintenance Worker Senior, Slot 1070-019 at the 50<sup>th</sup> Percentile effective May 1, 2017. All present voting “Aye”. MOTION PASSED**

**32463 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO UTILIZE CAPITAL HEAVY EQUIPMENT SAVINGS TO PURCHASE A NEW 2017 CIMLINE MODEL M2 230 CRACK SEALING UNIT**

The Transportation Department would like to purchase a new crack sealer to replace our existing unit. The Department has the funds available due to lower than estimated costs associated with the procurement of all items listed during the Fiscal Year 2017 budget process. The unit to be replaced is a 2008 model that was purchased used and has over 7,000 hours. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Department to utilize capital heavy equipment savings to purchase a new 2017 Cimline Model M2 230 Crack Sealing Unit. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #23 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*

**32464 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 9:34 a.m. and reconvened into open court at 10:32 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, General Counsel, Mark Kennedy, Tammy Crumley, Chief of Staff, Lon Shell, and Adriana Cruz, President of the Greater San Marcos Economic Development. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Chapter 381 Economic Development Incentive Agreement between Hays County, and Urban Mining Company as presented in Executive Session as approved by General Counsel. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #25 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 – 110. Judge Cobb spoke of High Fire Danger for the next couple of days. He urged the public to use extreme caution while conducting outdoor burning.

**Clerk’s Note Agenda Item #27 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 10:45 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 April 25, 2017.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 2<sup>ND</sup> DAY OF MAY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**32465 ADOPT A PROCLAMATION DECLARING MAY 2017 AS "OLDER AMERICANS MONTH"**

Miles Nelson, Assistant Veterans Service Officer, and Hays County representative to the Aging Advisory Council for CapCOG spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring May 2017 as "Older Americans Month". All present voting "Aye".  
MOTION PASSED

**32466 ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 7-13, 2017 AS NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK.**

Commissioner Conley spoke. Sheriff Gary Cutler spoke. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt a proclamation declaring the week of May 7-13, 2017 as National Correctional Officers and Employees Week. All present voting "Aye". MOTION PASSED

**32467 ADOPT A PROCLAMATION DECLARING MAY 6, 2017 HAYS CISD DAY IN HAYS COUNTY**

Commissioner Jones spoke. Michael McKie Hays CISD Superintendent spoke. Hays Consolidated Independent School District is celebrating the 50th anniversary on May 6, 2017. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a proclamation declaring May 6, 2017 Hays CISD Day in Hays County. All present voting "Aye". MOTION PASSED

**RECOGNITION OF HAYS COUNTY AS RECIPIENT OF THE TEXAS FLOODPLAIN MANAGEMENT ASSOCIATION'S 2017 COUNTY FLOODPLAIN MANAGEMENT EXCELLENCE AWARD**

Roxie McInnis, Development and Community Services Manager spoke. Commissioner Whisenant spoke. Commissioner Conley spoke. This annual award is for a county that has shown excellence in the field of floodplain management beyond the staff-led floodplain management program. The awarded county demonstrates achievements in reducing flood property losses and preventing loss of life through its floodplain management program. In addition, the county goes beyond the typical program and encourages citizen interest and action to minimize the impact of flooding.

**RECOGNITION OF TOM POPE AS RECIPIENT OF THE TEXAS FLOODPLAIN MANAGEMENT ASSOCIATION'S N017 FLOODPLAIN ADMINISTRATOR OF THE YEAR AWARD**

Roxie McInnis, Development and Community Services Manager spoke. Clint Garza, Director of Development and Community Services spoke. Commissioner Whisenant spoke. Commissioner Conley spoke. Tom Pope, Chief Environmental Health Specialist/Floodplain Administrator spoke. Commissioner Ingalsbe spoke. This award is presented annually to one individual who has shown excellence in the field of floodplain management. This individual has demonstrated dedication through administration of his/her community's floodplain management program in pursuing the goals of flood loss reduction and in the prevention of loss of life.

**PUBLIC COMMENTS**

Dan Lyon – San Marcos resident made a public comment. Cristin Hearne- Dripping Springs resident made a public comment.

**32468 APPROVE PAYMENT OF COUNTY INVOICES**



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A motion was made by Commissioner Whisenant , seconded by Commissioner Jones to approve payment of County Invoices in the amount of \$ 1,764,728.14 as presented by the Hays County Auditor. All present voting “Aye”. MOTION PASSED

**32469 APPROVE COMMISSIONER COURT MINUTES OF APRIL 25, 2017.**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 25, 2017. All present voting “Aye”. MOTION PASSED

**32470 ACCEPT A DONATION OF \$100.00 TO THE SHERIFF'S OFFICE COMMUNICATIONS DIVISION AND AMEND THE BUDGET ACCORDINGLY**

The Communications Division received a donation of \$100.00 from San Marcos Premium Outlets. Donations are for the 2017 National Telecommunicator Week that occurred April 5-9, 2017. Budget Amendment \$100.00 Increase revenue 052-618-00.4610 Contributions \$100.00 Increase expense 052-618-00.5391 Special Projects \$100.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a donation of \$100.00 to the Sheriff’s ffcie Communications Division and amend the budget accordingly. All present voting “Aye”. MOTION PASSED

**32471 AUTHORIZE PAYMENT TO WALMART FOR EXPENSES RELATED TO SUPPLIES AND MATERIALS FOR NATIONAL TELECOMMUNICATOR WEEK IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY.**

A purchase order was not obtained prior to purchases for supplies and materials needed for National Telecommunicator Week. A total of \$620.80 was spent at Walmart in one day, donations to the Communications Division are being used for expenses related to NTW. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize payment to Walmart for expenses related to supplies and materials for National Telecommunicator Week in which no purchase order was obtained as required per the County Purchasing Policy. All present voting “Aye”. MOTION PASSED

**32472 AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES- PARKS DIVISION TO PURCHASE AN OUTDOOR WATER FOUNTAIN FOR JACOB'S WELL NATURAL AREA AND AMEND BUDGET ACCORDINGLY.**

The Development and Community Services- Parks Division would like to purchase an outdoor water fountain for Jacob's Well Natural Area. There are currently no outdoor water sources for the public while visiting the preserve. The fountain will be installed near the nature center and is constructed of natural concrete/stone. The funds to cover the cost of the fountain, shipping and installation have been identified from the general supplies and maintenance and repair lines. Budget Amendment: 001-700-00.5201 General Supplies (\$1526) 001-700-00.5453 Maintenance and Repair (\$575) 001-700-00.5714 Misc. Capital Improvement \$2101. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to Authorize the Development and Community Services- Parks Division to purchase an outdoor water fountain for Jacob's Well Natural Area and amend budget accordingly. All present voting “Aye”. MOTION PASSED

**32473 AUTHORIZE PAYMENT TO CREDIT CARD SERVICES FOR EXPENSES RELATED TO PRE-TRIAL MATERIALS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY.**

The District Attorney's Office investigative division obtained photographic materials for trial preparations and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget pre-trial line item to fund this purchase. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment to Credit Card Services for expenses related to pre-trial materials in which no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting “Aye”. MOTION PASSED

**32474 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE ONE REPLACEMENT APC SMART-UPS AND RACK UNIT AND AMEND THE BUDGET ACCORDINGLY.**

Jeff McGill Director of Information Technology spoke. The IT Department would like to purchase one UPS and Rack Unit for new Servers that require 230-volt power. This server will be used to virtualize the current Odyssey servers which will require the UPS installed before deployment. The additional funds needed for this purchase have been identified within their operating budget. Budget Amendment: Increase Comp Eqpt .5712\_400 - \$1,300 Decrease Eqpt Maint .5411 - \$300 Decrease Cont Ed .5551 - \$1,000. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Information Technology



Department to purchase one replacement APC Smart-UPS and Rack Unit and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32475 ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 6 TO THE PROFESSIONAL SERVICE AGREEMENT WITH REYNOLDS, SMITH AND HILLS CS, INCORPORATED FOR THE FM 1626 NORTH PROJECT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP FROM \$2,600,000.00 TO \$2,650,000.00.**

Additional money is to assist with FM 1626 North Construction Contract items. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Supplemental Agreement No. 6 to the Professional Service Agreement with Reynolds, Smith and Hills CS, Incorporated for the FM 1626 North project in Hays County, increasing the Compensation Cap from \$2,600,000.00 to \$2,650,000.00. All present voting "Aye". MOTION PASSED

**SUB-742; REPLAT OF LOT 19, HILL COUNTRY ESTATES SECTION 3. DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; HOLD A PUBLIC HEARING.**

Judge Cobb opened the public hearing at 10: 13a.m. Judge Cobb closed the public hearing at 10:17 a.m. Marcus Pacheco, County Planner spoke. Sharon Teal resident of San Marcos spoke. Clint Garza, Director of Development and Community Services spoke. Hill Country Estates Section 3 is a recorded subdivision located off of Hugo Road in Precinct 3. The proposed re-plat will divide the 5.60 acre lot 19 into 2 lots. Water service will be provided by rain water collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **No Action Taken.**

**Clerk's Note Re: Item 15 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 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HUMAN RESOURCES DEPARTMENT. POSSIBLE ACTION MAY FOLLOW.**

Court convened into Executive Session at 10: 38 a.m. and reconvened into open court at 11:18 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conly, Commissioner Whisenant, Judge Cobb, and Chief of Staff Lon Shell. No Action Taken.

**Clerk's Note Re: Item 17 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. Drought Index at 186 and the burn ban will remain lifted.

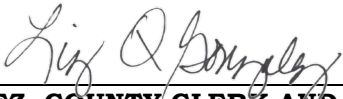
**Clerk's Note Re: Item 19 DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. -WAS PULLED**

## ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:22 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 2, 2017.



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

HAYS COUNTY COMMISSIONERS' COURT MINUTES -MAY 2, 2016



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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 9<sup>th</sup> DAY OF MAY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

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

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

**PUBLIC COMMENTS**

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

**32477 APPROVE PAYMENT OF COUNTY INVOICES**

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

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

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

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

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

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

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



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

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

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

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

**32483 APPROVE UTILITY PERMITS**

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

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

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

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

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

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

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





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32487

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

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

32488

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

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

32489

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

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

32490

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



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

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

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

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

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

**Clerk’s Note Re: Item 18 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. -WAS PULLED**

**Clerk’s Note Re: Item 19 DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW.-WAS PULLED**

**DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.**

Judge Cobb gave an update on the burn ban. The drought index is at 252 and the burn ban will remain lifted.

**Clerk’s Note Re: Item 21 DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. WAS PULLED**

**ADJOURNMENT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adjourn court at 10:09 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS’ COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners’ Court on May 9, 2017.

*Liz Q Gonzalez*

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





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**HAYS COUNTY, TEXAS**





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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:

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.

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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 May 16, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 30<sup>th</sup> DAY OF MAY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COMMISSIONER PCT. 4, RAY O. WHISENANT JR. BEING ABSENT 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 OF HAYS COUNTY SERVICE AWARDS

Acting Human Resources Director, Shari Miller, gave presentation of Hays County Service Awards. 5-Years – Henry Alvarez – Building Maintenance. 10-Years – Clinton Pulpan – Sheriff's Office. 15-Years – Wes Mau – District Attorney, Kharley Smith – Office of Emergency Services. 20-Years – Herman Adair – Sheriff's Office. Retirement – Starlene Varnell and Nancy Heathman. Jenifer O'Kane, Tax Assessor/Collector Assistant spoke.

#### RECOGNITION OF COURTNEY GOSS AS THE RECIPIENT OF THE HOMETOWN HERO AWARD AT THE 2017 TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT CONFERENCE

Kharley Smith, Director of Emergency Management Director, spoke. Courtney Goss was recently honored at the Texas Division of Homeland Security Conference in San Antonio as the first ever recipient of the Hometown Hero Award for her leadership and volunteer efforts during the Memorial Weekend Flood of 2015. Courtney showed great strength and commitment to her community during that event and has since deployed across the State to offer training and assistance to other jurisdictions in disasters.

#### PUBLIC COMMENTS

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

#### 32516 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve payments of county invoices in the amount of \$4,588,689.54 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

#### 32517 APPROVE COMMISSIONERS COURT MINUTES OF MAY 16, 2017

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approve Commissioners Court Minutes of May 16, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### 32518 APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Permit #1021 on Centerpoint Rd. issued to CenturyLink, Permit #1022 on Coach House Rd. issued to WTCPUA, and Permit #1023 on Falconwood Dr. issued to PEC as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

#### 32519 AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET FOR TRAVEL RELATED EXPENSES

Additional funds are needed to replenish the department's toll tags for emergency related meetings outside of the County. Savings within their operating budget are available to fund this request. Budget Amendment: Increase Travel - \$500 Decrease Computer Eqpt. - (\$144) Decrease Cont. Ed. - (\$356). A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Office of Emergency Services Operating Budget for travel related expenses. All present voting "Aye". MOTION PASSED



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**32520 AMEND VARIOUS JUSTICE OF THE PEACE OPERATING BUDGETS FOR INCREASES IN EXPENSES RELATED TO JURY TRIALS**

Additional funds are needed for four JP Offices for increases in expenses related to jury trials. Possible funding source County-Wide contingences. Budget Amendment: Increase JP 2 - \$1,750 Increase JP 3 - \$ 500 Increase JP 4 - \$ 300 Increase JP 5 - \$ 800 Decrease Co-Wide Contingencies - (\$3,350). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend various Justice of the Peace Operating Budgets for increases in expenses related to Jury Trials. All present voting "Aye". MOTION PASSED**

**32521 ACCEPT THE 2016 HAYS COUNTY ESD #3 AUDIT REPORT**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to accept the 2016 Hays County ESD #3 Audit Report. All present voting "Aye". **MOTION PASSED**

**32522 ACCEPT THE 2016 CALDWELL HAYS ESD #1 AUDIT REPORT**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to accept the 2016 Caldwell Hays ESD #1 Audit Report. All present voting "Aye". **MOTION PASSED**

**32523 AUTHORIZE THE DISTRICT CLERK'S OFFICE TO UTILIZE SALARY SAVINGS TO INSTALL AN INTERIOR OFFICE WINDOW AND AMEND THE BUDGET ACCORDINGLY**

The District Clerk's Office has received a quote from Building Maintenance to install an interior window in an existing office. This would enhance oversight of the office staff by the supervisor and improve functionality within our office structure. Salary savings within the District Clerks' operating budget will be moved to the Building Maintenance budget to fund this request. Budget Amendment: Increase Bldg. Maint. & Repair - 001-695-00.5451 Decrease District Clerk Staff Salary - 001-609-00.5021. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the District Clerk's Office to utilize salary savings to install an interior office window and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32524 ADOPT A RESOLUTION IN SUPPORT OF HAYS COUNTY'S PARTICIPATION IN THE TEXAS EMERGENCY MANAGEMENT ASSISTANCE TEAM**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to adopt a Resolution in support of Hays County's participation in the Texas Emergency Management Assistance Team. All present voting "Aye". **MOTION PASSED**

**32525 AUTHORIZE EXECUTION OF THE 6<sup>TH</sup> AMENDED AND RESTATED RESOLUTION REGARDING AUTHORITY OF EX OFFICIO ROAD COMMISSIONERS**

This proposed amendment delegates authority to Commissioners for selection of certain professional services estimated to cost \$75,000 or less. A negotiated contract would still need to come to Court for consideration. Any proposed word estimated to cost more than \$75,000 would come to Court twice, once for affirmation of the selected firm, and again after a contract is negotiated. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize execution of the 6<sup>th</sup> Amended and Restated Resolution regarding authority of Ex Officio Road Commissioners. All present voting "Aye". MOTION PASSED**

**32526 AMEND THE HAYS COUNTY PURCHASING POLICY, EFFECTIVE IMMEDIATELY**

Since the Purchasing Policy was last amended in 2011, it is time to update many provisions to reconcile them with County practices. The changes also reflect a need to modify certain practices to ensure strict compliance with the Act. A redline of the changes may be found in backup. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend the Hays County Purchasing Policy, effective immediately. All present voting "Aye". MOTION PASSED**



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**32527 AMEND THE COURT REPORTER'S SERVICE FEE FUND FOR REVENUE AND EXPENDITURES RELATED TO TRANSCRIPTION SERVICES IN THE HAYS COUNTY DISTRICT COURTS**

Court fees are collected and deposited in the Court Reporter's Service Fee Fund per Texas Government Code 51.601(a). These funds may be used for costs associated with court reporter transcription services. Budget Amendment: Increase Revenue - .4401\_608 Increase Expense - .5445. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend the Court Reporter's Service Fee Fund for Revenue and Expenditures related to transcription services in the Hays County District Courts. All present voting "Aye". MOTION PASSED**

**32528 APPROVE A WAIVER OF PENALTY AND INTEREST FOR PROPERTY TAX ACCOUNTS R42080 AND R42081 PURSUANT TO SECTION 33.011 OF THE TAX CODE**

The Tax Office has received an email from Mr. Brent Lee requesting the waiver of penalty and interest due to the fact that the appraisal district failed to pick up the new owners mailing address from the deed which was properly recorded. Mr. Valle, Chief Appraiser, has sent a letter to the tax office informing the County of the error. Tax Code Sec 33.011 provides for the waiver if an act or omission of an employee of the appraisal district resulted in the taxpayer's failure to pay the tax before delinquency. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve a Waiver of Penalty and Interest for property tax accounts \$42080 and R42081 Pursuant to Section 33.011 of the Tax Code. All present voting "Aye". MOTION PASSED**

**32529 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT WITH COBB FENDLEY & ASSOCIATES FOR PROFESSIONAL UTILITY ENGINEERING AND COORDINATION SERVICES FOR THE FM 110 AND IH-35 @ POSEY ROAD PROJECTS IN HAYS COUNTY AS PART OF THE PARTNERSHIP PROGRAM**

Laura Harris, of HNTB, spoke. FM 110 projects requiring additional utility engineering and utility coordination services as well as IH-35@Posey Road requiring additional utility coordination services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental Agreement No. 2 to the Professional Service Agreement with Cobb Fendley & Associates for Professional Utility Engineering and Coordination Services for the FM 110 and IH-35 @ Posey Road Projects in Hays County as part of the Partnership Program. All Present Voting "Aye". MOTION PASSED**

**32530 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT WITH COBB FENDLEY & ASSOCIATES FOR PROFESSIONAL UTILITY ENGINEERING AND COORDINATION SERVICES FOR THE FM 1626 SOUTH PROJECT IN HAYS COUNTY AS PART OF THE PASS-THROUGH FINANCE PROGRAM**

FM 1626 South project requiring additional utility engineering and coordination services. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Supplemental Agreement No. 3 to the Professional Service Agreement with Cobb Fendley & Associates for Professional Utility Engineering and Coordination Services for the FM 1626 South Project in Hays County as part of the Pass-Through Finance Program. All present voting "Aye". MOTION PASSED**

**32531 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON SAWYER RANCH ROAD BETWEEN BELTERRA DRIVE AND COOL SPRING WAY, ALSO KNOWN AS THE ENTRANCE TO HIGHPOINTE SUBDIVISION**

Judge Cobb opened the Public Hearing. Anne Swanks spoke. Judge Cobb closed the Public Hearing. 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 from Belterra Drive to Cool Spring Way, which is the entrance to Highpointe subdivision. Jerry Borcharding, County Engineer and Transportation Director, gave staff recommendation. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to establish traffic regulations on Sawyer Ranch Road between Belterra Drive and Cool Spring Way, also known as the entrance to Highpointe Subdivision. All present voting "Aye". MOTION PASSED**



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**32532 HOLD A PUBLIC HEARING TO ESTABLISH A SCHOOL ZONE SPEED LIMIT OF 20 MPH ON DACY LANE FOR MCCORMICK MIDDLE SCHOOL**

Judge Cobb opened the Public Hearing. No public input was received. Judge Cobb closed the Public Hearing. 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 establish a School Zone Speed Limit of 20 MPH on Dacy Lane for McCormick Middle School. All present voting "Aye". MOTION PASSED**

**32533 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADVANCED FUNDING AGREEMENT AMENDMENT #1 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FITZHUGH ROAD SAFETY PROJECT, CSJ #0914-33-070**

This would amend the original AFA which was executed on August 29, 2016. The changes included in this amendment consist of (1) Hays County is responsible for any cost overruns related to this project. (2) The State indirect costs have been reduced to 5.27% from the original rate of 6.38%. (3) Language changes for sections 22, and 23 of the original, noting changes to regulation in regards to auditing and the federal non-discrimination acts. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute an Advanced Funding Agreement Amendment #1 with the Texas Department of Transportation for the Fitzhugh Road Safety Project, CSJ #0914-33-070. All present voting "Aye". MOTION PASSED**

**32534 ACCEPT LETTER OF CREDIT NO.1148527 FOR STREET AND DRAINAGE IMPROVEMENTS FOR CALITERRA SUBDIVISION PHASE 2 SECTION 7 IN THE AMOUNT OF \$785,766.74**

Jerry Borcharding, County Engineer and Transportation Director, gave staff recommendation. Caliterra Phase 2, Section 7 is a proposed 118 lot segment, across 56.734 acres, in the master planned Caliterra Subdivision. Water and wastewater services will be provided by the City of Dripping Springs. 61B188B215B242B The final plat for the Caliterra Phase 2, Section 7 has 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 Ingalsbe, seconded by Commissioner Jones to accept Letter of Credit No. 1148527 for Street and Drainage Improvements for Caliterra Subdivision Phase 2 Section 7 in the amount of \$785,766.74. All present voting "Aye". MOTION PASSED**

**32535 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH COSTELLO INC., TO PROVIDE ENGINEERING SERVICES IN REGARDS TO THE DRAINAGE CONDITIONS NEAR THE INTERSECTION OF HORACE HOWARD AND CR 266, AND AMEND THE BUDGET ACCORDINGLY**

Costello Inc. will, if approved, perform a drainage study for the area near the intersection of Horace Howard and CR266 to determine what methods may best improve the drainage conditions along the roadway and on the County owned properties adjacent to the roadway. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$25,500.00 Increase Contract Services Consultant: .5448\_008 - \$25,500.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement with Costello Inc., to provide engineering services in regards to the drainage conditions near the intersection of Horace Howard and CR 266, and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32536 ACCEPT FISCAL SURETY IN THE FORM OF SUBDIVISION BOND NO.1854955 FOR STREET AND DRAINAGE IMPROVEMENTS FOR WINDY HILL SUBDIVISION - 11 ACRES IN THE AMOUNT OF \$871,581.23**

Jerry Borcharding, County Engineer and Transportation Director, gave staff recommendation. Windy Hill Subdivision - 11 Acres is a 40 lot subdivision acres, across 11.0 acres, that fronts along Windy Hill Road. Water will be provided by GoForth SUD and wastewater will be accomplished by the Windy Hill Utility District. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept Fiscal Surety in the form of Subdivision Bond No. 1854955 for Street and Drainage Improvements for Windy Hill Subdivision – 11 acres in the amount of \$871,581.23. All present voting "Aye". MOTION PASSED**



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**32537 SUB-680 ESCONDIDA RANCH (19 LOTS) APPROVE FINAL PLAT; ACCEPT LETTER OF CREDIT NO. 101148940-1 FOR STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$671,301.50**

Marcus Pacheco, Hays County Planner, gave staff recommendation. The proposed Escondida Ranch is a 19 lot subdivision across 276.09 acres located off of RM 3237 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 Conley, seconded by Commissioner Jones to approve final plat for SUB-680 Escondida Ranch (19 Lots); accept Letter of Credit No. 101148940-1 for Street and Drainage Improvements in the amount of \$671,301.50. All present voting "Aye". MOTION PASSED**

**32538 SUB-256 CALITERRA PHASE 1 SECTION 5 (1 LOT) APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NUMBER 1148527 FOR STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$52,749.00**

Marcus Pacheco, Hays County Planner, gave staff recommendation. The preliminary plan for the Caliterra subdivision was approved by the Commissioners Court on April 22, 2014 and consists of 675 lots over 551.77 acres on RR 12 at FM 150 in Precinct 4. This section contains 1 lot across 38.7 acres. Water service to the subdivision will be provided by Dripping Springs Water Supply Corporation and public wastewater service will be provided by the City of Dripping Springs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve final plat for SUB-256 Caliterra Phase 1 Section 5 (1 Lot); accept Construction Bond Number 1148527 for Street and Drainage Improvements in the amount of \$52,749.00. All present voting "Aye". MOTION PASSED**

**32539 CALL FOR A PUBLIC HEARING ON JUNE 27, 2017 TO DISCUSS THE CANCELLATION OF LOT 2 IN THE EDWARDS RANCH SUBDIVISION**

The Edwards Ranch subdivision is a 2 lot recorded subdivision located off Bridle Path in Pct. 4. The subdivision was recorded in 1999. The owner of lot 2 now wishes to cancel the 40 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Judge Cobb, seconded by Commissioner Conley to call for a Public Hearing on June 27, 2017 to discuss the Cancellation of Lot 2 in the Edwards Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32540 AUTHORIZE THE SHERIFF'S OFFICE TO CONTRACT WITH DODSON HOUSE MOVING FOR SERVICES RELATED TO THE RELOCATION OF TWO TRAINING BUILDINGS AND AMEND THE BUDGET ACCORDINGLY**

Sheriff's Office, Captain, Mike Davenport, spoke. The Sheriff's Office would like to contract with Dodson House Moving to relocate two training buildings. With the upcoming expansion and renovation of the Jail Facility, the two portable training buildings need to be relocated to a different location at the Sheriff's Office in order to accommodate the construction company's need to perform "Site Work" for drainage. The Sheriff respectfully requests the Courts permission to utilize funds that were budgeted during the FY 2017 budget process in County Wide (\$500k) for miscellaneous capital improvements for the Jail as needed. To date a total of \$73,570 has been used leaving a balance of \$426,430 available for this purchase. Budget Amendment: Decrease Co Wide Misc. Capital Improvements - 001-645-00.5741 Increase SO Misc. Capital Improvements - 001-618-00.5741. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the Sheriff's Office to contract with Dodson House Moving for Services related to the relocation of two training buildings and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32541 AUTHORIZE THE COUNTY CLERK TO RE-GRADE AND RE-TITLE THE CHIEF DEPUTY CLERK, SLOT 0405-003 (GRADE 111) TO ASSISTANT COUNTY CLERK (GRADE 113) TO INCLUDE A 6% SALARY INCREASE EFFECTIVE JUNE 1, 2017**

County Clerk, Liz Gonzalez, and Shari Miller, Acting Human Resources Director, spoke. The County Clerk is requesting a re-grade, re-title and salary increase for the current Chief Deputy Clerk, slot 0405- 003. This position is relied on during the Elected Official's absence, is proficient in all areas of the office and cross trains all other positions. Salary savings within their operating budget are available to fund this request. Annualized Fiscal Impact: \$3,614 Fiscal Year 2017 Impact: \$1,205. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Clerk to re-grade and re-title the Chief Deputy Clerk, Slot 0405-003 (grade 111) to Assistant County Clerk (Grade 113) to include a 6% Salary Increase effective June 1, 2017. All present voting "Aye". MOTION PASSED**

**32542 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 3 BETWEEN HAYS COUNTY AND GERLOFF**



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**COMPANY, INC. FOR WORK RELATED TO THE PIPE REPLACEMENT PROJECT AT THE HAYS COUNTY GOVERNMENT CENTER**

Clint Garza, Director of Development and Community Services, spoke. CO #3 Scope: (1) Flush all water lines at every fixture beginning on the 1<sup>st</sup> floor and continue through the 3<sup>rd</sup> floor. (2) Inspect and reinstall supply stops as necessary. (3) Replace all aerators, excluding judge’s chambers. (4) Flush drinking fountains and chlorinate for 24 hours. Costs incurred under this change order will be reimbursed by County Insurance and have been approved by TAC. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Change Order Authorization No. 3 between Hays County and Gerloff Company, Inc. for work related to the Pipe Replacement Project at the Hays County Government Center. All present voting “Aye”. MOTION PASSED**

**32543 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 17 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR WORK RELATED TO THE RENOVATIONS AT THE COUNTY OWNED FACILITY AT 200 STILLWATER, IN PRECINCT 3**

Commissioner Conley and Clint Garza, Director of Development and Community Services, spoke. The original roof at the new Precinct 3 facility is in need of patching to repair leaks found in recent rainfall events. Throughout construction, two other spots on the roof were patched, however the most recent repair is estimated to cost between \$6000-\$8000. Staff proposes replacing the existing roof now, out of project savings, rather than request replacement in the upcoming 3-4 budget cycles and risk another leak causing damage to the newly finished interior of the facility. CO #17 Scope: (1) Removed wet roof insulation. (2) Install new 1/4” Densedeck Coverboard over existing roof. (3) Install new 60 mil white TPO roof membrane. (4) Properly tie into existing walls. (5) Install new perimeter edge metal. (6) Flash existing roof top units. (7) Heat weld all seams. **A motion was made by Commissioner Conley, , seconded by Commissioner Jones to authorize the County Judge to execute Change Order Authorization No. 17 between Hays County and Wood and Thomason Construction, LP for work related to the renovations at the County owned facility at 200 Stillwater, in Precinct 3. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #31 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**

**Clerk’s Note Agenda Item #32 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**

Drought Index at 310. Burn ban will remain lifted.

**Clerk’s Note Agenda Item #34 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 Ingalsbe to adjourn court at 9:56 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 30, 2017.



*Liz Q Gonzalez*

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







STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 6<sup>th</sup> DAY OF JUNE A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Jim Lanning 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.

#### PUBLIC COMMENTS

Dan Lyon – San Marcos resident, Matt Ocker – Buda resident, Sam Brannon – San Marcos resident, Cristin Hearne – Austin resident, Brian McAuliffe – San Marcos resident, Sara Lee Underwood Myers – San Marcos resident, David Crowell – Kyle resident, Katie Brewer – Driftwood resident, Ida Miller – San Marcos resident and representing the League of Women Voters, Ashley Whittenberger – Dripping Springs resident, Naomi Narvaiz – San Marcos resident, Pat Chisholm – Buda resident, and Trent Pool - spoke.

#### 32544 ADOPT A PROCLAMATION DECLARING JUNE 15, 2017 AS ELDER ABUSE AWARENESS DAY IN HAYS COUNTY

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring June 15, 2017 as Elder Abuse Awareness Day in Hays County. All present voting "Aye". MOTION PASSED

#### 32545 ADOPT A PROCLAMATION DECLARING JUNE 2017 AS JUNETEENTH MONTH IN HAYS COUNTY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation declaring June 2017 as Juneteenth Month in Hays County. All present voting "Aye". MOTION PASSED

#### 32546 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 \$1,460,143.63 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### 32547 APPROVE COMMISSIONERS COURT MINUTES OF MAY 30, 2017

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of May 30, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### 32548 AUTHORIZE COMMERCIAL OSSF PERMIT AT 13701 TRAUTWEIN RD, AUSTIN, TX 78737

Tommy and Jana Gillis of DMG Holdings, LLC are proposing an OSSF to serve a 13-bedroom group home located at 13701 Trautwein Road. The system will serve up to 16 residents and up to 4 staff members. This is a 9.58-acre property that will be served by a private well. The system designer, Stan Burrier, P.E., has designed a system which consist of standard treatment. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield at a maximum daily rate of 840 gallons. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 13701 Trautwein Rd., Austin, TX 78737. All present voting "Aye". MOTION PASSED



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**32549 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JOE FAULKNER TO ATTEND THE NATIONAL HOMELAND SECURITY CONFERENCE IN BUFFALO, NY**

On March 21, 2017 Commissioner's Court approved Out of state travel for Lt. David Burns to attend the National Homeland Security Conference in Buffalo, New York. However, due to unforeseen circumstances Lt. Burns is not able to attend. The Sheriff's Office would like for Lt Joe Falkner to attend the National Homeland Security Conference on June 6-8, 2017 in his place. This conference is where Law Enforcement, Public Safety and Intelligence personnel meet to discuss case studies and technologies when it comes to sharing information, training and prevention. Public and private partnerships will have a chance to connect and share best practices with those that are tasked with keeping our nation safe. Lt. Faulkner will have the opportunity to network with Homeland Security professionals, Emergency Managers, representatives from Local, State and Federal Government as well as subject matter experts from the private sector. Registration, travel expenses and per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. Austin Regional Intelligence Center will reimburse the county for all expenses incurred. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve out of state travel for Lieutenant Joe Faulkner to attend the National Homeland Security Conference in Buffalo, NY. All present voting "Aye". MOTION PASSED**

**32550 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permit #1024 on Sawyer Ranch Road issued to Frontier Communications as recommended by the Transportation Department. All present voting "Aye". MOTION PASSED

**32551 AMEND THE JUSTICE OF THE PEACE, PRECINCT 3 OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO COURT PERSONNEL AND LEGISLATIVE UPDATE CONFERENCES**

Additional funds are needed for conference registration, travel and meal per diems for the Justice of the Peace and Court Trainer to attend related conferences. Savings within their operating budget are available to fund this request. Budget Amendment: Increase Cont. Ed - \$490 Decrease Books - (\$200) Decrease Time Pymt Exp - (\$150) Decrease Memberships - (\$140). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Justice of The Peace, Precinct 3 operating budget for Continuing Education expensed related to Court Personnel and Legislative Update Conferences. All present voting "Aye". MOTION PASSED**

**32552 ACCEPT THE 2016 HAYS ESD #5 AUDIT REPORT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the 2016 Hays EDS #5 Audit Report. All present voting "Aye". MOTION PASSED

**32553 AUTHORIZE THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH CHEM-FREE ORGANIC PEST AND LAWN SERVICES FOR JACOB'S WELL NATURAL AREA NATURE CENTER**

The Development and Community Services- Parks Division would like to enter into an agreement with Chem-Free Organic Pest and Lawn Services for termite control services at JWNA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to sign an Agreement with Chem-Free Organic Pest and Lawn Services for Jacob's Well Natural Area Nature Center. All present voting "Aye". MOTION PASSED**

**32554 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE SHERIFF'S OFFICE FEDERAL DISCRETIONARY FUND, SHERIFF'S OFFICE JAIL COMMISSARY FUND, SHERIFF'S OFFICE FORFEITURE FUND AND CHAPTER 59 ASSET FORFEITURE REPORT, DISTRICT ATTORNEY'S OFFICE FORFEITURE FUND AND CHAPTER 59 ASSET FORFEITURE REPORT, AND THE JUSTICE OF THE PEACE PCT. 4 OFFICE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the delivery of the Internal Examination Reports for the Sheriff's Office Federal Discretionary Fund, Sheriff's Office Jail Commissary Fund, Sheriff's Office Forfeiture Fund and Chapter 59 Asset Forfeiture Report, District Attorney's Office Forfeiture Fund and Chapter 59 Asset Forfeiture Report, and the Justice of the Peace Pct. 4 Office. All present voting "Aye". MOTION PASSED



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**32555      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROGERS DESIGN SERVICES, PLLC TO PERFORM DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE RECONSTRUCTION PROJECT ON MT. GAINOR ROAD NEAR DRIPPING SPRINGS AND AMEND THE BUDGET ACCORDINGLY**

Transportation Director, Jerry Borcharding gave staff recommendation. If authorized, Rogers Design Service (RDS) will update the existing plan set for Mount Gainor Road to prepare it for construction by contract forces. RDS will also provide construction phase services, prepare letting documents (project manual, specifications, quantity takeoffs, etc.) and assist in relocation of utilities as needed. Remaining funds from the '06 bond issue are available to fund this request. Budget Amendment: Decrease .5611\_700 Increase .5621\_700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a Professional Services Agreement with Rogers Design Services, PLLC to perform Design and Project Management Services for the Reconstruction Project on Mt. Gainor Road near Dripping Springs and amend the Budget accordingly. All present voting "Aye". MOTION PASSED**

**32556      AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AGREEMENT #1 WITH COSTELLO INC., FOR ENGINEERING WORK ON THE FM 2770 PROJECT IN KYLE, TEXAS AND AMEND THE BUDGET ACCORDINGLY**

Transportation Director, Jerry Borcharding, gave staff recommendation. If authorized, this supplemental agreement provides for additional scope of work that has been requested by the Transportation Department. The original scope of work provided for the design of a 25-year storm event. It was found during that design that with assistance from TxDOT with traffic control that a 100-year storm event could be accommodated for a small increase in the construction price. This supplemental covers the additional design fees associated with the larger structure and the more complex traffic control plan. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$14,858.00 Increase Contract Services Consultant: .5448\_008 - \$14,858.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Supplemental Work Agreement #1 with Costello Inc., for engineering work on the FM 2770 Project in Kyle, Texas and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 10:04 a.m. and reconvened into open session at 10:19 a.m.**

**32557      APPROVE ADVANCE FUNDING AGREEMENT AMENDMENT NO. 3 BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE HAYS COUNTY-TXDOT PARTNERSHIP PROGRAM AND AUTHORIZE COUNTY JUDGE TO EXECUTE AMENDMENT NO. 3 ON BEHALF OF HAYS COUNTY**

Commissioners Conley spoke. On December 18, 2013, Hays County and the Texas Department of Transportation entered into an Advance Funding Agreement (AFA) which outlined the roles and fiscal responsibilities of both parties regarding the project development and construction of various roadway improvements included in the Hays County-TxDOT Partnership Program. The AFA was amended on August 12, 2014 to address changes to the RM 12 project and again on December 12, 2015 to address TxDOT assuming development responsibility for the I-35 northbound ramp project and expanding the scope of the project. The currently-proposed Amendment No 3 provides updated information regarding project costs for which the County is responsible. County funds have already been identified to adequately cover these updated project costs. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Advance Funding Agreement Amendment No. 3 between Hays County and the Texas Department of Transportation (TxDOT) for the Hays County TxDOT Partnership Program and authorize County Judge to execute Amendment No. 3 on behalf of Hays County. All present voting "Aye". MOTION PASSED**

**32558      ACCEPT A PROPOSAL WITH BOLDPLANNING, INC. TO ASSIST THE OFFICE OF EMERGENCY SERVICES WITH DEVELOPMENT OF A CONTINUITY OF OPERATIONS PLAN (COOP) AND AN EMERGENCY OPERATIONS PLAN (EOP) AND AMEND THE BUDGET ACCORDINGLY**

Kharley Smith, Director of Office of Emergency Management, spoke. The BOLDplanning.com system is a web based system that will be uniquely designed for the county's planning and preparedness requirements. The COOP module is designed to ensure that the county has addressed and identified the issues of relocation and protected its ability to continue to perform essential functions. The EOP module will help develop our Incident Command System allowing the county to respond more effectively to events by systematically developing standardized and integrated IOPs. The OES Director budgeted funds (\$80k) during the FY17 budget process to assist with the development of these plans. The additional \$3,600 needed will include software to assist with the accreditation process for the local Health Department as well as continuity of operations planning for each individual department within Hays County. Savings within the OES operating budget are available for the



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additional funds needed. Budget Amendment: Decrease .5461 - (\$1,057) Decrease .5429 - (\$2,543). The vendor is an approved contractor on the US General Services Administration (GSA) Federal Acquisition Service; contract number GS-35F-0301Y. Per Local Government Code, Sec. 271.103(a) A local government may purchase goods or services available under Federal supply schedules of the United States General Services Administration to the extent permitted by federal law. (b) A local government that purchases goods or services under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of the goods or services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to accept a Proposal with BOLDplanning, Inc. to assist the Office of Emergency Services with development of a Continuity of Operations Plan (COOP) and an Emergency Operations Plan (EOP) and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32559 MUTUALLY TERMINATE THE LEASE FOR COMMERCIAL DINING SPACE BETWEEN HAYS COUNTY AND BECERRA CORP. DBA THE MANSKE ROLL CAFÉ IN THE GOVERNMENT CENTER, LOCATED AT 712 SOUTH STAGECOACH TRAIL, SAN MARCOS, TEXAS AND SUBSTITUTE A VENDING MACHINE LEASE AGREEMENT**

General Counsel, Mark Kennedy, spoke. The Manske Roll Café has ceased providing food other than vending on the 1st floor of the Government Center. The lease will be mutually terminated and Becerra Corp.'s will enter into a Vending Machine Lease Agreement with Hays County to provide 3 vending machines on the 1st floor near the entrance to the café. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to mutually Terminate the Lease for Commercial Dining Space between Hays County and Becerra Corp., dba The Manske Roll Café in the Government Center, located at 712 South Stagecoach Trail, San Marcos, Texas and substitute a Vending Machine Lease Agreement. All present voting “Aye”. MOTION PASSED**

**32560 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 11:07 a.m. and reconvened into opened court at 11:27 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel, Mark Kennedy, Chief of Staff, Lon Shell, Tammy Crumley, Intern-Brandon Muniz, and David Baylor of LAN. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize General Counsel to issue a settlement policy for offers of possession and use agreements with incentive payments on FM110, as discussed in Executive Session. All present voting “Aye”. MOTION PASSED**

**32561 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 GW HASCHKE LANE IN PCT 3**

Court convened into Executive Session at 10:47 a.m. and reconvened into opened court at 11:07 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel, Mark Kennedy, Chief of Staff, Lon Shell a Tammy Crumley, Intern-Brandon Muniz, and David Baylor of LAN. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve counteroffers on Haschke Road of approximately 50% of market value for unencumbered land as reflected in the County’s Appraisals for Right of Way along Haschke Lane. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #19 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 – 246. The Burn Ban will remain lifted. Judge Cobb urged the residents to use extreme caution while conducting outdoor burning.

**Clerk’s Note Agenda Item #21 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*



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## ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adjourn court at 11:39 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 June 6, 2017.



*Liz Q Gonzalez*

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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 20<sup>th</sup> DAY OF JUNE A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb gave the invocation and led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**PUBLIC COMMENTS**

Dan Lyon – San Marcos resident, Abel Velasquez – San Marcos resident, made public comments.

**32562 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$4,588,689.54 as submitted by the County Auditor. All present voting “Aye”. MOTION PASSED

**32563 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 6, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of June 6, 2017 as presented by the County Clerk. All present voting “Aye”. MOTION PASSED

**32564 AUTHORIZE THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES TO ACCEPT A DONATION OF A 2004 KAWASAKI MULE AND TRAILER FROM WIMBERLEY FIRE RESCUE FOR USE BY THE HAYS COUNTY CERT ORGANIZATION AND AMEND THE BUDGET ACCORDINGLY**

The Hays County OES has received a donation of a Mule and a trailer for the use by the CERT team and its community activities. Estimated value of trailer \$500 and Mule \$2,000. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Hays County Office of Emergency Services to accept a donation of a 2004 Kawasaki Mule and Trailer from Wimberley Fire Rescue for use by the Hays County CERT Organization and amend the budget accordingly. All present voting “Aye”. MOTION PASSED

**32565 AUTHORIZE COMMERCIAL OSSF PERMIT AT 1570 SATTERWHITE RD., BUDA TX 78610**

Satterwhite Rd is proposing an OSSF to serve 9 gypsy tiny homes along with a bar/pavilion. This property is a 4.7 acre tract out of a total 7.9 acres of land from the Edward Burleson Survey. This property is served by a public water supply. The designer, Daniel Gonzalez, R.S. has designed a standard treatment system which consists of two drip irrigation fields. The system is designed to treat 1,000 gallons per day. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 1570 Satterwhite Rd., Buda, TX 78610. All present voting “Aye”. MOTION PASSED

**32566 AUTHORIZE COMMERCIAL OSSF PERMIT AT 1906 PROCHNOW ROAD, DRIPPING SPRINGS, TX 78620**

Alex Worlow of Nomad Tiny Homes is proposing an OSSF to serve a 4500 square foot warehouse/shop that builds tiny homes. This system will serve up to 5 employees. This 11.626-acre tract of land will use rainwater



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collection as a potable water supply. The system designer, Stan Burrier, P.E., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 240 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 1906 Prochnow Road, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

### **32567 APPROVE UTILITY PERMITS**

Permit Road Name Utility 1025 Winters Mill Parkway Zayo Group/RMWT (fiber optic line) 1026 Knox Drive (Hillside Terrace subd) Goforth SUD (water line) 1027 Rohde Road Goforth SUD (water line) 1028 Engelke Road Goforth SUD (water line) 1029 Schubert Lane Goforth SUD (water line) 1030 Rocking M Road (Dove Hollow Estates subd. SLP Cable (cable TV line) **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit #1025 on Winters Mill Parkway issued to Zayo Group/RMWT, Permit #1026 on Knox Drive issued Goforth SUD, Permit 1027 on Rohde Road issued to Goforth SUD, Permit #1028 on Engelke Road issued to Goforth SUD, Permit #1029 on Schubert Lane issued to Goforth SUD and Permit #1030 on Rocking M Road issued to SLP Cable as presented by the Transportation Department. All present voting "Aye". MOTION PASSED**

### **32568 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE A NEW SWINGLINE 175X SHREDDER UTILIZING DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY**

The District Attorney's Office is in need of an additional heavy duty shredder for their administrative staff. The current shredder is not functional for large jobs. The Swingline 175X Shredder features a cross-cut shred for confidentiality and durable cutters that slice through CDs, paper clips and staples allowing for more efficient purging of files. DA Drug Forfeiture Funds are available to fund this request. Increase .5711\_400 Office Eqpt., Reduce .5436 Expert Witness. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the District Attorney's Office to purchase a new Swingline 175X Shredder utilizing Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

### **32569 AUTHORIZE COMMERCIAL OSSF PERMIT AT 8995 FM 150, DRIFTWOOD, TX**

Tamra and Travis Tindol are proposing an OSSF to serve a restaurant at 8995 FM 150 in Precinct 3. This on-site sewage facility will completely replace the two existing OSSF's on the property. This property is 2.33 acres in size and water will be supplied by a public water supply well on the property. The system designer, David McGhee, R.S. has designed a non-standard treatment system consisting of a grease trap, trash tank, equalization tank, and a Bio Microbics High Strength treatment unit. After treatment, the effluent will be dispersed through a Drip Tech control unit to a drip irrigation field for a maximum daily rate of 1123 gallons. The system was oversized to accommodate 1800 gallons per day but the establishment will be limited to 1123 gallons based on Hays County rules that limit gallons per day per acre. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 8995 FM 15, Driftwood, TX. All present voting "Aye". MOTION PASSED**

### **32570 AMEND THE JUVENILE PROBATION OFFICE OPERATING BUDGET FOR ADDITIONAL TRAVEL FUNDS RELATED TO THE SPECIAL NEEDS DIVERSIONARY PROGRAM**

Additional travel funds are needed for the Juvenile Probation Officer that oversees the Special Needs Diversionary Program due to a shortage in the Juvenile Probation fleet. This program provides specialized supervision for mental health juveniles in order to rehabilitate juvenile offenders and prevent them from penetrating further into the criminal justice system. Savings within the operating budget have been identified to fund this request. Budget Amendment: Decrease Youth Services 001-686-00.5360, Increase Travel 001-686-00.5501. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend the Juvenile Probation Office Operating Budget for additional travel funds related to the Special Needs Diversionary Program. All present voting "Aye". MOTION PASSED**

### **32571 AWARD IFB 2017-B05 REGULATORY ROAD SIGNS TO VULCAN SIGNS, PATHMARK TRAFFIC PRODUCTS OF TEXAS, INC., NSTS, LLC, AND OSBURN ASSOCIATES, INC. AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME**

Purchasing received 5 bids from Vulcan Signs, Pathmark Traffic Products of Texas, Inc., NSTS, LLC, Osburn Associates, Inc., and Custom Products Corporation. Pathmark Traffic Products of Texas, Inc. and Osburn



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Associates, Inc. are two of the five vendors that currently hold contracts and have performed the services satisfactorily. These contracts are due to expire on June 30, 2017. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to award IFB 2017-B05 Regulatory Road Signs to Vulcan Signs, Pathmark Traffic Products of Texas, Inc., NSTS, LLC and Osburn Associates, Inc. and authorize the County Judge to execute same. All present voting "Aye". MOTION PASSED**

**32572 APPROVE THE APPOINTMENT OF JOHN M. SHELLHORN AS A DEPUTY CONSTABLE FOR PRECINCT 3**

John started his career with Hays County 6 years ago as a Reserve Deputy, then found employment with Austin Community College. John holds an Intermediate Peace Officer license and has been a Licensed Peace Officer for 6 years. He meets all the criteria for this slot and has not had any disciplinary actions against him. 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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) ) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve the appointment of John M. Shellhorn as a Deputy Constable for Precinct 3. All present voting "Aye". MOTION PASSED**

**32573 REJECT ALL COMPETITIVE BIDS SUBMITTED FOR IFB 2017-B04 FLEET FUEL FOR TANKS AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.02**

On April 25, 2017 the Court authorized Purchasing to solicit for bids for Fleet Fuel for the above ground tanks at the Transportation and Sheriff's Departments. Two bids were received, however per gallon pricing is higher than the current vendor utilized through the Choice Partners Cooperative Contract. Staff recommends rejecting all bids received per LGC Sec. 262.027 and continue utilizing cooperative purchasing options. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to reject all competitive bids submitted for IFB 2017-B04 Fleet Fuel for tanks as authorized by Local Government Code Sec. 262.02. All present voting "Aye". MOTION PASSED**

**32574 AUTHORIZE THE SHERIFF'S OFFICE TO PROCURE A CREDIT CARD IN AN AMOUNT NOT TO EXCEED \$5,000, FROM THE COUNTY DEPOSITORY BANK**

The Sheriff's Office is requesting a Hays County credit card for making department purchases, travel reservations, and other miscellaneous expenses that would normally be charged to the Countywide credit card, held by the Purchasing Department. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to procure a credit card in an amount not to exceed \$5,000, from the County Depository Bank. All present voting "Aye". MOTION PASSED**

**32575 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH REGION VIII EDUCATION SERVICE CENTER TO BECOME A MEMBER WITH THE INTERLOCAL PURCHASING SYSTEM (TIPS) PROGRAM TO PROVIDE COOPERATIVE PURCHASING SERVICES FOR HAYS COUNTY**

The Interlocal Purchasing System (TIPS) Program is a free membership to state and local governments and non-profit organizations. TIPS is a national purchasing cooperative that offers access to competitively procured purchasing contracts to its members. The purpose of the TIPS Program is to obtain substantial savings for participating School Districts, Universities, Colleges, Community Colleges, Cities, Counties or Other Public Agencies through cooperative purchasing. TIPS is housed at and managed by the Region 8 Education Service Center located in Pittsburg, Texas. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute an Interlocal Agreement with Region VIII Education Service Center to become a member with the Interlocal Purchasing System (TIPS)**





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Program to provide Cooperative Purchasing Services for Hays County. All present voting "Aye".  
MOTION PASSED

**32576 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE BUSINESS ASSOCIATE CONTRACT WITH ZYWAVE, INC**

Hays County has let an RFP for health and dental benefits. Zywave, Inc. will conduct data analysis and alternate plan modeling on the bids abiding by the strict rules of HIPAA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute the Business Associate Contract with Zywave, Inc. All present voting "Aye". MOTION PASSED**

**32577 APPROVE RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES AGREEMENT WITH TEXPOOL**

We need to update our representatives on the TexPool Account since the retirement of our Accountant in the Tax Office. We are removing Nancy Heathman and adding Shauna Brace. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Resolution amending Authorized Representatives Agreement with TexPool. All present voting "Aye". MOTION PASSED**

**32578 SUB-806; MA MAISON (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 721.5.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS**

County Planner Marcos Pacheco spoke. The proposed Ma Maison Subdivision is a 2 lot subdivision across 22.72 acres along Bell Springs Road in Precinct 4. The subdivision will create one 19.23 acre lot with water service accomplished by a TCEQ water tank for water pumped and hauled from Dripping Springs Water Supply Corporation and one 3.49 acre lot with water service accomplished by an individual water well. Both lots will be served by individual on-site sewage facilities for their respective wastewater service. Section 721.5.07 of the Hays County Development Regulations establishes criteria for determining if a development can utilize an easement instead of constructing a County maintained road. This section states that only developments which will be used for single family residences only shall be permitted to utilize a shared access driveway as means of access to a regulated roadway. The owner is requesting that the proposed lot 1 be allowed to utilize a shared access driveway as means of access. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan and a grant a variance to Section 721.5.07 of the Hays County Development Regulations for SUB-806 Ma Maison (2 Lots). All present voting "Aye". MOTION PASSED**

**32579 SUB-694 BURNET RANCH SECTION 6 (4 LOTS) APPROVE PRELIMINARY PLAN AND FINAL PLAT**

County Planner Marcos Pacheco spoke. Staff gave recommendation. The proposed Burnet Ranch Section 6 Subdivision is a 4 lot subdivision across 14 acres located along Sandy Point Road & Circle Drive in Precinct 3. The subdivision will create three 3.60 acre lots and one 3.20 acre lot, each served by individual water wells and rainwater collection for water service. Wastewater service will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve preliminary plan and final plat for SUB-694 Burnet Ranch Section 6 (4 Lots). All present voting "Aye". MOTION PASSED**

**32580 SUB-742 REPLAT OF LOT 19, HILL COUNTRY ESTATES SECTION 3 APPROVE FINAL PLAT**

County Planner Marcos Pacheco spoke. Hill Country Estates Section 3 is a recorded subdivision located off of Hugo Road in Precinct 3. The proposed re-plat will divide the 5.60 acre lot 19 into 2 lots. Water service will be provided by rain water collection and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve final plat for SUB-742 Replat of Lot 19, Hill Country Estates Section 3. All present voting "Aye". MOTION PASSED**

**32581 APPROVE ASSESSMENT AND COLLECTION AGREEMENT WITH SPRINGHOLLOW MUNICIPAL UTILITY DISTRICT BEGINNING WITH THE 2017 TAX YEAR**



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Tax Assessor/Collector, Luanne Caraway, spoke. Springhollow Municipal Utility District held its election on May 6, 2017. At their May 17, 2017 meeting, the Board of Directors approved the Assessment and Collection Agreement between the District and Hays County. The agreement is in our standard form for assessing and collecting functions. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Assessment and Collection Agreement with Springhollow Municipal Utility District beginning with the 2017 Tax Year. All present voting "Aye". MOTION PASSED**

**32582      AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 3 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM**

Director of Development and Community Services, Clint Garza, spoke. The Development and Community Services Department would like to amend the current contract between the County and Cahaba Disaster Recovery, LLC to update the schedule of values to reflect the actual amount of debris removed from each site on the project. The project has reached completion for the most current phase and an updated bid schedule is necessary to close out the project. This will be a no cost change order and has no fiscal impact on the project. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order Authorization No. 3 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Hays County Flood Debris Removal Program. All present voting "Aye". MOTION PASSED**

**32583      AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE THE VACANT ROAD MAINTENANCE WORKER, SLOT 1080-009 AT THE 50<sup>TH</sup> PERCENTILE EFFECTIVE JUNE 26, 2017**

Jerry Borcharding, Transportation Director, requests the court approval to hire the vacant Road Maintenance Worker position at the 50th percentile. The candidate is a current county employee with prior experience that merits the salary exception request. His experience in operating heavy equipment, small equipment repair, knowledge of the county road system as well as his dedication and leadership qualities will greatly benefit the department. Salary savings (due to vacancies) within the department have been identified to fund this request. FY17 fiscal impact - \$2,048 Annualized impact - \$7,680. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Director to hire the vacant Road Maintenance Worker, Slot 1080-009 at the 50<sup>th</sup> Percentile effective June 26, 2017. All present voting "Aye". MOTION PASSED**

**32584      SUPPORT THE 2017 ANNUAL RAINWATER FESTIVAL**

Commissioner Whisenant spoke. The purpose of this event is to educate, promote and celebrate rainwater collection. The event will include a day-long schedule of presentations by professionals and users of rainwater from across Texas. There will be water conservation-related business vendor booths, rainwater system displays and experts to provide guidance, information and services. The level of Sponsorship will be determined in Court and the suggested source of funding would be the LCRA Fund. The County has sponsored this festival in the past. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to support the 2017 Annual Rainwater Festival with sponsorship at \$1,000 and booth space at \$200. All present voting "Aye". MOTION PASSED**

**32585      APPOINT COMMISSIONERS TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9), AND MATTERS RELATED THERETO**

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. Other matters related to ESD#9 may be discussed during this item. **A motion was made by Judge Cobb, seconded by Commissioner Ingalsbe to appoint Diane Hervoll as Commissioner to the Board of the newly-created Emergency Services District No. 9 (ESD #9), and matters related thereto. All present voting "Aye". MOTION PASSED**

**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*



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**Clerk's Note Agenda Item #26 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 – 387. Burn Ban will remain lifted. Judge Cobb urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

**Clerk's Note Agenda Item #28 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**

Court was adjourned at 9:41 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 June 20, 2017.



Handwritten signature of Liz Q. Gonzalez in cursive script.

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





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

**ON THIS THE 27<sup>TH</sup> DAY OF JUNE A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<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>CHRISTINE RODRIGUEZ</b>	<b>DEPUTY COUNTY CLERK</b>

**WITH COMMISSIONER PCT. 3, WILL CONLEY AND COMMISSIONER PCT. 4, RAY O. WHISENANT JR. BEING ABSENT 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 OF HAYS COUNTY SERVICE AWARDS**

Acting Human Resources Director, Shari Miller, gave presentation of Hays County Service Awards. Five Years: Maintenance Department: Maintenance Facility & Maintenance Manager - Vincent Logan Delgado, Sheriff Office: Sheriff Emergency Communications Officer- Andrew Bridwell, Sheriff Deputy- Chase Crow, Sheriff Mechanic-, Ladd Moering, Fifteen Years: Transportation Budget & Financial Manager- Janice Weber, Twenty Years: Transportation Road Maintenance Worker Senior- Ramon M. Pastrano, Retirement: Tax Customer Service Representative- Lynette Hall, Transportation Road Maintenance Worker Lead - Alberto Carreon, Transportation Subcontractor Coordinator- Joe P. Garza

### **PUBLIC COMMENTS**

Tom Darmstrande – Dripping Springs resident, Craig Young – Wimberley resident, Dr. Laura Pressley – Austin resident, James Keller – Wimberley resident, Sara Lee Myers – San Marcos resident, Sam Brannon – San Marcos resident, Dan Lyon – San Marcos resident, Jacob Montoya – San Marcos resident, Abbe Delozier – Dripping Springs resident, spoke.

### **32586 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner, Jones seconded by Commissioner Ingalsbe to approve payment of County invoices in the amount of \$783,666.73 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

### **32587 APPROVE COMMISSIONER COURT MINUTES OF JUNE 20, 2017**

A motion was made by Commissioner, Jones seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 20, 2017 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

### **32588 AUTHORIZE THE COUNTY JUDGE TO EXECUTE 2 COMMERCIAL LIGHTING RETROFIT PROGRAM APPLICATIONS TO THE CITY OF SAN MARCOS AS PART OF THE COUNTYWIDE ENERGY EFFICIENCY PROJECT AND AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR TO SUBMIT APPLICATIONS AND SUPPORTING DOCUMENTATION**

Requesting the approval of two Lighting Rebate Applications. One rebate in the amount of \$35,000 for the Government Center and the other rebate in the amount of \$11,875 for the Jail. These rebates will be rewarded to the County as a result of the lighting retrofits that will take place in both facilities as part of the Countywide Energy Upgrade Project. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to execute 2 Commercial Lighting Retrofit Program applications to the City of San Marcos as part of the Countywide Energy Efficiency Project and authorize the Development Services Director to submit applications and supporting documentation. All present voting "Aye". MOTION PASSED



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**32589      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG), REGIONAL SOLID WASTE GRANT PROGRAM, FOR UP TO \$16,700.00 IN FUNDING AWARDED FOR THE FORKLIFT REPLACED AT THE DRIFTWOOD RECYCLING CENTER AND AMEND THE BUDGET ACCORDINGLY**

On December 15, 2015 the Hays County Commissioners Court authorized submission of a grant application for funding in the amount of \$25,329.00 to the CAPCOG, FY2016-2017 Regional Solid Waste Grants Program for the acquisition of a new forklift to replace the failing 18+ year-old unit on site. Contract awards were made in early 2016 and the Hays County application, while scoring within the parameters of an eligible ranking, fell just outside the funding available for the CAPCOG Region, with only 11 projects from 25 applications approved. Savings have been accrued from the FY2016-2017 TCEQ Regional Solid Waste Grant Program biennium apportionment for the CAPCOG region, resulting in the availability of remaining funds. As has been the practice in preceding years, and as approved by both the Solid Waste Advisory Committee as well as the CAPCOG Executive Committee, funding has been offered to the next highest ranked and eligible application/applicant - in this case, Hays County. On January 24, 2017, the Commissioners Court approved internal County funding for purchase of a used forklift at Driftwood, as the prior machine had mechanical failure and was considered irreparable, with this piece of equipment necessary for operations at the site. As the grant funding was initially requested to replace the forklift at the site, we will now be able to recover the \$16,700.00 expended for acquisition of the used forklift. Budget Amendment: Increase Capital Contributions Increase Heavy Equipment\_Capital. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to execute an Interlocal Contract with the Capital Area Council of Governments (CAPCOG), Regional Solid Waste Grant Program, for up to \$16,700.00 in funding awarded for the forklift replaced at the Driftwood Recycling Center and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32590      APPROVE AND CONFIRM THE APPOINTMENT OF ROGER SANCHEZ AS A RESERVE DEPUTY FOR PRECINCT 3**

Roger Sanchez started with Austin Police in 1978 and after retiring, joined Texas Commission on Law Enforcement as the Credentials Agent for Peace Officer Licensing. Roger is currently with the Travis County Sheriff's Office as a Reserve Deputy. He is a good man and hard to come by as a Texas Peace Officer. 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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: 32B(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or 33B(2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approve and confirm the appointment of Roger Sanchez as a Reserve Deputy for Precinct 3. All present voting "Aye". MOTION PASSED**

**32591      AUTHORIZE COMMERCIAL OSSF PERMIT AT 18992 FM 150, DRIFTWOOD, TX 78619**

Cameron Cox is proposing an OSSF to serve 2 office/warehouse buildings. Each building will house up to six individual offices and will accommodate up to 24 employees and 6 customers. This property is 10.00 acres of Lot 4 in the J V Ash Jr Subdivision. Each building will be served by an individual rainwater collection system. The system designer, Daniel Balboa, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 240 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize Commercial OSSF Permit at 18992 FM 150, Driftwood, TX 78619. All present voting "Aye". MOTION PASSED**

**32592      AUTHORIZE COMMERCIAL OSSF PERMIT AT 3801 CREEK RD, DRIPPING SPRINGS, TX 78620**

Whit Hanks of Camp Lucy is proposing an OSSF to serve the Lucy House. This recently renovated house has three bedrooms with a total of six beds. This house is served by a private well. The system designer, Erin Banks, P.E., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-



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pressure pipe drainfield for a maximum daily rate of 360 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize Commercial OSSF Permit at 3801 Creek Rd, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**32593 APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF HEALTHCARE PROGRAM FUNDS FOR DY6 DELIVERY SYSTEM REFORM INCENTIVE POOL (DSRIP) MONITORING PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)**

A date for transfer of DY6 DSRIP Round 1, 1115 waiver funds was announced on June 16th. The transfer date deadline is July 2nd for a settlement date of July 3rd for: \$7,586.79 DY6 DSRIP Round 1 Monitoring funds IGT. 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. Monitoring payments are used for monitoring activities of the Texas 1115 waiver program as required by the State's agreement with the Centers for Medicaid Medicare Services (CMS). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approve the Intergovernmental Transfer (IGT) of Healthcare Program Funds for DY6 Delivery System Reform Incentive Pool (DSRIP) Monitoring payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

**32594 APPROVE SPECIFICATIONS FOR RFP 2017-P06 RESTORATION OF ANTIQUE WOODEN CABOOSE AT THE KYLE RAILROAD DEPOT AND HERITAGE CENTER AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

This RFP was previously advertised and issued on May 10, 2017 with a response deadline of 3:00 p.m. on June 8, 2017. No responses were submitted, therefore the Historical Commission Director requests that we advertise and reissue this RFP. Attachment: RFP 2017-P06. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve specifications for RFP 2017-P06 Restoration of Antique Wooden Caboose at the Kyle Railroad Depot and Heritage Center and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED**

**32595 APPROVAL TO REJECT ALL COMPETITIVE BIDS FOR IFB 2017-B06 A/C AND HEATING SERVICES AND REISSUE THE IFB AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.027(2)**

On April 18, 2017 the Court authorized Purchasing to solicit for bids for countywide A/C and Heating Services. Three bids were received, however the DC&S Director would like to include language specific to the type of systems the County utilizes and ensure proper certifications are outlined. Staff recommends rejecting all bids received per LGC Sec. 262.027 and reissuing the IFB at a later date once the changes to the specifications are completed. Attachment: IFB 2017-B06 bid tabulation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approval to reject all competitive bids for IFB 2017-B06 A/C and Heating Services and reissue the IFB as authorized by Local Government Code Sec. 262.027(2). All present voting "Aye". MOTION PASSED**

**32596 APPROVAL TO REJECT ALL COMPETITIVE BIDS SUBMITTED FOR IFB 2017-B07 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT AND REISSUE THE IFB AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.027(2)**

On April 25, 2017 the Court authorized Purchasing to solicit for bids for Dahlstrom Ranch Public Access Development. Four bids were received, however pricing varied considerably on several items. Staff recommends rejecting all bids received per LGC Sec. 262.027 and reissuing the IFB at a later date to allow changes to the specifications. IFB 2017-B07 bid tabulation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approve to reject all competitive bids submitted for IFB 2017-B07 Dahlstrom Ranch Public Access Development and reissue the IFB as authorized by Local Government Code Sec. 262.027(2). All present voting "Aye". MOTION PASSED**

**32597 AMEND THE JUSTICE OF THE PEACE, PRECINCT 5 OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO THE TEXAS JUSTICE COURT TRAINING CONFERENCE**

Additional funds are needed for conference registration, travel and meal per diems for the Justice of the Peace and Clerks to attend related conferences. Savings within their operating budget are available to fund this request. Budget Amendment: Increase Cont Ed Decrease Postage. **A motion was made by Commissioner**



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Jones, seconded by Commissioner Ingalsbe to Amend the Justice of the Peace, Precinct 5 operating budget for continuing education expenses related to the Texas Justice Court Training conference. All present voting “Aye”. MOTION PASSED

**32598 APPROVE SPECIFICATIONS FOR IFB 2017-B08 NORTHPOINT DRAINAGE IMPROVEMENTS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Approve specifications for IFB 2017-B08 Northpoint Drainage Improvements and authorize Purchasing Manager to solicit for bids and advertise. All present voting “Aye”. MOTION PASSED

**32599 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BULLETPROOF VEST PARTNERSHIP (BVP) PROGRAMS FOR UP TO \$ 36,750.00 TO ASSIST WITH THE PURCHASE OF BULLETPROOF VESTS FOR COUNTY LAW ENFORCEMENT PERSONNEL**

The grant application is for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. The application includes the needs for both new officers and the replacement of existing bulletproof vests and will be to replace vests within the next two years. We will be requesting up to 49 vests and the current cost of each vest is about \$750.00. The total amount of the grant is \$36,750 and the county match is 50% which is \$18,375.00. Matching funds may be allocated accordingly. Submission of the application is done electronically and is due on or before June 28, 2017. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to submit a grant application to the U.S. Department of Justice, Bulletproof Vest Partnership (BVP) Programs for up to \$ 36,750.00 to assist with the purchase of bulletproof vests for County law enforcement personnel. All present voting “Aye”. MOTION PASSED**

**32600 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL WORK AUTHORIZATION #1 WITH BOWMAN CONSULTING FOR ADDITIONAL WORK ON THE FM 150 CENTER TURN LANE PROJECT**

Commissioner Ingalsbe spoke. Jerry Borcharding, Director of Hays County Transportation Department spoke. Bowman Consulting will, if approved, incorporate design changes necessitated by the pending agreement with Lennar Homes in regards to the addition of turn lanes from FM 150 into newly constructed roads. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Supplemental Work Authorization #1 with Bowman Consulting for additional work on the FM 150 Center Turn Lane project. All present voting “Aye”. MOTION PASSED**

**32601 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BOWMAN CONSULTING TO PERFORM DESIGN SURVEY SERVICES ALONG WILLOW CREEK CIRCLE IN PRECINCT 3 AND AMEND THE BUDGET ACCORDINGLY**

If authorized, Bowman Consulting will perform a design survey to provide the basis for a study by County engineering staff to determine if any improvements can be made to the ROW to better convey storm flow through the area. Budget Amendment: Decrease .5351 Increase .5448\_008. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement with Bowman Consulting to perform design survey services along Willow Creek Circle in Precinct 3 and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32602 SUB-806; MA MAISON (2 LOTS) APPROVE FINAL PLAT**

Caitlyn Strickland, Hays County Planner spoke. The proposed Ma Maison Subdivision is a 2 lot subdivision across 22.72 acres along Bell Springs Road in Precinct 4. The subdivision will create one 19.23 acre lot with water service accomplished by a TCEQ water tank for water pumped and hauled from Dripping Springs Water Supply Corporation and one 3.49 acre lot with water service accomplished by an individual water well. Both lots will be served by individual on-site sewage facilities for their respective wastewater service. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve SUB-806; Ma Maison (2 lots) final plat. All present voting “Aye”. MOTION PASSED**



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**32603 SUB-794; NORTH BELTERRA COMMERCIAL REPLAT (12 LOTS) GRANT A VARIANCE FROM CHAPTER 721 - SECTION 5.05 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS**

Caitlyn Strickland, Hays County Planner spoke. North Belterra Commercial Replat is a 12 lot subdivision, across 65.44 acres. Water and wastewater services will be provided by the Hays County WCID #1. Lots 3G and 3F do not have independent access to HWY 290. Lots in this subdivision will utilize internal privately maintained driveways, rather than county regulated roadways. The developer wishes to establish an access easement from HWY 290 to the effected lots on this replat in order to grant access. The final plat for North Belterra Commercial Replat has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs. Final approval is pending the approval of this variance. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to grant a variance of SUB-794; North Belterra Commercial Replat (12 lots) from Chapter 721 - Section 5.05 of the Hays County Development regulations. All present voting "Aye".** MOTION PASSED

**32604 SUB-814; CANCELLATION OF LOT 2 IN THE EDWARDS RANCH SUBDIVISION; HOLD A PUBLIC HEARING**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. The Edwards Ranch subdivision is a 2 lot recorded subdivision located off Bridle Path in PCT 4. The subdivision was recorded in 1999. The owner of lot 2 now wishes to cancel the 40 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Cancel SUB-814; Cancellation of Lot 2 in the Edwards Ranch Subdivision and hold a public hearing. All present voting "Aye".** MOTION PASSED

**Clerk's Note: Court took a break at 10:15a.m. and returned into open session at 10:26 a.m.**

**32605 APPOINT COMMISSIONERS TO THE BOARD OF THE NEWLY-CREATED EMERGENCY SERVICES DISTRICT NO.9 (ESD#9), AND MATTERS RELATED THERETO**

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. Other matters related to ESD#9 may be discussed during this item. **A motion was made by Judge Cobb, seconded by Commissioner Jones to take action related to the appointment of Commissioners to the board of the newly-created Emergency Services District No.9 (ESD#9), and matters related thereto. All present voting "Aye".** MOTION PASSED

**32606 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE CURRENT ELECTRIC, INC. FOR ELECTRICAL SERVICES RELATED TO THE RELOCATION OF TWO PORTABLE TRAINING BUILDINGS AND AMEND THE BUDGET ACCORDINGLY**

Tom Hackney, CFM- Facilities Director of the Hays County Sheriff's Office spoke. The Sheriff's Office is requesting approval to utilize Current Electric to provide electrical services for two portable buildings. With the upcoming expansion and renovation of the Jail facility, the two portable training buildings need power once they are relocated to a different location at the Sheriff's Office. The Sheriff's Office requested quotes from 5 vendors and only received two responses; the remaining vendors are considered a no bid. The S.O. wishes to use Current Electric over Ted Breihan Electric due to availability. Attachment: Current Electric, Inc. Bid Proposal 5/12/17. The Sheriff's Office respectfully requests Court approval to utilize funds that were budgeted during the FY 2017 budget process in County Wide (\$500K) for miscellaneous capital improvements for the Jail as needed. Budget Amendment Decrease Co Wide Misc Capital Improvements - 001-645-00.5741 Increase S.O. Misc. Capital Improvements- 001-618-00.5741 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the Sheriff's Office to utilize Current Electric, Inc. for electrical services related to the relocation of two Portable Training Buildings and amend the budget accordingly. All present voting "Aye".** MOTION PASSED

**32607 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND MCCLENNAN COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES**

Sheriff Lieutenant Staff Sargent, Julie Villalpando spoke. This ILA will be utilized if and when the Hays County corrections inmate population exceeds capacity and no closer facility is available to receive transfer of the inmate(s). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and McClennan County for housing and care of Hays County corrections inmates. All present voting "Aye".** MOTION PASSED





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**32608      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND LIMESTONE COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES**

This ILA will be utilized if and when the Hays County corrections inmate population exceeds capacity and no closer facility is available to receive transfer of the inmate(s). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and Limestone County for housing and care of Hays County corrections inmates. All present voting "Aye". MOTION PASSED**

**32609      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE LOCKHART GLASS COMPANY FOR SERVICES RELATED TO THE REPLACEMENT OF TWO TRAINING BUILDING FIRE-RATED EXTERIOR DOORS AND AMEND THE BUDGET ACCORDINGLY**

Tom Hackney, CFM- Facilities Director of the Hays County Sheriff's Office spoke. The Sheriff's Office would like to contract with Lockhart Glass to replace two Fire-Rated Exterior Doors for the Training Academy Portable buildings. With the upcoming expansion and renovation of the Jail Facility, the two portable training buildings need to be secured at the Sheriff's Office in order to accommodate the construction company's need to perform "Site Work" for drainage. These doors are 20 years old and will not stay locked and secured. Maintenance has attempted to make repairs; however they are too loose and will not work properly. They are Hollow Core Metal doors and must be Fire-Proof for the protection of our staff. Attachment: Lockhart Glass Quote The Sheriff respectfully requests the Courts permission to utilize funds that were budgeted during the FY 2017 budget process in County Wide (\$500k) for miscellaneous capital improvements for the Jail as needed. Budget Amendment: Decrease Co Wide Misc Capital Improvements - 001-645-00.5741 Increase SO Misc Capital Improvements - 001-618-00.5741 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the Sheriff's Office to utilize Lockhart Glass Company for services related to the replacement of two training building fire-rated exterior doors and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32610      AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR TO APPROVE COURSES FOR HOMEOWNER MAINTENANCE OF ON-SITE SEWAGE FACILITIES**

Roxie McInnis, Development and Community Services Manager spoke. Clint Garza, Director of Development and Community Services spoke. Section 10.V(1) of the Hays County Rules for On-Site Sewage Facilities allows homeowners in Hays County to maintain their own OSSF if they have taken an Authorized Agent approved maintenance training course. This action will delegate the authority to approve those training courses from the Commissioners Court (the Authorized Agent) to the Director of Development & Community Services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the Development and Community Services Director to approve courses for homeowner maintenance of on-site sewage facilities. All present voting "Aye". MOTION PASSED**

**32611      AUTHORIZE THE COUNTY JUDGE TO ACCEPT AND SIGN A PROPOSAL FROM KRE GROUP TO INSTALL FOOTINGS AND FOUNDATION FOR DAHLSTROM NATURE PRESERVE VISITOR CENTER AND AMEND THE BUDGET ACCORDINGLY**

Studio Shed is the selected and approved manufacturer for the Dahlstrom Ranch Nature Preserve visitor center. Prior to installation of the center a pier and beam foundation will need to be constructed. KRE Group is the only authorized installer in Texas for Studio Shed and the attached proposal is being presented for the Judge's signature. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to accept and sign a proposal from KRE Group to install footings and foundation for Dahlstrom Nature Preserve Visitor Center and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32612      ACTION TO APPOINT JANE HUGHSON, CITY OF SAN MARCOS COUNCIL MEMBER TO REPRESENT HAYS COUNTY ON THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO)**

Hays County currently has a vacant position on the Board. Jane Hughson is currently serving as Mayor Pro Tem for the City and has previous experience serving on various boards. Jane would be a valuable asset to serve on CARTPO as a Hays County representative. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Appoint Jane Hughson, City of San Marcos Council Member to represent Hays County on the Capital Area Regional Transportation Planning Organization (CARTPO). All present voting "Aye". MOTION PASSED**



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**32613            AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER AUTHORIZATION NO. 1 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE HAYS COUNTY FLOOD DEBRIS REMOVAL PROGRAM**

Clint Garza, Director of Development and Community Services spoke. Albert Isakson spoke. The Development and Community Services Department would like to amend the current contract between the County and Cahaba Disaster Recovery, LLC to update the schedule of values to include 15 sites, most of which were, previously listed on the grant funded portion of the debris removal program to the non-grant funded program. Funds remaining within the existing lump sum contract will be utilized to clear remaining debris sites. Attachment: Change Order No. 1 **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to Authorize the County Judge to execute Change Order Authorization No. 1 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Hays County Flood Debris Removal Program. All present voting “Aye”. MOTION PASSED**

**32614            AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT #1 -- ADDITIONAL PROFESSIONAL SERVICES WITH HALFF AND ASSOCIATES FOR ADDITIONAL WORK FOLLOWING THE FLOODPLAIN STUDY AND MODELLING; AMEND THE BUDGET ACCORDINGLY**

Halff and Associates will, if approved, will expand original scope to explore: possible flood mitigation options within the Willow Springs Creek basin, flood impacts from new and planned/anticipated development, and channel improvements. Decrease 001-645-00.5741 Increase 001-657-00.5448 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Authorize the County Judge to execute Amendment #1 --Additional Professional Services with Halff and Associates for additional work following the floodplain study and modelling; amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF “HAYS COUNTY, TEXAS LIMITED TAX BONDS”; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

These delegation/parameter bond orders are needed for the issuance of bonds authorized by the citizens of Hays County in November 2016. No action was taken.

**ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF “HAYS COUNTY, TEXAS UNLIMITED TAX ROAD BONDS”; LEVYING AN ANNUAL AD VALOREM TAX, WITHOUT LIMIT AS TO RATE OR AMOUNT, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

These delegation/parameter bond orders are needed for the issuance of bonds authorized by the citizens of Hays County in November 2016. No action was taken.

**ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF “HAYS COUNTY, TEXAS LIMITED TAX REFUNDING BONDS”; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS;**



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**AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

This delegation/parameter bond order is needed for the issuance of refunding bonds, as recommended by Bond Counsel. No action was taken.

**Clerks Note Re: Item # 34-** 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**

**Clerks Note Re: Item # 35-** 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.

**Clerks Note Re: Item # 37-** 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 11:12 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 June 27, 2017.

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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 11<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:

<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>CHRISTINE RODRIGUEZ</b>	<b>DEPUTY COUNTY CLERK</b>

**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.

**PUBLIC COMMENTS**

James Cromwell –Kyle resident, Christen Hearne --Dripping Springs resident, James Keller- resident of Wimberley spoke.

**32615 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payment of County invoices in the amount of \$ 1,064,261.50 as presented by the Hays County Auditor. All present voting "Aye". **MOTION PASSED**

**32616 APPROVE COMMISSIONER COURT MINUTES OF JUNE 27, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 27, 2017. All present voting "Aye". **MOTION PASSED**

**32617 AUTHORIZE THE COUNTY JUDGE TO EXECUTE 2ND AMENDMENTS TO THE EXISTING LEASES BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR THE WOMEN, INFANTS AND CHILDREN ("WIC") PROGRAM OFFICES LOCATED AT 150 LOCKHART STREET IN KYLE AND 401C BROADWAY IN SAN MARCOS.**

These proposed amendments make modifications to the leasehold area, the lease rate, and the lease term. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Authorize the County judge to execute 2<sup>nd</sup> Amendments to the existing leases between Hays County and the City of San Marcos for the Women, Infants and Children ("WIC") Program offices located at 150 Lockhart Street in Kyle and 401C Broadway in San Marcos. All present voting "Aye". **MOTION PASSED**

**32618 AUTHORIZE COMMERCIAL OSSF PERMIT AT 1020 PIER BRANCH RD, DRIPPING SPRINGS, TX 78620**

Calvin Lockhart of Calvin's Electric, LLC is proposing an OSSF to serve a 10,000 square foot office/warehouse building that will accommodate up to 14 employees and customers. This 1.928-acre property is Lot 17 of Section IIC in the Sunset Canyon Subdivision and will use a rainwater collection system. The system designer, Stan Burrier, P.E., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 100 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 1020 Pier Branch Rd, Dripping Springs, TX 78620. All present voting "Aye". **MOTION PASSED**

**32619 APPROVE UTILITY PERMITS**

Permit, Road Name, Utility: 1031 Henly Loop PEC (electric line) 1032 Old Stagecoach Road City of Kyle (water line) 1033 Hidden Hills Drive (Sunset Canyon Subd.) Austin Java-WTCPUA (water line) 1034 Carpenter Lane PEC (electric line) 1035 Mathias Lane Goforth SUD (water line) 1036 Goforth Road Goforth SUD (water line). A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to Approve Utility Permits. All voting "Aye". **MOTION PASSED**



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**32620 AMEND THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) EBOLA GRANT FOR EMERGENCY PREPAREDNESS CONFERENCE EXPENSES APPROVED BY THE GRANTING AGENCY.**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Department of State Health Services (DSHS) Ebola Grant for Emergency Preparedness Conference Expenses approve by the Granting Agency. All present voting “Aye”. MOTION PASSED

**32621 AMEND THE JUVENILE PROBATION OPERATING AND TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) GRANT BUDGETS FOR CONTINUING EDUCATION EXPENSES.**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to amend the Juvenile Probation Operating and Texas Juvenile Justice Department (TJJD) grant budgets for continuing education expenses. All present voting “Aye”. MOTION PASSED

**32622 APPROVE THE APRIL-MAY 2017 TREASURER'S REPORTS AND INVESTMENT REPORTS**

Approve the April-May 2017 Treasurer's Reports and Investment Reports. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve the April-May 2017 Treasurer's Reports and Investment reports. All present voting “Aye”. MOTION PASSED

**32623 APPROVE OUT OF STATE TRAVEL FOR THE COUNTY AUDITOR RELATED TO THE UPCOMING BOND SALE IN NEW YORK**

The County Auditor and the county Financial Advisor will travel to New York to secure the best rate available for the upcoming bond sale scheduled for July 24th. Travel dates will be Sunday July 23rd through Tuesday July 25th. All expenditures related to this travel will be included in the issuance costs. A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve the out of state travel for the County Auditor related to the upcoming bond sale in New York. All present voting “Aye”. MOTION PASSED

**32624 ACCEPT THE MONTHLY FINANCIAL REPORT FOR FISCAL YEAR TO DATE THROUGH MAY 31, 2017 AS PRESENTED BY THE OFFICE OF THE COUNTY AUDITOR.**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept the Monthly Financial report for Fiscal Year to date through May 31, 2017 as presented by the office of the County Auditor. All present voting “Aye”. MOTION PASSED

**32625 AUTHORIZE THE CONSTABLE PRECINCT 5 OFFICE TO PURCHASE A REPLACEMENT MOBILE RADIO AND VEHICLE GRAPHICS FOR THE NEW PATROL VEHICLE AND AMEND THE BUDGET ACCORDINGLY**

The Constable is in need of a replacement mobile radio and graphics for the new patrol vehicle. The mobile radio is needed to replace a radio that was damaged during the October 2015 flood and not repairable. Graphics for the new patrol vehicle were approved in the FY17 budget process; however additional funds are needed in the line item to cover the costs. Savings within the Constable's operating budget have been identified to fund all requests. Budget Amendments: Mobile Radio: Increase Communication Eqpt - \$2,953 Decrease Data Supplies - (\$255) Decrease Fuel - (\$500) Decrease Vehicle Maint - (\$2,198) Vehicle Graphics: Increase Vehicles - \$402 Decrease Vehicle Maint - (\$302) Decrease Eqpt Lease - (\$100) A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the Constable Precinct 5 Office to purchase a replacement mobile radio and vehicle graphics for the new patrol vehicle and amend the budget accordingly. All present voting “Aye”. MOTION PASSED

**32626 AUTHORIZE THE EMERGENCY SERVICES AND GRANTS ADMINISTRATION DEPARTMENTS TO POST THE UPDATED DRAFT OF THE HAYS COUNTY HAZARD MITIGATION PLAN TO THE HAYS COUNTY WEBSITE FOR PUBLIC REVIEW AND COMMENT**

On October 18, 2016 the Commissioners Court approved the selection of Jeffrey S. Ward & Associates, Inc., in partnership with Halff & Associates, Inc., for preparation of the required update to the 2011 Hays County Hazard Mitigation Plan. This Plan is done in cooperation with the communities within Hays County to maintain eligibility



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for funding to address mitigation efforts to reduce and/or eliminate risks posed by natural hazards. Three meetings were held with the consultants/communities to review and update the Plan for current natural hazard assessment and mitigation opportunities, and a revised Draft Plan is now available for public review prior to submission to the Texas Department of Public Safety, Division of Emergency Management (TDEM) for preliminary comment and subsequently then on to the Federal Emergency Management Agency (FEMA) for review and approval. It is proposed that the revised draft Hazard Mitigation Plan and Annexes for each partner jurisdiction be posted to the Hays County website for public review and comment beginning on July 12, 2017 and ending on July 26, 2017. The draft Hazard Mitigation Plan will be posted at the following web address: <http://www.co.hays.tx.us/hazard-mitigation-plan-update.aspx>. Comments will be addressed and integrated into the Plan and then it will be submitted to the state/federal agencies for formal review and acceptance. Formal adoption of the Hazard Mitigation Plan by Hays County and partner jurisdictions will be made after TDEM and FEMA have commented and approved the Plan for adoption. An Executive Summary explaining the updated Hazard Mitigation Plan contents is included with this Agenda Item. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Emergency Services and Grants Administration Departments of post the Updated Draft of the Hays County Hazard Mitigation Plan to the Hays County Website for the public review and comment. All present voting "Aye". MOTION PASSED**

**32627 RELEASE OF SUBDIVISION FISCAL SURETY BONDS AS IDENTIFIED BY THE HAYS COUNTY TRANSPORTATION DEPARTMENT**

The Transportation Department, in cooperation with the Clerk's Office, Development Services and the Office of Legal Counsel, has approved the release of the following bonds listed on the Road Security List of Fiscal Surety projects: Bush Ranch, Ph.2, Sec.1, Cash Bond, Construction. Kelly's Country Cabins, LOC #05-024, Construction. Mt. Olive Ranch, Bond #1000810704, Re-vegetation. Oakmont Estates, LOC #23303-S, Construction. Our Place, Ph.1, Sec.2, Bond #713322P, Construction. Parklands, LOC #SDCMTN554290, Construction. Parklands, LOC #NTS601081, Construction Amendment. Shady Valley, Bond #SU3078638. Shops at Highpointe (Sawyer Ranch Rd), LOC #14707495-900. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to Release of subdivision fiscal surety bonds as identified by the Hays County Transportation Department. All present voting "Aye". MOTION PASSED**

**32628 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY (THE CONSTRUCTION MANAGER AT RISK)**

The Second Amendment is related to Exhibit A: Personnel Titles and Roles, Exhibit B: Allowable General Conditions, and Exhibit E: Project Overall Schedule for the Public Safety Bond Program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to Authorize the County Judge to execute the Second Amendment to the Agreement between Hays County and Turner Construction Company (the Construction Manager at Risk). All present voting "Aye". MOTION PASSED**

**32629 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STATEMENT OF WORK (SOW) AND UPDATED QUOTES WITH TASER, INTERNATIONAL FOR DEPLOYMENT AND INSTALLATION OF THE AXON IN-CAR CAMERA PRODUCTS FOR COUNTY LAW ENFORCEMENT VEHICLES**

Funds were budgeted during the FY 2016 and 2017 budget process to convert the Sheriff's Office and Constable's Patrol vehicles to the Axon Fleet In-Car Camera Systems. Due to a high demand, this product is now ready to deploy and install in the law enforcement vehicles. Taser, International requires the county to execute the Statement of Work and updated quotes in order to proceed with the installation. The IT department has reviewed the statement of work and has identified and corrected the equipment needs to ensure that the implementation and installation will interface with other county software. No additional funds are needed. Attachments: Taser Intl SOW Taser Intl Quotes (6 - SO and 5 Constables). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Statement of Work (SOW) and updated quotes with taser, international for deployment and installation of the Axon in- Car camera products for County Law Enforcement Vehicles. All present voting "Aye". MOTION PASSED**

**32630 APPROVE PRELIMINARY PLAN SUB-776 CAVALLO PARK SUBDIVISION (1 LOT)**

County Planner Marcus Pacheco spoke. Staff gave approval. The proposed Cavallo Park Subdivision is a 1 lot subdivision located off of Trail Driver in Precinct 4. The subdivision will be served by WTCPUA and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve preliminary plan for SUB-776 Cavallo Park Subdivision (1 lot). All present voting "Aye". MOTION PASSED**



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**32631 APPROVE PRELIMINARY PLAN SUB-764 ABIGAIL MEADOWS SUBDIVISION (8 LOTS)**

County Planner Marcus Pacheco spoke. Staff gave approval. The proposed Abigail Meadows Subdivision is a 8 lot subdivision located off of FM 2001 in Precinct 2. The subdivision will be served by GoForth Water Supply and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan for SUB-764 Abigail Meadows Subdivision (8 lots). All present voting "Aye". MOTION PASSED**

**32632 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MARIAH AND ARIANA REHMET FOR PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission Director would like to secure services with the Rehmet's to assist with production, editing and delivery of the 2015 Memorial Day Flood Documentary. Mrs. Johnson respectfully requests the court to authorize selection of this vendor without securing additional quotes as required by the purchasing policy. The vendor is well qualified in her field and was previously a resident of Wimberley. Her knowledge and expertise would be very beneficial for this project. Budget Amendment: Decrease General Supplies - (\$6,669) Decrease Miscellaneous - (\$20,000) Decrease Printing - (\$4,000) Increase Contract Services - \$30,669 (remaining \$19,281 needed is already budgeted in contract services line item). **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute a professional services agreement with Mariah and Ariana Rehmet for production services related to the 2015 Memorial Day Flood Documentary and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32633 NAMING OF TWO PRIVATE DRIVEWAYS IN PRECINCT 3, EMMA ELLIS WAY AND GWENDOLYNS TRL.**

Commissioner Conley spoke. The owner of property located off RR 2325 in Precinct 3, would like to name their two private driveways, Emma Ellis Way and Gwendolyns Trl. The property owner has signed the request and has communicated with the Hays County GIS Analyst to coordinate 911 address assignment. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to naming of two private driveways in Precinct 3, Emma Ellis Way and Gwendolyns Trl. All present voting "Aye". MOTION PASSED**

**Clerks Note Re: Item #20**

*DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AFFILIATION AGREEMENT BETWEEN HAYS COUNTY AND ROLLINS BROOK COMMUNITY HOSPITAL – WAS PULLED*

**32634 APPROVE THE APPOINTMENT OF TOM RICHEY TO REPLACE DOYLE KRUMREY AS A MEMBER OF EMERGENCY SERVICES DISTRICT #3**

Commissioner Conley spoke. Resume for Tom Richey is attached. Tom Richey will fill the unexpired term of Doyle Krumrey. Tom Richey will serve the term ending 12/31/2018. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve the Appointment of Tom Richey to replace Doyle Krumrey as a member of the Emergency Services District # 3. All present voting "Aye". MOTION PASSED**

**32635 ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS LIMITED TAX BONDS"; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

Julia R. Houston- with Andrews Kurth LLP spoke. These delegation/parameter bond orders are needed for the issuance of bonds authorized by the citizens of Hays County in November 2016. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt an order by the Commissioners Court of Hays County, Texas authorizing the issuance of "Hays County, Texas Limited Tax Bonds"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds;**



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prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; delegating the authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; authorizing the execution of a paying agent/registrar agreement; and providing an effective date. All present voting “Aye”. MOTION PASSED

**32636 ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF “HAYS COUNTY, TEXAS UNLIMITED TAX ROAD BONDS”; LEVYING AN ANNUAL AD VALOREM TAX, WITHOUT LIMIT AS TO RATE OR AMOUNT, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

Julia R. Houston- with Andrews Kurth, LLP spoke. These delegation/parameter bond orders are needed for the issuance of bonds authorized by the citizens of Hays County in November 2016. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt an order by the Commissioners Court of Hays County, Texas authorizing the issuance of “Hays County, Texas Unlimited Tax Road Bonds”; levying an annual ad valorem tax, without limit as to rate or amount, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; delegating authority to certain members of the Commissioners Court and County staff to execute certain documents relating to the sale of the bonds; authorizing the execution of a paying agent/registrar agreement; and providing an effective date. All present voting “Aye”. MOTION PASSED

**32637 ADOPT AN ORDER BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF “HAYS COUNTY, TEXAS LIMITED TAX REFUNDING BONDS”; LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN COUNTY OFFICIALS AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATED TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

Julia R. Houston- with Andrews Kurth, LLP spoke. This delegation/parameter bond order is needed for the issuance of refunding bonds, as recommended by Bond Counsel. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt an order by the Commissioners Court of Hays County, Texas authorizing the issuance of one or more series of “Hays County, Texas Limited Tax Refunding Bonds”; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; delegating authority to certain County officials and County staff to execute certain documents related to the sale of the bonds; authorizing the execution of an escrow agreement and a paying agent/registrar agreement; and providing an effective date. All present voting “Aye”. MOTION PASSED

Clerk’s Note: Court took a break at 9:47a.m. and returned into open session at 11:00 a.m.

**11AM-WORKSHOP REGARDING ELECTIONS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE USE OF EQUIPMENT IN ELECTIONS. DISCUSSION AND POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO RECEIPT OF A RECOMMENDATION FROM THE ELECTION EQUIPMENT ADVISORY COMMITTEE AND ACTIONS THEREON.**

Commissioner Conley spoke. Commissioner Ingalsbe spoke. Judge Cobb spoke. Jennifer Anderson- Elections Administrator spoke on the November 8<sup>th</sup> Elections and on the Election Equipment Issues. Information Technology Director Jeff McGill spoke. General Counsel Mark Kennedy spoke. Vice President of Hart Inter Civic, Peter Lichtenheld spoke. Commissioner Whisenant spoke. Members of the public participated. No Action Taken.

Clerk’s Note: Court took a break at 1:00 p.m. and returned into open session at 1:10 p.m.

Clerk’s Note: Court took a break at 2:25 p.m. and returned into open session at 2:35 p.m.

Clerk’s Note: Court took a break at 3:38 p.m. and returned into open session at 3:45 p.m.

Clerk’s Note: Court took a break at 5:34 p.m. and returned into open session at 5:42 p.m.





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**Clerks Note Re: Item # 26-** 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**

**Clerks Note Re: Item # 27-** 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**

**32638 DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Hays County Fire Marshall, Clint Browning spoke. Drought index is 519. Commissioner Conley Spoke. Judge Cobb spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to impose a 90 day burn ban. All present voting "Aye". MOTION PASSED**

**Clerks Note Re: Item # 29-** 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 Judge Cobb, seconded by Commissioner Jones to adjourn court at 7:26 p.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 11, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 18<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:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

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

Nahum Melendez 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**

David Cromwell – Kyle resident, Dan Lyon – San Marcos resident, Sam Brannon – San Marcos resident, made public comments.

**32639 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$768,691.60 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

**32640 APPROVE COMMISSIONERS COURT MINUTES OF JULY 11, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 11, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32641 APPROVE AND CONFIRM THE APPOINTMENT OF MANUEL PHILLIPE DE LA ROSA AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE**

Constable Pct. 2 Michael Torres 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. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: 1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointment of the appointment of Manuel Phillipe de La Rosa as Reserve Deputy Constable in the Hays County Constable Precinct 2 Office. All present voting "Aye". MOTION PASSED**

**32642 AUTHORIZE FURNITURE PURCHASES UTILIZING THE COUNTIES TWO PURCHASING COOPERATIVE AGREEMENTS WITH NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE (NIPA) AND US COMMUNITIES AND AMEND THE BUDGET ACCORDINGLY**

The Precinct 3 facility, which includes the Sheriff's substation, Constable's office, JP's office, County Clerk's substation, Commissioners office, Tax Assessor/Collector substation, and Countywide AgriLife Extension office has reached a point where the furniture now needs to be purchased in order to ensure that it arrives prior to the time of completion. During the initial planning phase of the renovations at 200 Stillwater, located in Precinct 3, a



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portion of the budget was allocated to purchase new furniture pieces, however furniture was not identified. Workplace Resources will order all furniture utilizing two purchasing cooperatives as follows; Modular furniture, admin offices and seating - NIPA #30000408 Private offices and conference rooms - US Communities #440003403 Budget Amendment: Decrease Misc. Capital Improvements .5741 Increase Office Equipment .5711\_400 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize furniture purchases utilizing the Counties two purchasing cooperative agreements with National Intergovernmental Purchasing Alliance (NIPA) and US Communities and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32643 APPROVE SPECIFICATIONS FOR IFB 2017-B06 AIR CONDITIONING AND HEATING SERVICES COUNTYWIDE AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

On June 27, 2017 the Court rejected all bids and authorized the IFB to be revised and reissued. Attachment: Revised IFB 2017-B06. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve specifications for IFB 2017-B06 Air Conditioning and Heating Services countywide and authorize Purchasing Manager to solicit for bids and advertis. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #6 RE:** *RECEIVE THE RECOMMENDATION REGARDING THE VOTING SYSTEM EQUIPMENT FROM THE ELECTION EQUIPMENT ADVISORY COMMITTEE – was pulled*

**32644 APPOINT NAHUM MELENDEZ TO ACT AS THE CHAPLAIN FOR HAYS COUNTY COMMISSIONERS COURT, EFFECTIVE IMMEDIATELY**

General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to Appoint Nahum Melendez to act as the Chaplain for Hays County Commissioners Court, effective immediately. All present voting “Aye”. MOTION PASSED**

**32645 AUTHORIZE PAYMENT FOR EXPENSES RELATED TO THE HISTORICAL COMMISSION PUBLICATION FUND WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

The Historical Commission Director purchased documentary DVD's and did not obtain a purchase order per County Purchasing Policy. Funds are available within the Publication Fund for this purchase, no county funds are needed. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize payment for expenses related to the Historical Commission Publication Fund where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting “Aye”. MOTION PASSED**

**32646 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TERRACON CONSULTANTS, INC., RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

Terracon will perform materials testing and inspection services for both the Stagecoach Trail and the Uhland Road project sites. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute a Professional Services Agreement between Hays County and Terracon Consultants, Inc., related to the Hays County Public Safety Bond project. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #10 RE:** *SUB-764 ABIGAIL MEADOWS SUBDIVISION (8 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT – was pulled*

**32647 APPROVE FINAL PLAT SUB-776 CAVALLO PARK SUBDIVISION (1 LOT)**

Caitlyn Strickland spoke. **The proposed Cavallo Park Subdivision is a 1 lot subdivision located off of Trail Driver in Precinct 4. The subdivision will be served by WTCPUA and rainwater collection. 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- 776 Cavallo Park Subdivision (1 Lot). All present voting “Aye”. MOTION PASSED**

**32648 APPROVE PRELIMINARY PLAN SUB-804 CANYON VIEW NORTH SUBDIVISION (2 LOTS)**



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Caitlyn Strickland spoke. 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 Preliminary plan of SUB- 804 Canyon View North Subdivision (2 lots). All present voting “Aye”. MOTION PASSED**

**32649 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 LOTS 7 & 8 IN THE MOUNTAIN CREST UNIT 4 SUBDIVISION**

The owner applied for a permit to improve the existing On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The two lots have a permitted house and septic system that has been built across the property lines of lots 7 & 8. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow her to improve her OSSF. **A motion was made by Commissioner Conley, 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 lots 7 & 8 in the Mountain Crest Unit 4 Subdivision. All present voting “Aye”. MOTION PASSED**

**32650 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AGREEMENT WITH R3 RECYCLING TO PROVIDE ELECTRONICS RECYCLING AT THE WIMBERLEY AND DRIFTWOOD RECYCLING AND SOLID WASTE CENTERS; AUTHORIZE STAFF TO WAIVE FEES FOR ELECTRONICS RECYCLING DURING THE TERM OF AGREEMENT AND SUBSEQUENT AGREEMENTS**

The Recycling and Solid Waste Division would like to partner with R3 Recycling to provide electronics recycling to Hays County residents at no charge. All items except for CRT (tube) televisions will be accepted and transported to R3 for recycling. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute agreement with R3 Recycling to provide electronics recycling at the Wimberley and Driftwood Recycling and Solid Waste Centers; authorize staff to waive fees for electronics recycling during the term of agreement and subsequent agreements. All present voting “Aye”. MOTION PASSED**

**32651 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH BUCK’S CONSTRUCTION SERVICES FOR ROOF EXTENSION AT WIMBERLEY RECYCLING AND SOLID WASTE CENTER**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an Agreement with Buck’s Construction Services for roof extension at Wimberley Recycling and Solid Waste Center. All present voting “Aye”. MOTION PASSED**

**32652 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GAP STRATEGIES FOR OUTREACH AND EDUCATION SERVICES RELATING TO THE FEMA FLOODPLAIN MAP REVISIONS AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a professional services agreement with Gap Strategies for outreach and education services relating to the FEMA floodplain map revisions and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32653 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONSTRUCTION AGREEMENT WITH J B CONSTRUCTION FOR THE RENOVATION OF THE TAX OFFICE AT THE DRIPPING SPRINGS SUBSTATION AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a construction agreement with J B Construction for the renovation of the Tax Office at the Dripping Springs substation and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**



**32654            AUTHORIZE THE COUNTY JUDGE TO EXECUTE ADDITIONAL SERVICES NO. 1 TO THE ORIGINAL AGREEMENT WITH HOK OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute Additional Services No. 1 to the original Agreement with HOK of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32655            AUTHORIZE THE COUNTY JUDGE TO EXECUTE ADDITIONAL SERVICES NO. 2 TO THE ORIGINAL AGREEMENT WITH HOK OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute Additional Services No. 2 to the original Agreement with HOK of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32656            AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 1 TO THE ORIGINAL AGREEMENT WITH SWCA OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order No. 1 to the original Agreement with SWCA of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32657            ACCEPT THE GUARANTEED MAXIMUM PRICE PROPOSAL FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE I AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A NOTICE TO PROCEED FOR THIS WORK**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the Guaranteed Maximum Price Proposal for work related to the Hays County Public Safety Bond Program Phase I and to authorize the County Judge to execute a Notice to Proceed for this work. All present voting "Aye". MOTION PASSED

**32658            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**

Court convened into Executive Session at 10:24 a.m. and reconvened into open court at 10:54 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Lon Shell, Tammy Crumley, Intern- Brandon Muniz and David Baylor. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Settlement of Right of Way negotiations between Hays County and the Estate of Glenn Pape at more than \$10,000 over the original Appraisal, as presented in Executive Session. All present voting "Aye". MOTION PASSED

**32659            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.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the 100% Design Development Documents for the Umland Road Jail projects and the Public Safety Facility project. Authorize to proceed into the Construction Design phase. All present voting "Aye". MOTION PASSED

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

Commissioner Ingalsbe gave an update on the burn ban. The drought index is at 576 and the burn ban will remain in effect.



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**Clerk's Note Agenda Item #25 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 Ingalsbe, seconded by Commissioner Jones to adjourn court at 10:56 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 18, 2017.



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





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:

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	DEPUTY COUNTY CLERK

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**





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 1<sup>ST</sup> DAY OF AUGUST A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
CHRISTOPHER ALINIZ	DEPUTY COUNTY CLERK

WITH COMMISSIONER PCT. 1, DEBBIE GONZALEZ INGALSBE AND COMMISSIONER PCT. 4, RAY O. WHISENANT JR. BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Jarrell Sharp with First United Methodist gave the invocation. Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

#### **PUBLIC COMMENTS**

Ronnie Carlson & Bill Heath spoke on the behalf of Atlantis Realty and Easy Mix Concrete Services.

#### **32677 ADOPT A PROCLAMATION RECOGNIZING AUGUST 2017 AS NATIONAL IMMUNIZATION AWARENESS MONTH**

Eric Schneider, MEd of the Hays County Local Health Department spoke. A motion was made by Commissioner Jones, seconded by Commissioner Conley to adopt a Proclamation recognizing August 2017 as National Immunization Awareness Month. All present voting "Aye". MOTION PASSED

#### **PRESENTATION REGARDING THE PLUM CREEK WATERSHED PARTNERSHIP HAYS COUNTY COLLECTION DAY**

Nick Dornak, Director of the Plum Creek Watershed Partnership spoke and gave a presentation regarding the Plum Creek Watershed Partnership.

#### **32678 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve payments of county invoices in the amount of \$1,422,076.22 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **32679 APPROVE COMMISSIONERS COURT MINUTES OF JULY 25, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Commissioners Court Minutes of July 25, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### **32680 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JERI SKROCKI TO ATTEND THE FORCE SCIENCE CERTIFICATION COURSE IN COLUMBIA, SOUTH CAROLINA**

Out of state travel is needed to send Lt. Jeri Skrocki to attend the Force Science Certification Course in Columbia, South Carolina on October 16-20, 2017. This training will allow for Lt. Skrocki to learn from experts whose work directly impacts the analysis and investigation of force related incidents. Lt. Skrocki will learn to determine whether an individual is being honest when they recount the recollection of an incident even when evidence conflicts with their memory. She will also learn how to avoid critical mistakes during post incident interviews. Registration and airfare expenses will be paid for out of LEOSE. The Sheriff's Office Continuing Education account will be used for hotel, per diem and miscellaneous travel fees. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve out of state travel for Lieutenant Jeri Skrocki to attend the Force Science Certification Course in Columbia, South Carolina. All present voting "Aye". MOTION PASSED

#### **32681 AUTHORIZE THE COUNTY JUDGE TO EXECUTE APPLICATIONS FOR PARTICIPATION IN THE TEXAS 1033 SURPLUS PROPERTY PROGRAM BY THE SHERIFF'S OFFICE AND CONSTABLE OFFICES**

The Sheriff's or Constable's Office will complete forms specific to their agency as needed. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute



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Application in the Texas 1033 Surplus Property Program by the sheriff's Office and Constable Offices. All present voting "Aye". MOTION PASSED

**32682 APPROVE RENEWAL OF IFB 2015-B07 CONCRETE CONTRACTOR WITH MYERS CONCRETE CONSTRUCTION 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. The Transportation Department utilizes this contract whenever concrete work is needed for various projects. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve Renewal of IFB 2015-B07 Concrete Contractor with Myers Concrete Construction for one (1) additional year as state in the original bid. All present voting "Aye". MOTION PASSED

**32683 APPROVAL TO HOLD AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS FOR SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152(A)(1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE; AND APPROVE THE DISPOSAL OF PROPERTY IN WHICH NO BIDS ARE RECEIVED AS AUTHORIZED PER TEXAS LOCAL GOVERNMENT CODE 263.152(A)(3,1)**

General Counsel Mark Kennedy spoke. The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at [www.renebates.com](http://www.renebates.com). Purchasing is also requesting a method and approval to properly dispose of items that do not sell in the online auctions. In the auction held in April 2017, there were several items that did not sell that will need to be disposed of. These items include a 2007 and a 2010 Dodge Charger, two (2) AT&T phones, eight (8) miscellaneous office desks, and one (1) 1995 office desk telephone. A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve to hold an online auction with Rene Bates Auctioneers for Surplus Property Pursuant to Texas Local Government Code 263.152(a)(1) and authorize Purchasing Manager to advertise; and approve the disposal of property in which no bids are received as authorized per Texas Local Government Code 263.152(a)(3,1). All present voting "Aye". MOTION PASSED

**32684 ACCEPT THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) PROPOSED FISCAL YEAR 2018/2019 BIENNIUM BUDGETS PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004 AND THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVERSIONS FINANCIAL MANAGEMENT MANUAL**

Pursuant to the Local Government Code, Section 140.004 and the Texas Department of Criminal Justice-Community Justice Assistance Diversion Financial Management Manual: a meeting with the local District and County Court at Law Judges to approve the CSCD Biennium Budgets is scheduled for August 11th at 9:15 a.m. at the Hays County Government Center. A motion was made by Commissioner Jones, seconded by Commissioner Conley to accept the Community Supervision and Corrections Department (CSCD) Proposed Fiscal Year 2018/2019 Biennium Budgets Pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice Assistance Diversion Financial Management Manual. All present voting "Aye". MOTION PASSED

**32685 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve utility permit #1040 on Post Road/Old Stagecoach Rd. issued to Cobb Fendley & Associates as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**32686 AUTHORIZE COMMERCIAL OSSF PERMIT AT 1510 SATTERWHITE RD., BUDA TX 78610**

Doc's Drive-In is located at 1510 Satterwhite Rd and is proposing an OSSF to serve a drive-in movie theater along with a small concession stand. The movie theater will consist of two movie screens and will be open Thursday-Sunday, 5pm-1am. The max occupancy for the drive-in movie theater will be 250 patrons. This property is a 3.16 acre tract out of a total 7.9 acres of land from the Edward Burleson Survey. This property is served by a public water supply. The designer, Daniel Gonzalez, R.S. has designed a proprietary treatment system which consists of two drip irrigation fields. The system is designed to treat 1,000 gallons per day. A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize Commercial OSSF Permit at 1510 Satterwhite Rd., Buda, TX 78610. All present voting "Aye". MOTION PASSED

**32687 AUTHORIZE THE RECYCLING AND SOLID WASTE DEPARTMENT TO PURCHASE A BALER FROM STAR WASTE REDUCTION EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY**

The Recycling and Solid Waste Division received approval in the fiscal year 2017 to purchase a baler for the Wimberley center for the amount of \$5,500. The baler quoted during budget is no longer available. The



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Recycling and Solid Waste Division has identified funds from another area to use towards the purchase of a baler at the current rate. Budget Amendment: Transfer Station: Decrease 001-716-00.5741 (Misc. Capital Improvements) (\$1,700) Increase 001-716-00.5714\_700 (Heavy Equipment \_Capital) \$1,700. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the Recycling and Solid Waste Department to purchase a Baler from Star Waste Reduction Equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32688 AUTHORIZE PAYMENT TO CARD SERVICE CENTER FOR HOTELS NEEDED FOR SEQUESTERING A JURY, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS PER THE COUNTY PURCHASING POLICY**

The Sheriff's Office purchased hotel rooms for a sequestered jury on a county credit card where no purchase order was obtained as per the county policy. The Sheriff's Office is requesting court approval for payment of 14 hotel rooms. Funds are available within the DC operating budget for this purchase. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize payment to Card Service Center for hotels needed for sequestering a jury, where no Purchase Order was issued or quotes obtained as per the County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**32689 AUTHORIZE COMMERCIAL OSSF PERMIT AT 24905 RANCH ROAD 12, DRIPPING SPRINGS, TEXAS 78620**

Robert Seale is proposing an OSSF to serve a clubhouse and office for a private gun range located at 24905 Ranch Road 12. The system will serve up to 250 daily visitors on weekends and up to 50 daily visitors on weekdays. This 106-acre property will be served by a public water supply The system designer, Daniel Balboa, R.S., has designed a non-standard system which consists of pretreatment, flow equalization and aerobic treatment. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield at a maximum daily rate of 360 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize Commercial OSSF Permit at 24905 Ranch Road 12, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**32690 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND AUTHORIZATION BETWEEN HAYS COUNTY AND PERFORMANCE SERVICES (PSI) FOR A TECHNICAL ENERGY AUDIT AND PROJECT DEVELOPMENT PROPOSAL**

Under RFQ 2016-P01, Performance Services (PSI) was selected for the Energy Services Performance Contracting work in Hays County. Approval of the recommendation and selection of PSI was approved in Commissioners Court on May 17, 2016. In addition, a Memorandum of Understanding and Authorization between Hays County and PSI was approved on July 19, 2016 for the first phase of the project. The Development and Community Services Department would like to issue an additional Memorandum of Understanding for the second phase of the project to include additional county owned facilities in the project. Those are additional facilities include the following locations; \*The Public Safety Building (Uhland Rd) \*The Public Safety Building (Addition) \*Jail (Addition) \*Precinct 5. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute a Memorandum of Understanding and authorization between Hays County and Performance Services (PSI) for a Technical Energy Audit and Project Development Proposal. All present voting "Aye". MOTION PASSED**

**32691 AUTHORIZE COUNTY JUDGE TO EXECUTE AN AGREEMENT BETWEEN HAYS COUNTY AND TEXAS DEPARTMENT OF PUBLIC SAFETY TO PROVIDE DRIVER RECORDS INDIVIDUALLY AND IN BULK**

This is a three (3) year contract renewal between Hays County and Texas Department of Public Safety which allows Hays County to access driver's license records for pre-employment background purposes and to annually verify that employees are eligible to operate county vehicles and equipment. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize County Judge to execute an Agreement between Hays County and Texas Department of Public Safety to provide Driver Records individually and in bulk. All present voting "Aye". MOTION PASSED**

**32692 AMEND THE SHERIFF'S OPERATING AND JAIL DIVISION BUDGETS FOR ADDITIONAL OVERTIME COMPENSATION REQUIRED FOR LAW ENFORCEMENT PERSONNEL**

Additional overtime funds are needed due to staff shortages in the patrol and corrections divisions. The Sheriff requests to utilize salary savings due to vacancies to cover these shortages. Budget Amendment: Sheriff Operating: 001-618-00.5021 Decrease Staff Salaries (\$256,925) 001-618-00.5031 Increase Overtime \$256,925 Jail Division: 001-618-03.5021 Decrease Staff Salaries (\$43,500) 001-618-03.5031 Increase Overtime \$43,500. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to amend the Sheriff's Operating and Jail Division Budgets for additional overtime compensation required for Law Enforcement Personnel. All present voting "Aye". MOTION PASSED**



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**32693 AMEND THE JAIL DIVISION'S CONTRACT DETENTION BUDGET FOR ADDITIONAL COSTS ASSOCIATED WITH OUTSOURCING OF INMATES**

Additional funds are needed to cover contract detention costs related to outsourcing of inmates to other counties. Potential funding source: County Wide Misc. Capital Improvements - Funds for Jail miscellaneous improvements were budgeted in county-wide during the FY17 budget process. A balance of \$357k is available to transfer to cover this shortage. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to amend the Jail Division's Contract Detention Budget for additional costs associated with outsourcing of inmates. All present voting "Aye". MOTION PASSED**

**32694 APPROVE THE REAPPOINTMENT OF SILVER GARZA TO THE DRIFTWOOD ECONOMIC DEVELOPMENT MUNICIPAL MANAGEMENT DISTRICT**

**A motion was made by Commissioner Conley, seconded by Commissioner Jones to approve the reappointment of Silver Garza to the Driftwood Economic Development Municipal Management District. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 10:00 a.m. and reconvened into open session at 10:00 a.m.**

**32695 ACCEPT THE ROADS INTO THE COUNTY ROAD SYSTEM FOR BUSH RANCH SUBD., PHASE 2, SECTION 2, AND RELEASE THE MAINTENANCE BOND #HSIFSU0595908 IN THE AMOUNT OF \$1,093,149.42**

Jerry Borcharding, Hays County Transportation Director gave staff recommendation for acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. The maintenance bond covered streets, water & sewer. Roads include: Rocky Ridge Trail (1,874 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Conley to accept the roads into the County Road System for Bush Ranch Subd., Phase 2, Section 2, and Release the Maintenance Bond #HSIFSU0595908 in the amount of \$1,093,149.42. All present voting "Aye". MOTION PASSED**

**32696 APPROVE 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**

Commissioner Jones spoke. The FM 2001 realignment project between I-35 and SH 21 is included in the Hays County-TxDOT Partnership Program. Preliminary engineering, environmental documentation and right-of-way identification has been conducted and right-of-way donations have already taken place. Approval of consultants and funding for design services and acquisition of remaining right-of-way, all included in the 2016 Road Bond Program, would position this important mobility and safety project to move quickly to construction. TxDOT has already committed funding for Phase One construction through the Advance Funding Agreement process. 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 Conley to approve 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. All present voting "Aye". MOTION PASSED**

**32697 APPROVE SELECTION OF BROWN & GAY TO PROVIDE DESIGN SERVICES FOR THE FM 967 UPGRADE PROJECT FROM THE UNION PACIFIC RAILROAD IN DOWNTOWN BUDA TO I-35**

Commissioner Jones spoke. For the FM 967 upgrade project from the Union Pacific Railroad in downtown Buda to I-35, Hays County would provide design services to accommodate the TxDOT District Office to improve the roadway and bring it up to standards before transferring it to the City of Buda. The roadway would be transferred to the City of Buda for operation and maintenance and the Robert S. Light Extension, another Hays County-TxDOT Partnership Program project, would be added to the State Highway System for operation and maintenance by TxDOT. This arrangement was agreed-to by the County and TxDOT during the development of the Partnership Program and recent Advance Funding Agreements. TxDOT has funds available for both the maintenance project and construction of the Robert S. Light Extension from FM 1626 to I-35. 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 Conley to approve selection of Brown & Gay to provide Design Services for**



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the FM 967 Upgrade Project from the Union Pacific Railroad in Downtown Buda to I-35. All present voting "Aye". MOTION PASSED

**32698 APPROVE SELECTION OF 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**

Commissioner Jones spoke. 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. 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 Conley to approve selection of 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. All present voting "Aye". MOTION PASSED**

**32699 SUB-764 ABIGAIL MEADOWS SUBDIVISION (8 LOTS) APPROVE FINAL PLAT**

Caitlyn Strickland, Hays County Planner gave staff recommendation. The proposed Abigail Meadows Subdivision is an 8 lot subdivision located off of FM 2001 in Precinct 2. The subdivision will be served by GoForth Water Supply and wastewater service will be provided by individual onsite sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to approve final plat of SUB-764 Abigail Meadows Subdivision. All present voting "Aye". MOTION PASSED**

**32700 AUTHORIZE THE PARKS DEPARTMENT TO WAIVE PARK ENTRY FEE'S IN THE EVENT THE PAYMENT SYSTEM IS INACCESSIBLE, EFFECTIVE MAY 1, 2017**

Clint Garza, Director of Development and Community Services spoke. The parks department utilizes a payment system that is reliant on internet connectivity to function. From time to time the internet connection goes down or there are issues with the payment system, Certified Payments. The proposed action will allow Parks Staff to still grant entry to reservation holders in the event of a system failure. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the Parks Department to waive park entry fee's in the event the payment system is inaccessible, effective May 1, 2017. All present voting "Aye". MOTION PASSED**

**32701 AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE THE VACANT ROAD SUPERVISOR, SLOT 1035-003 AT THE 50<sup>TH</sup> PERCENTILE EFFECTIVE AUGUST 1, 2017**

The Transportation Director requests the court approval to hire the vacant Road Supervisor position at the 50<sup>th</sup> percentile. The candidate has over 12 years of experience in general road maintenance, operating heavy equipment and supervising crews. His experience and understanding of roadway construction will greatly benefit the department. Salary savings within the current position (due to individual retiring) have been identified to fund this request. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the Transportation Director to hire the vacant Road Supervisor, Slot 1035-003 at the 50<sup>th</sup> Percentile effective August 1, 2017. All present voting "Aye". MOTION PASSED**

**32702 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND CALDWELL COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES**

Captain, Julie Villalpando spoke. This ILA will be utilized if and when the Hays County corrections inmate population exceeds capacity and no closer facility is available to receive transfer of the inmate(s). **A motion was made by Judge Cobb, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and Caldwell County for Housing and Care of Hays County Corrections Inmates. All present voting "Aye". MOTION PASSED**

**32703 APPOINT DON CURRY TO THE DRIFTWOOD ECONOMIC DEVELOPMENT MUNICIPAL MANAGEMENT DISTRICT**

**A motion was made by Commissioner Jones, seconded by Commissioner Conley to appoint Don Curry to the Driftwood Economic Development Municipal Management District. All present voting "Aye". MOTION PASSED**





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**32704 ACTION REGARDING THE FY 2018 BUDGET INCLUDING A PRESENTATION OF THE JUDGE'S RECOMMENDED BUDGET AND THE SELECTION OF DATES FOR BUDGET WORKSHOPS**

Vickie Dorsett, First Assistant County Auditor spoke. A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept the Budget Calendar dates 8/8/2017 at 10:00AM, 8/15/2017 at 10:00AM and 8/22/2017 TBD. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #30 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**

**Clerk's Note Agenda Item #31 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**

Judge Cobb gave today's Drought Index – 654 The Burn Ban will remain in effect.

**Clerk's Note Agenda Item #33 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 Conley to adjourn court at 10:50 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 August 1, 2017.

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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 8<sup>th</sup> DAY OF AUGUST 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
WILL CONLEY	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:

Nahum Melendez 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**

Dan Lyon a San Marcos resident & David Crowell a San Marcos resident spoke.

**Clerk's Note Agenda Item #1 RE:** *RECOGNITION OF KYLE HERRON OF DRIPPING SPRINGS AND MAKENNA HAWKINS OF BUDA IN THEIR ACHIEVEMENT OF BEING SELECTED TO SERVE AS PRESIDENT AND VICE PRESIDENT OF THE STATE 4-H COUNCIL - was pulled*

**32705 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 \$3,277,074.38 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32706 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 1, 2017**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 1, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32707 AMEND THE TRANSPORTATION DEPARTMENT'S BUDGET FOR ADDITIONAL OVERTIME COMPENSATION**

Transportation Director Jerry Borcharding spoke. Additional overtime funds are needed to finish out the fiscal year. The Transportation Department requests to utilize salary savings due to vacancies to cover these shortages. Budget Amendment: 020-710-00.5021 Decrease Staff Salaries (\$50,000) 020-710-00.5031 Increase Overtime Compensation \$50,000. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to amend the Transportation Department's Budget for additional overtime compensation. All present voting "Aye". MOTION PASSED

**32708 AUTHORIZE COMMERCIAL OSSF PERMIT AT 1185 S FM 1626, BUDA TX**

Christopher Allen Rickman is proposing an OSSF to serve a mechanic shop at 1185 S FM 1626, Buda in Precinct 2. This on-site sewage facility will be a new install for the mechanic shop. This property is 1.5 acres in size and water will be supplied by a private water well on the property. The system designer, David McGhee, R.S. has designed a treatment system consisting of a 500 gallon pretreatment tank, 750 gallon equalization tank and a NuWater aerobic treatment unit. After treatment, the effluent will be dispersed to a drip irrigation field for a maximum daily rate of 180 gallons. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 1185 S. FM 1626, Buda, TX. All present voting "Aye". MOTION PASSED

**32709 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE 17 AXON BODY CAMERAS THROUGH OUR MASTER SERVICES AGREEMENT WITH AXON ENTERPRISES AND AMEND THE BUDGET ACCORDINGLY**

At this time the Sheriff's Office is requesting to purchase 17 body cameras to outfit offline positions that were not allotted one in the original body camera purchase. Body cameras are needed for officer safety purposes as well as meeting the growing expectation by the public that officers are equipped with a camera. State Discretionary Funds will be used for Year 1 purchase and implementation. Future year's software costs will be requested during the budget process. Budget Amendment: Increase .5206 - \$6,783 body cameras Increase .5718\_400 - \$1,343 body camera software Decrease .5362 \$8,126. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Sheriff's Office to purchase 17 Axon Body



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Cameras through our Master Services Agreement with Axon Enterprises and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32710 AUTHORIZE THE EXECUTION OF A LANDSCAPE MAINTENANCE SERVICES AGREEMENT WITH TEXSCAPE SERVICES, LLC FOR MONTHLY LAWN AND LANDSCAPING SERVICES AT THE HAYS COUNTY GOVERNMENT CENTER**

The Building Maintenance Division would like to execute an agreement with Texscape Services, LLC for monthly lawn and landscaping services at the Hays County Government Center located at 712. S. Stagecoach Trail. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Landscape Maintenance Services Agreement with Texscape Services, LLC for monthly lawn and landscaping services at the Hays County Government Center. All present voting "Aye". MOTION PASSED

**32711 AUTHORIZE PAYMENT TO CREDIT CARD SERVICES FOR EXPENSES RELATED TO CONTINUING EDUCATION FOR THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT IN WHICH NO PURCHASE ORDER WAS ISSUED AS PER COUNTY PURCHASING POLICY**

General Counsel Mark Kennedy spoke. The Development and Community Services Department paid for continuing education expenses 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 Jones, seconded by Commissioner Whisenant to authorize payment to credit card services for expenses related to continuing education for the Development and Community Services Department in which no Purchase Order was issued as per County Purchasing Policy. All present voting "Aye". MOTION PASSED

**32712 APPROVE SPECIFICATIONS FOR RFP 2017-P12 HAZARD MITIGATION GRANT WRITING AND MANAGEMENT SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Specifications for RFP 2017-P12 Hazard Mitigation Grant Writing and Management Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

**32713 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE PERFORMANCE BOND #1148527 IN THE AMOUNT OF \$52,749.00, AND ACCEPT THE MAINTENANCE BOND #4403169MNT-3 IN THE AMOUNT OF \$67,730.33 FOR CALITERRA SUBD., PHASE 1, SECTION 5**

Transportation Director, Jerry Borcharding spoke and gave staff recommendation for the 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 Whisenant, seconded by Commissioner Conley to accept Road Construction and Drainage Improvements, Release the Performance Bond #1148527 in the amount of \$52,749.00, and accept the Maintenance Bond #4403169MNT-3 in the amount of \$67,730.33 for Caliterra subd., Phase 1, Section 5. All present voting "Aye". MOTION PASSED

**32714 PURCHASE TWO SCHOOL ZONE FLASHER POSTS W/ACCESSORIES IN THE AMOUNT OF \$5,629.00 FROM ELECTROTECHNICS CORPORATION, TO PERMANENTLY INSTALL ON SAWYER RANCH ROAD FOR THE NEW ELEMENTARY & MIDDLE SCHOOLS, AND AMEND THE BUDGET ACCORDINGLY**

The installation of these new school zone flasher posts will help in supporting larger accessories for greater visibility and public awareness (LED lights, solar panels, speed limit signs with posted school bell times, etc.). Budget Amendment: 020-710-00.5351 - Decrease Materials (\$5,629) 020-710-00.5719\_400 - Increase Misc. Equipment Operating Expense. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to purchase two school zone flasher posts w/accessories in the amount of \$5,629.00 from Electrotechnics Corporation, to permanently install on Sawyer Ranch Road for the new elementary & middle schools, and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32715 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION CASH BOND IN THE AMOUNT OF \$145,021.40, AND ACCEPT THE MAINTENANCE BOND #1045271 IN THE AMOUNT OF \$352,823.51 FOR CROSSWINDS SUBD., PHASE 1, SECTION 1**



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Transportation Director, Jerry Borcharding spoke and gave staff recommendation for the 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 Ingalsbe to accept road construction and drainage improvements, Release the Construction Cash Bond in the amount of \$145,021.40, and accept the Maintenance Bond #1045271 in the amount of \$352,823.51 for Crosswinds Subd., Phase 1, Section 1. All present voting “Aye”. MOTION PASSED**

**32716 SUB-807 SHADOW CREEK PHASE 9, SECTION 2 (210 LOTS) APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NO. K09568785 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$1,935,419.35**

Hays County Planner, Marcus Pacheco spoke and gave Staff Recommendation for the revised preliminary plan for the Shadow Creek Subdivision was approved on April 18, 2017 as a 1,701 lot subdivision located off of Windy Hill Road in Precinct 2. This revision condensed Phases 9-2 and 11-3 into a single phase called Phase 9-2 creating 207 single-family residential lots and 3 greenspace/drainage lots across 32.63 acres. All lots will be served by GoForth Special Utility District and sewer provided by North Hays County Municipal Utility District Number 1. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat; accept Construction Bond No. K09568785 for the construction of street and drainage improvements in the amount of \$1,935,419.35, for SUB-807 Shadow Creek Phase 9, Section 2 (210 Lots). All present voting “Aye”. MOTION PASSED**

**32717 SUB-789 RANCHITOS OF NIEDERWALD SUBDIVISION (3 LOTS) APPROVE PRELIMINARY PLAN**

Hays County Planner, Marcus Pacheco spoke and gave Staff Recommendation for the proposed Ranchitos of Niederwald Subdivision is a 3 lot subdivision across 3.65 acres located off of Williamson Road in Precinct 2. The subdivision will be served by GoForth Water Supply and wastewater service will be provided by individual onsite sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan for SUB-789 Ranchitos of Niederwald Subdivision (3 Lots). All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #15 RE: RE:SUB-813 MEDLIN CREEK RANCH PHASE 2 (18 LOTS) APPROVE FINAL PLAT; ACCEPT FISCAL SURETY IN THE AMOUNT OF \$368,000.00 FOR STREET AND DRAINAGE IMPROVEMENTS – was pulled**

**32718 AUTHORIZE DEVELOPMENT SERVICES TO OFFER A SALARY EXCEPTION FOR THE ENVIRONMENTAL HEALTH SPECIALIST II, SLOT 1167-002 POSITION AT THE 44TH PERCENTILE (GRADE 112) EFFECTIVE SEPTEMBER 8, 2017**

The Development Services Manager has received an application from a current county employee for the vacant Environmental Health Specialist II position and requests the Court's consideration to offer the position at an annualized salary of \$50,500, approximately the 44th percentile of the range. Current county policy indicates that an individual within the organization would be moved to the minimum of the new salary or a 6% pay increase for promotions, whichever is greater. The candidate has 8 years of experience performing the day to day duties of the position and has continuously demonstrated willingness to lead and help grow the department to provide a greater level of service to our citizens. This fiscal impact in excess of the 6% policy is \$675 for FY17 (\$4634 annualized). This position was budgeted for the maximum of the range (\$61,875). As of 7/31, salary savings for the department were in excess of \$30,000. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Development Services to offer a salary exception for the Environmental Health Specialist II, slot 1167-002 position at the 44th percentile (grade 112) effective September 8, 2017. All present voting “Aye”. MOTION PASSED.**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to amend the motion to include the correction on the start date for slot 1167-002 position at the 44th percentile (grade 112) effective September 8, 2017 to August 8, 2017. All present voting “Aye”. MOTION PASSED.**

**Clerk’s Note: Court took a break at 10:06 a.m. and returned into open session at 10:11 a.m.**

**10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2018 HAYS COUNTY BUDGET**

Tax Assessor/Collector – Luanne Caraway, is requesting 1 New Lead CSR. That person would serve as a floater for all substations when there are vacancies through illness, vacation, etc. and during heavy customer service time in December and January in the Dripping Springs office. Sheriff – Gary Cutler, is requesting \$1,530 for three software maintenance renewals. Jail – Sheriff is requesting four Correction Specialists to conduct more clerical duties to free up Corrections Officer to conduct their duties, as set out by Jail Standards. Sheriff spoke of Transportation Officers and the duties they perform. District Attorney – Wes Mau, is requesting one Investigator. No action taken.



**Clerk's Note Agenda Item #18 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 PROPOSED FM110 IN PCT. 1 – **was pulled**

**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 11:32 a.m. and reconvened into open court at 11:53 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, and Chief of Staff, Lon Shell. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE EMPLOYMENT, EVALUATION AND DUTIES OF THE DIRECTOR OF THE TRANSPORTATION DEPARTMENT**

Court convened into Executive session at 9:44 a.m. and reconvened into open court at 10:02 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff, Lon Shell, Tammy Crumley, and Jerry Borcharding. No Action taken

**Clerk's Note Agenda Item #21 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**

Fire Marshall Clint Browning, Commissioner Ingalsbe, and General Counsel Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to lift the Burn Ban for one week. Commissioner Whisenant and Commissioner Jones voted "Aye". Commissioner Conley, Commissioner Ingalsbe, and General Counsel Mark Kennedy voted "No" MOTION NOT PASSED

**Clerk's Note Agenda Item #23 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 Whisenant, seconded by Commissioner Jones to adjourn court at 11:55 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 August 8, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 15<sup>th</sup> DAY OF AUGUST 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
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., 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.

**PRESENTATION OF DISTINGUISHED SERVICE AWARD FROM TEXAS HISTORICAL COMMISSION TO THE HAYS COUNTY HISTORICAL COMMISSION**

Kate Johnson chairman of the Historical Commission spoke.

**PUBLIC COMMENTS**

Dan Lyon a San Marcos resident & David Crowell a San Marcos resident spoke.

**32718 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 \$1,533,545.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32719 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 8, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 8, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32720 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve utility permit #1041 on Crosswinds Parkway issued to City of Kyle/CBD, Inc.; #1042 on Treetop Way issued to Spectrum; #1043 on County Road 153 issued to CenterPoint Energy as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**32721 ACCEPT A DONATION FROM THE BURDINE JOHNSON FOUNDATION FOR PHASE III OF THE HAYS COUNTY HISTORICAL JAIL RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received a donation for expenses related to the final phase of the Historical Jail Restoration Project. Attachment: Budget Amendment: Increase – Misc. Capital Improvements, Increase - Capital Contributions. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation from the Burdine Johnson Foundation for Phase III of the Hays County Historical Jail Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32722 ACCEPT A DONATION FROM THE BURDINE JOHNSON FOUNDATION FOR THE HISTORICAL KYLE DEPOT CABOOSE RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received a donation for expenses related to the restoration of an early 1910-era Caboose for the Kyle Train Depot. Budget Amendment: Increase – Misc. Capital Equipment, Increase - Capital Contributions. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to



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accept a donation from the Burdine Johnson Foundation for the Historical Kyle Depot Caboose Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32723 AUTHORIZE THE HISTORICAL COMMISSION TO ACCEPT VARIOUS DONATIONS FOR THE KYLE DEPOT PROJECT AND AMEND THE BUDGET ACCORDINGLY**

The Historical Commission has received donations for the Kyle Depot Projects for misc. supplies. Budget Amendment: Increase - 5201 Supplies, Increase - 4610 Contributions. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Historical Commission to accept various donations for the Kyle Depot Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32724 APPROVAL TO AWARD AND EXECUTE ALL CONTRACT DOCUMENTS TO TRANS-TEXAS RAIL SHOP RELATED TO RFP 2017-P06 RESTORATION OF WOODEN CABOOSE AT THE KYLE DEPOT AND HERITAGE CENTER**

Purchasing received 1 proposal from Trans-Texas Rail Shop. The Historical Commission has reviewed the proposal and is satisfied with the references and experience of the contractor, and the cost of the project. Staff recommends contract award to Trans-Texas Rail Shop. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve award and execute all contract documents to Trans-Texas Rail Shop related to RFP 2017-P06 Restoration of Wooden Caboose at the Kyle Depot and Heritage Center. All present voting "Aye". MOTION PASSED

**32725 APPROVAL TO AWARD AND EXECUTE ALL CONTRACT DOCUMENTS TO S.I. MECHANICAL, LLC RELATED TO IFB 2017-B06 COUNTYWIDE A/C AND HEATING SERVICES**

Purchasing received 1 bid from S.I. Mechanical, LLC. S.I. Mechanical submitted a thorough bid packet, including references. This vendor is located in Manchaca, Texas. Staff recommends award of a contract to S.I. Mechanical, LLC for these services. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve award and execute all Contract documents to S.I. Mechanical, LLC related to IFB 2017-B06 Countywide A/C and Heating Services. All present voting "Aye". MOTION PASSED

**32726 AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO PURCHASE TWO PROLASER RADARS UTILIZING THE SCHOOL ZONE SAFETY PROGRAM FUNDS**

The Constable Pct. 3 would like to purchase two additional ProLaser radars to assist with traffic speed issues within the school zones. Funds are available within the School Zone Safety Program Fund for this purchase. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Constable Pct. 3 to purchase two ProLaser Radars utilizing the School Zone Safety Program Funds. All present voting "Aye". MOTION PASSED

**32727 ADOPT THE NEW ELECTION SERVICE FEES**

These fees have not been revised in 12 years. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the new Election Service Fees. All present voting "Aye". MOTION PASSED

**32728 AUTHORIZE THE EXECUTION OF A FIRST LETTER AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT ("DSISD") FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS ("SRO'S")**

This Amendment will add an additional SRO and Sycamore Springs Middle School to the Agreement executed in 2013. The SRO will divide his/her time between Dripping Springs Middle School and Sycamore Springs Middle School. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the execution of a First Letter Amendment to the Interlocal Cooperation Agreement between Hays County and Dripping Springs Independent School District (DSISD) for the provision of School Resource Officers (SRO'S). All present voting "Aye". MOTION PASSED



**32729 RESCIND RFP 2017-P12 AND APPROVE SPECIFICATIONS FOR RFQ 2017-P13 HAZARD MITIGATION GRANT WRITING AND MANAGEMENT SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

The Court approved specifications for RFP 2017-P12 on August 8<sup>th</sup> for Hazard Mitigation Grant Writing and Management Services. Upon further review regarding the type and scope of services requested, it was determined that an RFQ was needed. The RFP was not designed to address the professional services required for engineering as well as the grant application preparation and management needed for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to rescind RFP 2017-P12 and approve Specifications for RFQ 2017-P13 Hazard Mitigation Grant Writing and Management Services and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED**

**32730 APPROVE OUT OF STATE TRAVEL FOR TOMMY MCGREEVY TO ATTEND THE NATIONAL CRISIS INTERVENTION TEAM CONFERENCE IN FT. LAUDERDALE, FLORIDA FROM AUGUST 16<sup>TH</sup> THROUGH AUGUST 18<sup>TH</sup>**

The Hays County/San Marcos PD task force is sending 4 individuals from our network. They will fly out on August 15<sup>th</sup> and return August 19<sup>th</sup>. The conference will provide new training in the field of Crisis Intervention. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve out of state travel for Tommy McGreevy to attend the National Crisis Intervention Team Conference in Ft. Lauderdale, Florida from August 16<sup>th</sup> through August 18<sup>th</sup>. All present voting "Aye". MOTION PASSED**

**32731 AUTHORIZE THE INSTALLATION OF ELECTRICAL INFRASTRUCTURE FOR THE JAIL AND PUBLIC SAFETY BUILDING PROJECTS**

The City of San Marcos has submitted project costs estimates for the installation of overhead and underground electrical infrastructure at the new Jail and Public Safety Building sites. The Project Management Team (ECM) has reviewed and approves payment for these services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the installation of electrical infrastructure for the Jail and public safety building projects. All present voting "Aye". MOTION PASSED**

**32732 SELECT RPS, AS THE DESIGN ENGINEER FOR THE FM621 PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Jerry Borcharding spoke. Commissioner of Precinct 1, Debbie Ingalsbe, and the Transportation Department recommend the selection of RPS from a pool of capable engineering firms as the best qualified to provide engineering services on the FM621 project. If selection is approved by court action, then staff will enter into contract negotiations. If a reasonable scope and fee can be reached, Staff will bring forth a Professional Service Agreement for discussion and possible action by the Court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select RPS, as the design engineer for the FM621 project and authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**32733 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND #K09568736 IN THE AMOUNT OF \$1,195,701.17, AND ACCEPT THE MAINTENANCE BOND #EAIC 088000002 IN THE AMOUNT OF \$120,448.82 FOR A 2-YEAR PERIOD FOR SHADOW CREEK SUBDIVISION, PHASE 5, SECTION 1**

Jerry Borcharding spoke. Staff recommends 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 Construction Bond #K09568736 in the amount of \$1,195,701.17, and accept the Maintenance Bond #EAIC 088000002 in the amount of \$120,448.82 for a 2-year period for Shadow Creek subdivision, Phase 5, Section 1. All present voting "Aye". MOTION PASSED**

**32734 APPROVE SELECTION OF AMERICAN STRUCTUREPOINT, INC. TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE FM 3237 SAFETY IMPROVEMENT PROJECT FROM FM 150 TO RR 12; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**





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Commissioner Conley spoke. Jerry Borcharding gave staff recommendation. The FM 3237 safety improvement project from FM 150 to RR 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 would position this important safety project to move quickly to construction and allow the County to seek additional construction funding through CAMPO and TxDOT. American Structurepoint, Inc. has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve selection of American Structurepoint, Inc. to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the FM 3237 safety improvement project from FM 150 to RR 12; and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**32735 CALL FOR A PUBLIC HEARING ON AUGUST 29, 2017 TO REDUCE THE CURRENT SCHOOL ZONE SPEED LIMIT OF 30 MPH TO 25 MPH ON SAWYER RANCH ROAD FOR THE NEW ELEMENTARY & MIDDLE SCHOOLS**

Commissioner Whisenant spoke. Jerry Borcharding gave staff recommendation. This action would decrease the current, court-approved 30 MPH school zone speed limit to 25 MPH. The Dripping Springs ISD staff believe this reduction will be better for school traffic that might have to wait on Sawyer Ranch Rd. before being able to turn onto the school property. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to call for a public hearing on August 29, 2017 to reduce the current school zone speed limit of 30 MPH to 25 MPH on Sawyer Ranch Road for the new elementary & middle schools. All present voting "Aye". MOTION PASSED**

**32736 ACCEPT BRIDGE CONSTRUCTION FOR THE ONION CREEK BRIDGE IMPROVEMENTS ON CALITERRA PARKWAY IN CALITERRA SUBD., PHASE 1, SECTION 5, AND ACCEPT THE MAINTENANCE BOND #1034756MNT IN THE AMOUNT OF \$2,684,684.80 FOR A 2-YEAR PERIOD**

Jerry Borcharding spoke. Staff recommends acceptance of the construction of the bridge 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 Whisenant, seconded by Commissioner Conley to accept bridge construction for the Onion Creek Bridge Improvements on Caliterra Parkway in Caliterra Subd., Phase 1, Section 5, and accept the Maintenance Bond #1034756MNT in the amount of \$2,684,684.80 for a 2-year period. All present voting "Aye". MOTION PASSED**

**32737 SELECT HDR INC. AS PROJECT MANAGER FOR THE DACY LANE PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

General Counsel Mark Kennedy spoke. Ex Officio Commissioners and staff recommend the selection of HDR Inc. from a pool of capable firms as the best qualified to provide project management services on the Dacy Lane project. If selection is approved by court action, the Transportation Department will enter into negotiation regarding scope and fee. If a reasonable scope and fee can be reached, the Transportation Department will bring forth a Professional Service Agreement for discussion and possible action by the Court. Because project management may be construed to be a Professional Service under Ch.262 of the Texas Local Government Code, and not one of the enumerated Professional Services under Ch.2254 of the Texas Government Code, the contract negotiated by staff and counsel, which would be brought to Court for consideration, will contain a finding under TLGC §262.024(a)(4). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select HDR Inc. as Project Manager for the Dacy Lane project and authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**32738 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BYRN AND ASSOCIATES TO PROVIDE DESIGN SURVEY SERVICES ALONG AN APPROXIMATELY 1/2 MILE SECTION OF HIGH ROAD AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Jones spoke. Byrn and Associates will, if approved, provide survey services to county staff for the design of a potential dedicated left turn lane along High Road between North Plum Creek Road and State Highway 21 to support the operation of the new elementary school which is currently under construction. Budget Amendment: Decrease Road Material and Supplies: .5351 - (\$12,000.00) Increase Contract Services Consultant: .5448\_008 - \$12,000.00. **A motion was made by Commissioner Jones , seconded by**



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**Commissioner Whisenant to authorize the execution of a professional services agreement with Byrn and Associates to provide design survey services along an approximately 1/2 mile section of High Road and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32739 SELECT THE PRIME STRATEGIES, INC./HNTB CORPORATION (PSI/HNTB) TEAM AS THE GENERAL ENGINEERING CONSULTANT (GEC) FOR THE HAYS COUNTY 2016 ROAD BOND PROGRAM STATE HIGHWAY SYSTEM PROJECTS; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE CONTRACT(S)**

Commissioner Jones, Commissioner Conley, and Commissioner Whisenant spoke. 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. The PSI/HNTB GEC Team has assisted the County in the development and implementation of projects on the State Highway System since 2008 with the successful Pass-Through Finance Program voter referendum, and the subsequent Hays County-TxDOT Partnership Program. The last of the nine Pass-Through Finance Program projects, FM 1626 South, is now under construction and the County has already invoiced TxDOT for 25% of the total payback reimbursement. The Partnership Program, which was funded in part with cost savings from the Pass-Through Finance Program and the County's Road Bond Program, is moving forward with one project nearing completion and several others anticipated to be under construction in the coming year. The PSI/HNTB GEC team has provided a high level of quality control in their services, creativity in addressing scheduling, engineering, agency approval, leveraging the County's bond dollars, and funding challenges. Overall, their team has provided quality assistance to the County in delivering projects to the State Highway System in time and on budget. The process to initially select the GEC to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select the Prime Strategies, Inc./HNTB Corporation (PSI/HNTB) team as the General Engineering Consultant (GEC) for the Hays County 2016 Road Bond Program State Highway System projects; and to authorize staff and counsel to negotiate contract(s). All present voting "Aye". MOTION PASSED**

**32740 SUB-555 RUTHERFORD WEST SECTION 4 (42 LOTS) APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NO. 1059746 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$699,375.35**

County Planner, Caitlyn Strickland spoke and gave staff recommendation. The preliminary plan for the Rutherford West Subdivision was originally approved on May 11, 2004 as a 292 lot subdivision located off of FM 1826 in Precinct 2. This section includes 42 single-family residential lots. All lots will be served by West Travis County Public Utility Agency and wastewater service will be accomplished by individual advanced OSSFs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final plat and accept Construction Bond No. 1059746 for the construction of street and drainage improvements in the amount of \$699,375.35 for SUB-555 Rutherford West Section 4 (42 lots). All present voting "Aye". MOTION PASSED**

**32741 WAIVE THE HAYS COUNTY PERMIT FEES FOR THE WIMBERLEY VALLEY HABITAT FOR HUMANITY PROJECT LOCATED AT 20 MATADOR TRAIL, WIMBERLEY, TX 78676**

Wimberley Valley Habitat for Humanity is a non-profit community assistance organization that utilizes volunteers to build houses for low income families. The Commissioners Court has waived the fees for development permits for this group in the past. This home will be the 20<sup>th</sup> that the organization has built in the Wimberley Valley. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to waive the Hays County permit fees for the Wimberley Valley Habitat for Humanity project located at 20 Matador Trail, Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**

**32742 AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY**

Acting Human Resources Director Shari Miller spoke. This agreement authorizes Milliman, Inc. to determine whether Hays County's retiree pharmacy plans provide creditable coverage and are actuarially equivalent to the



standard Medicare Part D plan as defined by the Centers for Medicare and Medicaid Services (CMS). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an agreement between Hays County and Milliman, Inc. for actuarial services related to retiree drug subsidy. All present voting “Aye”. MOTION PASSED

**32743 ADOPT THE ELECTION DAY POLLING PLACES FOR THE NOVEMBER 7, 2017, CONSTITUTIONAL AMENDMENT ELECTION**

Election Administrator Jennifer Anderson spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the Election Day Polling Places for the November 7, 2017, Constitutional Amendment Election. All present voting “Aye”. MOTION PASSED

**32744 ADOPT THE EARLY VOTING SCHEDULE (DATES & TIMES) FOR THE NOVEMBER 7, 2017, CONSTITUTIONAL AMENDMENT ELECTION**

Elections Administrator Jennifer Anderson spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the Early Voting Schedule (Dates & times) for the November 7, 2017, Constitutional Amendment Election. All present voting “Aye”. MOTION PASSED

**32745 AUTHORIZE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT AND MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY AND THE HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT RELATED TO MONITORING OF GROUNDWATER WITHIN THAT DISTRICT AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Conley, Commissioner Whisenant, and General Council Mark Kennedy spoke. As part of the comprehensive Hays-County-wide groundwater monitoring effort, this proposed ILA/MOU is designed much like the agreement executed between Hays County and BSEACD last year. This agreement covers the Hays Trinity in the western parts of Hays County. It proposes the installation of 4 groundwater monitoring wells. Potential Funding Source for FY17: County Wide Misc. Capital Improvements. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize execution of an Interlocal Funding Agreement and Memorandum of Understanding between Hays County and the Hays Trinity Groundwater Conservation District related to monitoring of groundwater within that district and amend the budget accordingly. All present voting “Aye”. MOTION PASSED

**32746 AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH MLA LABS, INC., TO PROVIDE GEOTECHNICAL ENGINEERING SERVICES FOR DAHLSTROM NATURE PRESERVE PARKING AREA**

Clint Garza, Director of Development and Community Services spoke. The Parks Department would like to enter into an agreement with MLA Labs, Inc., for subsurface geotechnical services that are needed prior to construction of the parking area at the Dahlstrom Nature Preserve. The findings will be shared with RVi and Erin Banks so that modifications to the site plans can be made. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Agreement with MLA Labs, Inc., to provide Geotechnical Engineering Services for Dahlstrom Nature Preserve parking area. All present voting “Aye”. MOTION PASSED

**Clerk’s Note: Court took a break at 9:49 a.m. and reconvened at 10:00 a.m.**

**10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2018 HAYS COUNTY BUDGET**

Libraries – Diane Insley of Public Libraries, Melinda Hodges, of Buda Public Library, Paul Phelan Director of the Kyle Public Library, Marcia Atilano, Director of Dripping Springs Library, Carolyn Manning, Director of Wimberley Library, each spoke. Constable Pct. 4 – gave a powerpoint presentation. Constable Pct. 1 – gave a powerpoint presentation. Constable Pct. 5 – requested a salary increase for his Justice Clerk. The rate is moving her from 10% to 25%. Yearly budgetary impact would be \$2,075.32. Lon Shell, Chief of Staff, explained the effective tax rate.

**Clerk’s Note Agenda Item #32 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



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**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY**

Court convened into Executive session at 12:57 p.m. and reconvened into open court at 2:02 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff, Lon Shell, Tammy Crumley, Brandon Muniz, Stan Lewiecki, and Mike Shaunessy. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND/OR DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE, USE, OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY**

Court convened into Executive session at 12:34 p.m. and reconvened into open court at 12:55 p.m. And reconvened into Executive Session at 2:02 p.m. and reconvened into open court at 2:07 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff, Lon Shell, Tammy Crumley, Brandon Muniz, and Shari Miller. No action taken.

**32747 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 HUMPTY DUMPTY (SPRINGTOWN)**

Court convened into Executive session at 12:29 p.m. and reconvened into open court at 12:33 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, Chief of Staff, Lon Shell, Tammy Crumley, and Brandon Muniz. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commissioner Precinct 1, on behalf of Hays County, to execute a Second Addendum to Chapter 381 Economic Development Agreement between Hays County and Humpty Dumpty SSM, Ltd., as presented in Executive Session. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #36 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 is at 507. Burn Ban will remain in effect.

**Clerk's Note Agenda Item #38 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**

Court adjourned at 2:17 p.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 August 15, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 22<sup>ND</sup> DAY OF AUGUST 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
WILL CONLEY	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:

Chaplain Melendez 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.

**RECOGNITION OF KYLE HERRON OF DRIPPING SPRINGS AND MAKENNA HAWKINS OF BUDA FOR THEIR ACHIEVEMENT OF BEING SELECTED TO SERVE AS PRESIDENT AND VICE PRESIDENT OF THE STATE 4-H COUNCIL**

Jason Mangold, Extension Officer spoke. Hays County has never had any kids on the State 4-H Council. This is a great honor to not only have one individual but two in the highest seats in the State.

**PUBLIC COMMENTS**

David Crowell – Kyle resident, Dan Lyon – San Marcos resident, and Rodrigo Amaya – San Marcos resident made public comments.

**32748 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$743,842.47 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32749 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 15, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 15, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32750 AUTHORIZE COMMERCIAL OSSF PERMIT AT 133 GLOSSON RANCH RD, DRIPPING SPRINGS, TX 78620**

Brumax Enterprises LTD is proposing an OSSF to serve three new office/warehouse buildings. Each building will have two office/warehouse spaces. This system will serve up to 24 employees and customers. This 1.29-acre tract of land will be served by a private well. The system designer, Daniel Balboa, R.S., has designed a system which consists of pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 180 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 133 Glosson Ranch Rd., Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED

**32751 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit #1044 on Dacy Lane issued to CenterPoint Energy and Utility Permit #1045 on Marsh Lane & Heron Drive (Shadow Creek) issued to CenterPoint Energy as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**32752 AUTHORIZE RECYCLING AND SOLID WASTE DIVISION TO WAIVE FEES FOR CITY OF WIMBERLEY UNTIL SEPTEMBER 9, 2017, FOR DISPOSAL OF CITY OWNED ITEMS**



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Aaron Reed, Public Works Superintendent, has asked for assistance in disposal of items to be cleaned out of their storage facility. Anticipated items include office furniture and miscellaneous office supplies. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Recycling and Solid Waste Division to waive fees for City of Wimberley until September 9, 2017, for disposal of city owned items. All present voting "Aye". MOTION PASSED**

**32753 AUTHORIZE COMMERCIAL OSSF PERMIT AT 13551 FM 150, DRIFTWOOD**

Kent Killough is proposing an OSSF to serve a brewing company at 13551 FM 150, Driftwood in Precinct 4. This on-site sewage facility will be a new install for the brewing company. This property is 23.44 acres in size and water will be supplied by a public water well on the property. The system designer, Jon Maas, R.S. has designed a treatment system consisting of a 3 1500 gallon one compartment tanks and one 4000 gallon pump tank. After treatment, the effluent will flow through a Drip Tech Headworks filter system and then be dispersed to a drip irrigation field for a maximum daily rate of 720 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 13551 FM 150, Driftwood. All present voting "Aye". MOTION PASSED**

**32754 APPROVE SPECIFICATIONS FOR RFQ 2017-P09 AUDITING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

Texas law requires County Commissioner's Court to engage an outside accounting firm to audit the County's financial statements and internal controls. The purpose of the external audit is to examine and report on the various funds and account groups of Hays County, as required by Section 115.031 of the Texas Local Government Code. The contract for the firm the County is currently utilizing expired upon completion of the FY 2016 financial audit requiring a formal RFQ for the upcoming fiscal year-end audit. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve specifications for RFQ 2017-P09 Auditing Services and authorize Purchasing Manager to solicit for Qualifications and Advertise. All present voting "Aye". MOTION PASSED**

**32755 AUTHORIZE THE EXECUTION OF AN ADDITIONAL SERVICES FEE PROPOSAL FROM MEP ENGINEERING, INC. FOR WORK RELATED TO THE PIPE REPLACEMENT PROJECT AT THE HAYS COUNTY GOVERNMENT CENTER**

MEP Engineering assisted with the design and construction management for pipe replacement at the Hays County Government Center. Staff proposes installing a water treatment system as the final phase of the improvements at the facility. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an additional services fee proposal from MEP Engineering, Inc. for work related to the pipe replacement project at the Hays County Government Center. All present voting "Aye". MOTION PASSED**

**32756 APPROVE A TRANSFER REQUEST FOR ONE VEHICLE FROM THE EXTENSION OFFICE TO THE DEVELOPMENT SERVICES DEPARTMENT**

The following vehicle is being requested for transfer from the Extension Office to the Development Services Department. Equipment Transfer: 2003 Chevrolet Silverado VIN: 1GCEC19T93Z214081. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a transfer request for one vehicle from the Extension Office to the Development Services Department. All present voting "Aye". MOTION PASSED**

**32757 AMEND THE BUILDING MAINTENANCE DEPARTMENT BUDGET FOR BUILDING MAINTENANCE AND REPAIRS AS NEEDED FOR THE REMAINDER OF FISCAL YEAR 2017**

Additional funds will be needed for building maintenance and repairs for the remainder of fiscal year 2017. This is due to unforeseen repairs on the heating and cooling systems at several locations throughout the County. The requested funds will be utilized for general operational costs as well as repairs at the following locations: Government Center- \$8,000 Precinct 5- \$6,000 Precinct 4- \$5,000 Courthouse- \$20,000 General Operational Costs - \$11,000 Potential funding source: Countywide Misc. Capital Improvement Savings. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Building Maintenance Department budget for building maintenance and repairs as needed for the remainder of fiscal year 2017. All present voting "Aye". MOTION PASSED**



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**32758            AMEND THE RECYCLING AND SOLID WASTE DEPARTMENT BUDGET FOR WASTE DISPOSAL SERVICES AS NEEDED FOR THE REMAINDER OF FISCAL YEAR 2017**

The Recycling and Solid Waste Department has experienced an increase in traffic over the course of fiscal year 2017. While the projected revenue for the year is greater than anticipated other services such as trash hauling have also seen a significant increase. The requested amount will be utilized to cover these expenses for the remainder of the year. Savings within heavy equipment are available, due to grant funds recovered for forklift purchase. Budget Amendment: Increase Trash Hauling .5452 Decrease Heavy Equipment .5714\_700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to amend the Recycling and Solid Waste Department budget for waste disposal services as needed for the remainder of fiscal year 2017. All present voting “Aye”. MOTION PASSED**

**32759            AUTHORIZE PROVISION OF MATCHING FUNDS FOR THE EMERGENCY WATERSHED PROTECTION PROGRAM GRANT THAT WAS AWARDED BY THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD FOR THE AUXILIARY SPILLWAY REPAIR AND CONTROL MEASURES FOR THE UPPER SAN MARCOS DAM SYSTEM PROJECT**

The State Soil Conservation Department will provide for the 23.75% of matching funds required by the grant award that Hays County is responsible for. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize provision of matching funds for the Emergency Watershed Protection Program Grant that was awarded by the Texas State Soil and Water Conservation Board for the auxiliary spillway repair and control measures for the Upper San Marcos Dam System Project. All present voting “Aye”. MOTION PASSED**

**32760            APPROVE ADVANCE FUNDING AGREEMENT AMENDMENT NO. 3 BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE HAYS COUNTY-TXDOT PARTNERSHIP PROGRAM AND AUTHORIZE THE EXECUTION OF AMENDMENT NO. 3 ON BEHALF OF HAYS COUNTY**

Commissioner Pct. 3, Will Conley, spoke. On December 18, 2013, Hays County and the Texas Department of Transportation entered into an Advance Funding Agreement (AFA) which outlined the roles and fiscal responsibilities of both parties regarding the project development and construction of various roadway improvements included in the Hays County-TxDOT Partnership Program. The AFA was amended on August 12, 2014 to address changes to the RM 12 project, and amended on December 16, 2015 to address changes to the I-35 Ramp Reversal project. Since that time, Hays County has completed the Corridor Analysis Study for the FM 150 West Alignment Study project. Based on the completion of the Corridor Analysis Study, TxDOT, in cooperation with Hays County, has determined that it will fund and conduct the level of environmental studies it deems necessary to identify a preferred alignment alternative. The AFA Amendment No. 3 reflects that determination and TxDOT's updated cost participation share. Also, during development by Hays County of the I-35/Posey Road project, the scope of the proposed improvements was expanded, increasing the construction costs, which are the responsibility of TxDOT. The AFA Amendment No. 3 reflects the increased construction costs and the transfer of responsibility from Hays County to TxDOT for any costs exceeding the Federal funding obligation limit. Amending the AFA for these two projects will allow TxDOT to initiate the environmental documentation for the FM 150 West Alignment Study project and move forward through the project development process and to complete the necessary approvals and construction funding authorization for the I-35/Posey Road project, which is anticipated to be let for construction by TxDOT in early Fiscal Year 2018. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve Advance Funding Agreement Amendment No. 3 between Hays County and the Texas Department of Transportation (TxDOT) for the Hays County-TxDOT Partnership Program and authorize the execution of Amendment No. 3 on behalf of Hays County. All present voting “Aye”. MOTION PASSED**

**32761            SELECT BOWMAN CONSULTING AS THE DESIGN ENGINEER FOR THE COTTON GIN REHABILITATION PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Commissioner of Precinct 2, Mark Jones, and the Transportation Department recommend the selection of Bowman Consulting from a pool of capable engineering firms as the best qualified to provide engineering services on the Cotton Gin project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to select Bowman Consulting as the design engineer for the Cotton Gin rehabilitation project and authorize staff and counsel to negotiate a contract. All present voting “Aye”. MOTION PASSED**



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**32762 AUTHORIZE THE COURT TO EXECUTE SUPPLEMENTAL WORK AGREEMENT #1 WITH K FRIESE AND ASSOCIATES FOR ENGINEERING WORK ON THE LIME KILN BRIDGE PROJECT IN SAN MARCOS AND AMEND THE BUDGET ACCORDINGLY**

If authorized, this supplemental agreement provides for additional scope of work that has been requested by the Transportation Department. The original scope of work did not include the additional surveying and archeological services necessary to mitigate potential right of way taking. Additionally, this change order includes construction engineering and inspection services necessary to provide a quality finished project on schedule. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$210,000.00 Increase Contract Services Consultant: .5448\_008 - \$210,000.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the Court to execute Supplemental Work Agreement #1 with K Friese and Associates for engineering work on the Lime Kiln Bridge project in San Marcos and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32763 SUB-789 RANCHITOS OF NIEDERWALD SUBDIVISION (3 LOTS) APPROVE FINAL PLAT**

Hays County Planner, Marcus Pacheco gave staff recommendation. The proposed Ranchitos of Niederwald Subdivision is a 3 lot subdivision across 3.65 acres located off of Williamson Road in Precinct 2. The subdivision will be served by GoForth Water Supply and wastewater service will be provided by individual onsite sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final plat of SUB-789 Ranchitos of Niederwald Subdivision (3 Lots). All present voting "Aye". MOTION PASSED**

**32764 SUB-813 MEDLIN CREEK RANCH PHASE 2 (18 LOTS) APPROVE FINAL PLAT; ACCEPT CONSTRUCTION BOND NO. CNB-24994-00 FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$368,000.00**

Hays County Planner, Marcus Pacheco gave staff recommendation. The proposed Medlin Creek Ranch is an 18 lot subdivision located off of Medlin Creek Loop in Precinct 4. The subdivision will be served by individual water 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 Jones to approve final plat; accept Construction Bond No. CNB-24994-00 for the Construction of Street and Drainage Improvements in the amount of \$368,000.00 for SUB-813 Medlin Creek Ranch Phase 2 (18 Lots). All present voting "Aye". MOTION PASSED**

**32765 AUTHORIZE THE EXECUTION OF A LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CENTRAL TEXAS MEDICAL CENTER (CTMC) AND AUTHORIZE THE PAYMENT OF \$900,000 RELATED TO INDIGENT HEALTH CARE COSTS**

Chief of Staff, Lon Shell spoke. Dedicated funds are budgeted each year to be used for payments to CTMC associated with providing indigent health care through the 1115 waiver and the Indigent Program at the Live Oak Community Clinic. There is currently a total of \$1,312,041.36 remaining for FY17 budgeted payments. The remaining \$412,041.36 budgeted for FY 2017 will be carried over into FY 2018. The Letter of Agreement only authorizes the payment of funds currently budgeted for FY 2017. In addition to the carried over \$412,041.36, \$2M has been budgeted in the FY18 budget process to address future payments. This process was used at the completion of FY2016 as well. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Letter of Agreement between Hays County and Central Texas Medical Center (CTMC) and authorize the payment of \$900,000 related to Indigent health care costs. All present voting "Aye". MOTION PASSED**

**DISCUSSION AND UPDATE REGARDING THE 2017 SERIES BOND SALE AND CAPITAL IMPROVEMENT PROGRAM ANALYSIS FROM HAYS COUNTY'S FINANCIAL ADVISOR, DAN WEGMILLER WITH SPECIALIZED PUBLIC FINANCE INC**

Dan Wegmiller with SPFI, Inc. provided an update regarding the recent sale of the Hays County Limited Tax Bonds Series 2017 (Public Safety Facilities), the Hays County Unlimited Tax Road Bonds Series 2017, the Hays County Limited Tax Refunding Bonds Series 2017 as well as a capital improvement program analysis for future planning. No action taken.

**32766 AUTHORIZE COMMERCIAL OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10-W(6) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 2500 N FM 1626, BUDA, TX 78610**





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Roxie McInnis, Community and Development Services Division Manager spoke. TWC-1626, LLC is proposing an OSSF to serve a small office building. This property is over 99. This system will accommodate up to 5 employees per day. This OSSF is a standard treatment and effluent will be disposed to a pipe and gravel drainfield. The system is designed for a maximum daily rate of 100 gallons. Water will be hauled in and stored in a storage tank to serve the office. The system designer, Lance Dillard, R.S, is requesting a variance to Section 10-W (6) of the Hays County rules for On-Site Sewage Facilities, which requires an effluent meter which is capable of measuring the daily flow. His justification for the variance is "Equal Protection of the environment is insured...since the only water serviced to the building will go directly into the waste water facility. No exterior hose bibs or any type of irrigation should be used after the flow meter to honor the correct readings." **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit and grant a variance to Section 10-W(6) of the Hays County Rules for On-Site Sewage Facilities at 2500 N FM 1626, Buda, TX 78610. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 10:01 a.m. and reconvened into open session at 10:14 a.m.**

**32767 ACKNOWLEDGE AND RATIFY THE SIGNATURE OF THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE TEXAS VETERANS COMMISSION - FUND FOR VETERANS ASSISTANCE IN THE AMOUNT OF \$100,000.00 FOR HAYS COUNTY VETERANS TREATMENT COURT OPERATIONS, AS WELL AS APPROVE THE PROPOSED CHANGES TO THE GRANT ELEMENTS ASSOCIATED WITH THIS AWARD, AND AMEND THE BUDGET ACCORDINGLY**

Judge, County Court at Law #2, David Glickler spoke. On November 15, 2016 the Commissioners Court approved submission of a grant application to the Texas Veterans Commission for \$100,000.00 to fund operations within the Hays County Veterans Treatment Court program. The funds would be used to cover the salaries of the full-time Probation Officer and part-time (20 hr/wk) Mentor Coordinator, as well as to pay court fees associated with the expunction of the veteran defendants' criminal records upon successful completion of the veterans treatment court program. While this project application and award was pending, legislation was introduced and passed – HB 322 – that has changed the way expunctions are conducted for Veterans/Veteran Court participants and, as a result, they or the organizations holding records can no longer be charged or charge for that service. This has resulted in necessary modification or amendment to our grant award per the TVC, as they will now no longer allow any expunction charges to the grant per the recent legislation. They also requested that we come up with alternative allowable services or elements to substitute for the disallowed "expunction" element in the amount of \$18,838, still maintaining the full award amount of \$100,000. Staff have considered appropriate services and determined that alternative, individualized treatment therapies for the Veteran Treatment Court participants are an appropriate and needed substitute. To expedite award of the grant as we were already running behind the proposed schedule to hire the positions mentioned above, the County Judge signed the Notice of Grant Award (NOGA) on the expectation that the Commissioners Court would ratify and acknowledge such approval since approval was already in place for making the grant application for the proposed grant elements. However, counter-signature by the TVC and most importantly transmittal of the fully executed NOGA, was held up while TVC staff determined to most appropriate way to address the new legislation and make the required changes. We are now asking the Commissioners Court to acknowledge and ratify the County Judge's signature for acceptance of the grant, as well as approve the proposed amendment for the substitution of "treatment services" for "expunctions". The term of the grant is from July 1, 2017 to June 30, 2018. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to acknowledge and ratify the signature of the County Judge to accept a grant award from the Texas Veterans Commission - Fund for Veterans Assistance in the amount of \$100,000.00 for Hays County Veterans Treatment Court operations, as well as approve the proposed changes to the grant elements associated with this award, and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took break at 12:05 p.m. and reconvened into open session at 12:17 p.m.**

**32768 AUTHORIZE THE TRANSPORTATION DIRECTOR TO HIRE TWO VACANT ROAD MAINTENANCE SPECIALISTS, SLOT 1075-002 AND SLOT 1075-003 AT THE 50TH PERCENTILE EFFECTIVE AUGUST 22, 2017**

The Transportation Director requests the court approval to hire two vacant Road Maintenance Specialists positions at the 50th percentile. Each candidate obtains a specific CDL license and has 17 plus years of experience in general road maintenance and operating heaving equipment. Their license and experience and understanding of roadway construction will greatly benefit the department. The requested base salary for each position is \$35,218 (annualized impact is \$7,044/\$8,448 with fringe) per position; with a total FY17 impact of \$1,901. Salary savings due to attrition are available to fund this request. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Director to hire two vacant Road Maintenance Specialists, slot 1075-002 and slot 1075-003 at the 50th percentile effective August 22, 2017. All present voting "Aye". MOTION PASSED**



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**32769            AUTHORIZE THE EXECUTION OF THE FUNDING AGREEMENT BETWEEN HAYS COUNTY AND THE GREATER SAN MARCOS ECONOMIC DEVELOPMENT COUNCIL**

Under the Funding Agreement the Greater San Marcos Economic Development Council will provide for: 1) Review and provide negotiation services for all incentive requests; 2) Assist the County in establishing, maintaining and implementing a County-wide Economic Development Policy and a County-wide Economic Incentive Program. 3) Provide marketing and advertising for business development in Greater San Marcos, which shall include both Hays and Caldwell Counties; 4) Develop and maintain a website that provides links to the County and all participating municipalities in Hays County, as well as providing a property search engine for listed properties in Greater San Marcos; 5) Provide assistance with expansion and retention of existing businesses in Hays County, as requested by County or participating municipalities; 6) Provide assistance with expansion and retention of existing businesses in Hays County, as requested by County or participating municipalities; 7) Provide support and assistance with economic development grants, or any other available funding sources; 8) Allow any municipality within Hays County to participate, by its own request, in general membership activities without requiring that municipality to pay membership fee(s). **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the execution of the Funding Agreement between Hays County and the Greater San Marcos Economic Development Council. All present voting "Aye". MOTION PASSED**

**32770            AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE PRIVATE PROPERTY OWNERS FOR KYLE FIRE DEPARTMENT ESD#5 STATION #3, DRIPPING SPRINGS RANCH PARK, FREEMAN RANCH AND WIMBERLEY PUMP STATION (OWNED BY ESD#4 OFF BURNETT RANCH ROAD IN WIMBERLEY) ALLOWING HAYS COUNTY INFRASTRUCTURE ACCESS TO THEIR PROPERTY TO INSTALL AND MAINTAIN FIRE WEATHER STATIONS AND FENCING AND AMEND THE BUDGET ACCORDINGLY**

Office of Emergency Management Director, Kharley Smith, spoke. On March 28, 2017 the Commissioner's Court accepted a grant award for the equipment and installation of four Remote Automated Weather Stations (RAWS). The following agencies have agreed to house the RAWS equipment on their property; Kyle Fire Department ESD#5, Dripping Springs Ranch Park, Wimberley Pump station (owned by ESD#4 off Burnett Ranch Road in Wimberley) and Freeman Ranch. The MOU's allow for the County to access this equipment as needed. Additionally, the county will install fences on three of the properties (Freeman Ranch will be responsible for their fence installation). The fencing is needed to ensure safety and reliability of the RAW systems. The data collected at these sites will be utilized by local responders and the national weather service for predictions; therefore it is imperative that the equipment is secure. Three quotes were obtained as per County purchasing policy. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the execution of a Memorandum of Understanding with the private property owners for Kyle Fire Department ESD#5 Station #3, Dripping Springs Ranch Park, Freeman Ranch and Wimberley Pump Station (owned by ESD#4 off Burnett Ranch Road in Wimberley) allowing Hays County infrastructure access to their property to install and maintain Fire Weather stations and fencing and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32771            APPROVE SELECTION OF UNITED HEALTHCARE AS THE HEALTH AND DENTAL INSURANCE PROVIDER FOR HAYS COUNTY BEGINNING JANUARY 1, 2018; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT FOR THOSE SERVICES**

Shari Miller, Acting Director of Human Resources, Scott Yarbrough, of Yarbrough Agency spoke. The Hays County Insurance Committee has recently engaged in the RFP process for health and dental coverage for employees and their dependents. As a result of the analysis of the proposals received, the Insurance Committee requests approval to negotiate with United Healthcare for health and dental coverage to begin January 1, 2018. If selected, staff and counsel would negotiate the terms of a contract that would be brought back to Commissioners Court for consideration. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve selection of United Healthcare as the health and dental insurance provider for Hays County beginning January 1, 2018; and to authorize staff and counsel to negotiate a contract for those services. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took lunch at 12:47 p.m. and reconvened into open session at 1:47 p.m.**

**32772            VOTE ON A PROPOSED BUDGET AND TAX RATE FOR FISCAL YEAR 2018 AND SCHEDULE PUBLIC HEARINGS**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a 44.5% Tax Rate and set the Elected Officials Salaries and set the Public Hearings for September 5, 2017 at 1:00 p.m. and September 12, 2017 at 1:00 p.m. All present voting "Aye". MOTION PASSED**



**32773 BUDGET WORKSHOP REGARDING THE FY 2018 HAYS COUNTY BUDGET**

Karen Brown, Hays County Child Protective Board, thanked the Court for their support over the years. Norma Castilla-Blackwell, Director at CASA and Tricia Schneider, CASA Development Director, spoke. Alisha Roberts, Development Project Manager, Village of San Marcos, spoke. County Court at Law #2, David Glickler, requested salary increase for Veterans Coordinator, Court Reporters and Bailiffs. He's also requesting an additional Court Coordinator. Britney Richie, presented the Retiree Committee's recommendations. This year the Committee recommended a 2% COLA increase. Effective November 1, 2017, retirees with less than 20 years of continuous service with the County will pay the full cost of retiree coverage. Retirees with 20 or more years of continuous service with the County will continue to pay 15% of the cost of retiree coverage until the employer's monthly cost reaches \$1,000 per month. John Kroll, Dripping Springs City Council, and Patrick Rose, Dripping Springs Economic Development Committee, asked for the Court's consideration of TIRZ #1 & #2. Transportation Director, Jerry Borchering, asked the Court to consider Grade changes. Sgt. Jeri Skrocki, and Renee Luna, of the Sheriff's Office spoke of FARO Focus Laser Scanners. Constable Pct. 1, David Peterson, requested the Court's consideration of an additional Deputy. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to vote on the budget with changes that were presented. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took break at 2:52 p.m. and reconvened into open session at 3:03 p.m.**

**Clerk's Note Agenda Item #29 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 SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT KING**

Court convened into Executive session at 3:33 p.m. and reconvened into open court at 4:01 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, and Chief of Staff, Lon Shell. No action taken.

**Clerk's Note Agenda Item #31 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 – 562. The Burn Ban will remain in effect.

**Clerk's Note Agenda Item #33 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 4:05 p.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 August 22, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 29<sup>TH</sup> DAY OF AUGUST 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
WILL CONLEY	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:

Chaplain Melendez 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.

#### PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Shari Miller, Human Resources Acting Director presented the Hays County Service Awards. 5-Years – Henry Alvarez – Bldg. Maintenance, Paul Tristan – Juvenile Detention Center. 10-Years – Kristin Sembera, Ricardo Lozano, Mark Andrews and Martha McCoy – Sheriff's Office. 15-Years – Irene Padilla – Juvenile Detention Center, Michael Wood – Sheriff's Office. 25-Years – Margarita Rodriguez – Health Department, David Ybarra – Sheriff's Office. Retirement – Michael Wood and Jesus Cavazos – Sheriff's Office Katherine Orlowski – District Clerk's Office.

#### 32774 ADOPT A PROCLAMATION DECLARING SEPTEMBER AS EMERGENCY PREPAREDNESS MONTH IN HAYS COUNTY

Kharley Smith, Emergency Management Director and Mike Jones, Emergency Management Officer, spoke. They spoke of a couple of places to register [www.warncentraltexas.org](http://www.warncentraltexas.org) and an app called Code Red that could keep all aware of any and all emergencies, not only here in Central Texas but anywhere they may be. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a proclamation declaring September as Emergency Preparedness Month in Hays County. All present voting "Aye". MOTION PASSED**

#### RECOGNITION OF HAYS COUNTY CERT MEMBERS AND EXECUTIVE BOARD

Kharley Smith, Emergency Management Director and Mike Jones, Emergency Management Officer, spoke. Court recognized Hays County CERT for all the new members and work they accomplished in 2017.

#### 32775 APPROVE PAYMENTS OF COUNTY INVOICES, JUROR CHECKS AND HUMANA HEALTH CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,557,225.63, Juror Checks in the amount of \$2,028.00 and Humana Health Claims in the amount of \$429,779.23 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### 32776 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 22, 2017

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 22, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

#### 32777 AUTHORIZE PAYMENT TO HOSTMONSTER FOR WEBSITE HOSTING SERVICES IN THE AMOUNT OF \$649.14 FOR THE OFFICE OF EMERGENCY SERVICES IN WHICH A PURCHASE ORDER WAS NOT OBTAINED

Website hosting was paid initially in 2014 at an introductory cost of \$4.95 a month for a 3 year cost of \$178.20. Three years later in 2017 the pricing increased to a cost of \$12.49 a month for a 3 year contract. At the advice of the IT Dept the decision was made to continue with HostMonster despite the increase in cost. It was on oversight to not obtain a PO prior to agreeing to the subscription continuation.



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A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to HostMonster for website hosting services in the amount of \$649.14 for the Office of Emergency Services in which a purchase order was not obtained. All present voting "Aye". MOTION PASSED

**32778 AUTHORIZE COMMERCIAL OSSF PERMIT AT 12475 TRAIL DRIVER, AUSTIN, TX 78737**

Brumax Enterprises LTD is proposing an OSSF to serve three new office/warehouse buildings. Each building will have two office/warehouse spaces. This system will serve up to 24 employees and customers. This 1.39-acre tract of land is Lot 1 of the Cavallo Park Subdivision and will be served by a public water supply. The system designer, Daniel Balboa, R.S., has designed a system which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 180 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 12475 Trail Driver, Austin, TX 78737. All present voting "Aye". MOTION PASSED

**32779 AUTHORIZE EXECUTION OF THE FLOODPLAIN PERMIT FOR THE HAYS COUNTY PHASE I JAIL ADDITION AND RENOVATION AND AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR TO EXECUTE FUTURE DOCUMENTS RELATED TO THE PERMITTING OF EACH FACILITY RELATED TO THE PUBLIC SAFETY BOND PROGRAM**

Floodplain Permit for the Hays County Phase I project and all future permitting documents related to the Public Safety Bond Program. In addition to this permit, staff requests authorization to execute permit documents. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of the Floodplain Permit for the Hays County Phase I Jail Addition and Renovation and authorize the Development and Community Services Director to execute future documents related to the permitting of each facility related to the Public Safety Bond Program. All present voting "Aye". MOTION PASSED

**32780 RESCIND THE COURT ACTION TO RELEASE A MAINTENANCE BOND FOR BUSH RANCH SUBD. PH.2, SEC.2 FOR \$1,093,149.42 AND INSTEAD RELEASE SAID MAINTENANCE BOND IN THE AMOUNT OF \$312,211.40**

Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. The maintenance bond covered streets, water & sewer. Roads include: Rocky Ridge Trail (1,874 ft.). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to rescind the court action to release a maintenance bond for Bush Ranch Subd. Ph.2, Sec.2 for \$1,093,149.42 and instead release said maintenance bond in the amount of \$312,211.40. All present voting "Aye". MOTION PASSED

**32781 AUTHORIZE THE SUBMITTAL OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY17 LOCAL SOLICITATION FOR RIFLE-RESISTANT VESTS FOR THE CONSTABLES IN THE AMOUNT OF \$13,580.00**

Hays County is eligible to receive funding in the amount of \$13,580 from the 2017 Texas Local JAG allocation grant solicitation. These funds in the past were shared between the City of San Marcos and Hays County as determined by the funding formula. This year Hays County will receive a separate funding allocation and this will be used to purchase 18 Rifle-Resistant Vests in the amount of \$14,112.00 for the Constables, an additional \$532.00 of local county funds are necessary to complete the purchase. The application is due by September 5, 2017 and is submitted electronically. Attached is the notice of available funding from the FY17 Local JAG Program. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submittal of a grant application to the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY17 Local Solicitation for Rifle-Resistant Vests for the Constables in the amount of \$13,580.00. All present voting "Aye". MOTION PASSED

**32782 AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT NO. 4 TO THE PROFESSIONAL SERVICE AGREEMENT WITH KLOTZ & ASSOCIATES, INC. FOR PROFESSIONAL DESIGN ENGINEERING SERVICES FOR THE FM 1626 SOUTH PROJECT IN HAYS COUNTY AS PART OF THE PASS-THROUGH FINANCE PROGRAM**



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FM 1626 South project requiring design services for widening FM 967 west of FM 1626 to accommodate additional traffic storage; Intersection grading at the intersections of FM 1626 @ FM 967 and FM 1626 @ FM 2270; Continuation of Construction Phase Services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Supplemental Agreement No. 4 to the Professional Service Agreement with Klotz & Associates, Inc. for professional design engineering services for the FM 1626 South project in Hays County as part of the Pass-Through Finance Program. All present voting "Aye". MOTION PASSED**

**32783      AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 3 FROM HOK FOR WORK RELATED TO THE SECURITY SYSTEM REMEDIATION AT THE JAIL WITHIN THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

Oversight of remediation of sub-standard work performed outside of the contract and bond project, but having significant impact on the work of the contract and bond project. Additional services include an enhanced survey of the existing security automation system, report development establishing existing conditions and recommendations, assist 3rd party vendor in developing remediation scope, and construction observation to monitor 3rd party work performed to ensure compliance with original scope, remediation scope and compatibility with planned integration for the new addition. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Additional Services No. 3 from HOK for work related to the security system remediation at the jail within the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

**32784      AUTHORIZE THE DEVELOPMENT SERVICES DEPARTMENT TO UTILIZE SALARY SAVINGS TO HIRE INTERNS FOR WORK RELATED TO THE DIGITIZATION OF DEPARTMENT RECORDS**

In the early part of fiscal year 2017 budget process, the Development Services Department partnered with the Records Management Officer to develop and implement a plan to digitize the department records. This plan included the use of paid interns to assist on the project and an amount was awarded in FY'17 budget to cover the expenses. The project has been more extensive than anticipated and additional funds are being requested to complete the remainder of the project. Funds from salary savings have been identified to cover the additional expenses. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Development Services Department to utilize salary savings to hire interns for work related to the digitization of department records. All present voting "Aye". MOTION PASSED**

**32785      APPROVE RENEWAL OF IFB 2015-B10 EMULSION OILS WITH ERGON ASPHALT & EMULSIONS, INC. FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID**

IFB 2015-B10 is due to expire as of August 31, 2017. The Transportation Department and Ergon Asphalt & Emulsions, Inc. have both agreed on a one (1) year renewal at the price increases that were submitted by Ergon Asphalt & Emulsions, Inc. on August 1, 2017. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2015-B10 Emulsion Oils with Ergon Asphalt & Emulsions, Inc. for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED**

**32786      ACCEPT THE 2016 HAYS ESD #7 AUDIT REPORT**

**A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2016 Hays ESD #7 Audit Report. All present voting "Aye". MOTION PASSED**

**32787      AMEND THE OFFICE OF THE GOVERNOR, CJD VETERAN'S COURT GRANT OPERATING BUDGET FOR CONTRACTUAL SERVICES FEES FROM RECOVERY HEALTHCARE**

The Office of the Governor, CJD has authorized a budget amendment utilizing medical insurance savings to cover invoices related to contract services. Budget Amendments: Decrease Medical Insurance Benefits - (\$1,776) Increase Contract Services - \$1,776. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Office of the Governor, CJD Veteran's Court grant operating budget for contractual services fees from Recovery Healthcare. All present voting "Aye". MOTION PASSED**



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**32788      AUTHORIZE THE TAX OFFICE TO PURCHASE A REFURBISHED TOUCHSCREEN FOR THE NEMO-Q SYSTEM FOR THE KYLE SUB-STATION AND AMEND THE BUDGET ACCORDINGLY**

On July 25th the Court authorized the Tax Office to purchase a replacement NEMO-Q System for the Kyle Substation. Due to an oversight, the quotes received did not include the touchscreen necessary for the public to utilize the system. The Tax Office has salary/fringe savings due to attrition available to cover the additional cost for the equipment needed. Budget Amendment: Increase Computer Eqpt. Decrease Staff Salaries. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Tax Office to purchase a refurbished touchscreen for the Nemo-Q system for the Kyle Sub-station and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32789      AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO ACCEPT DONATED HARDWARE FOR THE DELL SMART PRINTER PROGRAM FOR THE COUNTY CLERK AND AMEND THE BUDGET ACCORDINGLY**

Dell Marketing has provided the County a Smart Printer with dual tray to test in our Judicial System. This is a heavy duty printer that will function with our existing software and will handle the volume produced by the County Clerk's Office. Attachments: Dell VDI Solution Quote 3000014597624.1 (for value of donated hardware - \$1,086) Budget Amendment: Increase Contributions - .4610 Increase Computer Equipment\_Ops - .5712\_400. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Information Technology Department to accept donated hardware for the Dell Smart Printer program for the County Clerk and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32790      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is requesting court approval to use countywide funds for vehicle maintenance and repair of two patrol vehicles that were involved in an accident. The vehicles are in good working order and with repairs can be placed back to patrol operations. Total estimated cost of repairs is \$2,839.00 Budget Amendment: Decrease 001-645-00.5342 Increase 001-618-00.5413. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize countywide funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32791      AUTHORIZE THE COMMISSIONER'S COURT TO EXECUTE THREE CONTRACTS AND ONE AMENDMENT WITH TYLER TECHNOLOGIES, INC. FOR TECHNICAL SERVICES FOR JUDICIAL PACKAGES WITHIN THE ODYSSEY PROGRAM**

The Information Technology Department is assisting with implementation of several programs to enhance the counties judicial packages within the current Odyssey Program. Attachments: Tyler Technology ECR Contract Tyler Technology Silverlight Contract Tyler Technology Merchant Payment Contract Tyler Technology OCR-EP Contract ECR Program Training - Enterprise Custom Reporting Training (ECR) for the IT Office which will allow for customized reporting to be accessed directly from the Odyssey servers Silverlight Task Manager - Case Manager Program for all Court Staff (County Clerk, JP's and District Clerk) Merchant Payment - Portal System for payments to feed directly into Odyssey OCR & E-signature - OCR will convert the existing document into a searchable PDF & E-P will allow the Judge's Esignature to be affixed to official documents Funds were budgeted during the FY 2017 budget process to implement these program enhancements. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Commissioner's Court to execute three contracts and one amendment with Tyler Technologies, Inc. for technical services for judicial packages within the Odyssey Program. All present voting "Aye". MOTION PASSED**

**32792      AUTHORIZE PAYMENT TO CARD SERVICE CENTER FOR HOTEL EXPENSES RELATED TO THE VETERAN'S COURT CONFERENCE FOR THE COUNTY COURT AT LAW VETERAN'S COORDINATOR, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

The Veteran's Court Coordinator attended the NADCP Vet Court Conference and did not obtain a purchase order per County Purchasing Policy. Funds are available within the grant operating budget for this expense, no county funds are needed.



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A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment to Card Service Center for hotel expenses related to the Veteran's Court Conference for the County Court at Law Veteran's Coordinator, where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

**32793 APPROVE SELECTION OF K. FRIESE & ASSOCIATES, INC. TO PROVIDE SCHEMATIC SERVICES AND CONCEPT DEVELOPMENT & PLANNING, LLC TO PROVIDE PUBLIC INVOLVEMENT SERVICES FOR THE FM 150 WEST ALIGNMENT PROJECT FROM I-35 TO ARROYO RANCH ROAD; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

A preliminary engineering and public involvement process for the FM 150 West Alignment project from I-35 to Arroyo Ranch Road was conducted as part of the Hays County-TxDOT Partnership Program. The process concluded with the identification of Corridor C for further evaluation as part of the environmental documentation process to be conducted by the Texas Department of Transportation (TxDOT). As outlined in the recently adopted Advance Funding Agreement Amendment (AFA) No. 3 for the FM 150 West Alignment Study, TxDOT will fund and conduct the environmental documentation process, and Hays County will fund and provide the schematic documentation and public involvement services for the environmental documentation process. K. Friese & Associates, Inc. (KFA) and Concept Development & Planning, LLC (CD&P) provided preliminary engineering and public involvement services for the FM 150 West Alignment Study as part of the Partnership Program project development. Approval of these firms for schematic and public involvement services would fulfill the County's obligations as set forth in the AFA Amendment No. 3. KFA and CD&P have been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant and a public involvement consultant to negotiate scopes of work and fee proposals, with subsequent actions by the Hays County Commissioners Court to approve the contracts 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 Whisenant, seconded by Commissioner Jones to approve selection of K. Friese & Associates, Inc. to provide schematic services and Concept Development & Planning, LLC to provide public involvement services for the FM 150 West Alignment project from I-35 to Arroyo Ranch Road; and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

**32794 CALL FOR A PUBLIC HEARING ON SEPTEMBER, 12, 2017 TO ESTABLISH A "NO DUMPING" AREA WITHIN THE ROW AT THE INTERSECTION OF MATHIAS LANE AND GOFORTH ROAD**

If approved this action will be to establish a "No Dumping" area at the intersection of Mathias Lane and Goforth Road identified by appropriate signage for enforcement. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on September, 12, 2017 to establish a "No Dumping" area within the ROW at the intersection of Mathias Lane and Goforth Road. All present voting "Aye". MOTION PASSED

**32795 HOLD A PUBLIC HEARING TO REDUCE THE CURRENT SCHOOL ZONE SPEED LIMIT OF 30 MPH TO 25 MPH ON SAWYER RANCH ROAD FOR THE NEW ELEMENTARY & MIDDLE SCHOOLS**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. Jerry Borcharding, Transportation Director, gave staff recommendation. This action would decrease the current, court-approved 30 MPH school zone speed limit to 25 MPH. The Dripping Springs ISD staff believe this reduction will be better for school traffic that might have to wait on Sawyer Ranch Rd. before being able to turn onto the school property. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to reduce the current school zone speed limit of 30 mph to 25 mph on Sawyer Ranch Road for the new elementary & middle schools. All present voting "Aye". MOTION PASSED

**32796 AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BOWMAN CONSULTING TO PERFORM ENGINEERING SERVICES FOR THE COTTON GIN REHABILITATION PROJECT AND AMEND THE BUDGET ACCORDINGLY**

Dan Lyon – San Marcos resident, Jerry Borcharding, Transportation Director, and Tracy Bratton of Bowman Consulting, spoke. If authorized, Bowman Consulting will perform engineering services related to the rehabilitation of Cotton Gin Road. Specifically the engineer will assess current conditions, study drainage, identify parcels for acquisition to add shoulders or drainage features, and perform other ancillary duties to conduct a roadway rehab project. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$301,500.00 Increase Contract Services Consultant: .5448\_008 - \$301,500.00.





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A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the Court to execute a Professional Services Agreement with Bowman Consulting to perform engineering services for the Cotton Gin rehabilitation project and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32797 SUB-791 CRUMLEY SUBDIVISION (2 LOTS) APPROVE PRELIMINARY PLAN**

Caitlyn Strickland, Hays County Planner gave staff recommendation. The proposed Crumley Subdivision is a 2 lot subdivision located off of RR 12 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 Conley to approve preliminary plan for SUB-791 Crumley Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

**APPROVE THE 2018 SHERIFF & CONSTABLE FEES – TABLED**

Constable Pct. 3, Ray Helm, Capt. Mike Davenport, Capt. Mark Cumberland spoke. Court discussed various fees. Hays County Auditor spoke. This item will be brought back in a few weeks. No action taken.

**Clerk's Note: Court took a break at 10:14 a.m. and reconvened into open session at 10:23 a.m.**

**32798 EXECUTE A MASTER EQUITY LEASE AGREEMENT (MELA) AND ALL OTHER DOCUMENTS RELATED TO THE MELA WITH ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST, FOR A COUNTY-WIDE VEHICLE LEASING PROGRAM**

Staff has been working with Enterprise to explore a lease program for county-wide vehicles. Roughly one-third of the current Hays County Fleet is 10 years old or older. Staff recommends utilizing a lease program and cycling vehicles more frequently to put employees in safer and more fuel efficient vehicles. As proposed, the vast majority of existing vehicles will be replaced over 5 fiscal years, standardizes vehicle types across offices, and results in a net savings to Hays County over a 10-year period. Enterprise Fleet Management is contracted with The Interlocal Purchasing System (TIPS), contract #2072816. A motion was made by Commissioner Whisenant, seconded by Commissioner to execute a Master Equity Lease Agreement (MELA) with Enterprise FM Trust, a Delaware Statutory Trust, for County-Wide Vehicle Leasing Program contingent with consideration and approval of General Counsel, Development Services and the Vehicle Committee; other documents will be brought back for the Court's consideration. All present voting "Aye". MOTION PASSED

**EXECUTE A MAINTENANCE AGREEMENT RELATED TO A COUNTY-WIDE VEHICLE LEASING PROGRAM BETWEEN ENTERPRISE FLEET MANAGEMENT, INC., A MISSOURI CORPORATION, AND HAYS COUNTY**

Clint Garza, Director of Development & Community Services, spoke. Staff has been working with Enterprise to explore a lease program for county-wide vehicles. Roughly one-third of the current Hays County Fleet is 10 years old or older. Staff recommends utilizing a lease program and cycling vehicles more frequently to put employees in safer and more fuel efficient vehicles. As proposed, the vast majority of existing vehicles will be replaced over 5 fiscal years, standardizes vehicle types across offices, and results in a net savings to Hays County over a 10-year period. Enterprise Fleet Management is contracted with The Interlocal Purchasing System (TIPS), contract #2072816. No action taken.

**Clerk's Note Agenda Item #30 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 SECTION 551.074 OF THE TEXAS GOVERNMENT CODE: DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR**

Court convened into Executive session at 10:59 a.m. and reconvened into open court at 2:24 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, and Commissioner Whisenant. No action taken.



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**Clerk's Note Agenda Item #32 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*

**32799 BURN BAN LIFTED**

Clint Browning, Hays County Fire Marshal recommended lifting the Burn Ban. Today's Drought Index – 21. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to lift the Burn Ban. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #34 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**

Court adjourned at 2:28 p.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 August 29, 2017.



Handwritten signature of Liz Q. Gonzalez in cursive script.

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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 5<sup>TH</sup> DAY OF SEPTEMBER 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
WILL CONLEY	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:

Reverend Velma 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.

**32800 ADOPT A PROCLAMATION DECLARING THE MONTH OF SEPTEMBER AS "HUNGER ACTION" MONTH IN HAYS COUNTY**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Proclamation declaring the month of September as "Hunger Action" Month in Hays County. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**PUBLIC COMMENTS**

Roland Saucedo – San Marcos resident spoke.

**32801 APPROVE PAYMENTS OF COUNTY INVOICES, JUROR CHECKS AND HUMANA HEALTH CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$1,562,304.80, and juror checks in the amount of \$1,860, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32802 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 29, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 29, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32803 ADOPT A RESOLUTION NOMINATING LUANNE CARAWAY AS A CANDIDATE FOR THE CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS**

Dan Lyon – San Marcos resident, Roland Saucedo – San Marcos resident, and Tax Assessor/Collector, Luanne Caraway spoke. This is a two year term beginning January 1, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Resolution nominating Luanne Caraway as a Candidate for the Central Appraisal District Board of Directors. All present voting "Aye". MOTION PASSED

**32804 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 August 14, 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



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not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 9-7-17): \$832,998.13 CTMC amount: \$360,798.41 Seton Hays amount: \$472,199.72. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant 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**

**32805 ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR FUNDING TO SUPPORT THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,576.00**

On February 14, 2017 the Commissioners Court approved submission of a grant application and accompanying resolution to the Governor's Office, Criminal Justice Division for funding to support the Hays County Veterans Court. The Veterans Court provides a voluntary intensive treatment program for those military veterans who suffer from combat-related trauma and have been diagnosed with mental health issues, PTSD, or TBI, and have been arrested for a non-violent offense. The grant award is to continue the support and operations of the Court, and includes funding for a Court Coordinator, in-state and out-of-state travel and training expenses, office supplies, and contractual services including drug/alcohol testing, monitoring, and phone (land-line) service. The grant project period is from September 1, 2017 through August 31, 2018. The statement of award and required conditions for CJD recipients are attached and acceptance is done electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a Grant Award from the Office of the Governor, Criminal Justice Division for funding to support the Hays County Veterans Court in the amount of \$77,576.00. All present voting "Aye". MOTION PASSED**

**32806 APPROVE UTILITY PERMITS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit #1046 on Flite Acres Road issued to Wimberley Water Supply Corp. as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

**32807 RATIFY THE PAYMENT OF THE AUGUST 31, 2017 PAYROLL DISBURSEMENTS**

Ratify the payment of August 31, 2017 payroll items as presented by the Hays County Treasurer. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the payment of the August 31, 2017 Payroll Disbursements in the amount of \$2,223,219.65 as presented by the Hays County Treasurer. All present voting "Aye". MOTION PASSED**

**32808 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE CONSTABLE PRECINCT 2 OFFICE AND CONSTABLE PRECINCT 5 OFFICE**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the delivery of the Internal Examination Reports for the Constable Precinct 2 Office and Constable Precinct 5 Office. All present voting "Aye". MOTION PASSED**

**32809 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 174 DISTRIBUTION CV., BUDA, TX**

Stephen & Deborah Ohlman are proposing an OSSF to serve an automobile shrink wrap shop at 174 Distribution Cv., Buda in Precinct 2. This property is in the Park 35 South subdivision, Section 4B, Block C and lot 51 and water will be supplied by a public water supply. It also lies within City of Buda. The components of this on-site sewage facility will be a 1500 gallon three-compartment septic tank. After treatment, effluent will be dispersed to a low pressure dosage field. The system was designed by Stephen Jetton for a flow of 200 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 174 Distribution Cv., Buda, TX. All present voting "Aye". MOTION PASSED**

**32810 ACCEPT A REVISED AWARD AMOUNT FOR THE FY 17 FORMULA GRANT FROM THE TEXAS INDIGENT DEFENSE COMMISSION FOR UP TO \$161,683.00 AND AMEND THE BUDGET ACCORDINGLY**

On February 7, 2017 Commissioners Court accepted a FY 17 Formula grant award from the Texas Indigent Defense Commission (TIDC) in the amount of \$129,892.00. This is a formula grant available annually to the



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County to assist in the implementation of the provision of the Fair Defense Act (FDA) and improve the indigent defense system. Notification from TIDC indicating an increase to our current grant award was received and will be added to the final quarterly payments for FY17 formula grants which will be disbursed in November. Attached is the letter from TIDC stating increase to our current grant award. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a Revised Award Amount for the FY 17 Formula Grant from the Texas Indigent Defense Commission for up to \$161,683.00 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32811 AUTHORIZE THE EXECUTION OF A REVISED INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND BURNET COUNTY FOR JAIL SERVICES**

Effective October 1, 2017, Burnet County is increasing their rate for housing out of county inmates from \$35.00 per day to \$40.00 per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Revised Interlocal Cooperation Agreement between Hays County and Burnet County for Jail Services. All present voting "Aye". MOTION PASSED**

**32812 APPROVE FY18 SALARY MERIT POOL GUIDELINES**

The FY18 budget includes a 3% merit pool for employees, excluding employees in the Collective Bargaining Agreement. Guidelines for calculating and distributing the merit pool are proposed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve FY 18 Salary Merit Pool Guidelines. All present voting "Aye". MOTION PASSED**

**32813 AUTHORIZE PAYMENT TO G.Q.F MANUFACTURING FOR EXTENSION PROGRAM SUPPLIES, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY AND AMEND THE BUDGET ACCORDINGLY**

The Extension Office purchased supplies for the youth agriculture programs and did not obtain a purchase order per County Purchasing Policy. Additional funds are also needed in order to process payment. Savings within office supplies are available for the additional funds needed. Decrease Office Supplies (\$66.00) Increase General Supplies \$66.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to G.Q.F Manufacturing for Extension Program Supplies, where no Purchase Order was issued or quotes obtained as required per the County Purchasing Policy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32814 AUTHORIZE COMMERCIAL OSSF PERMIT AT 825 RIM ROCK ROAD SAN MARCOS, TX (GUEST HOUSE #1)**

Phil Collins is proposing an OSSF to serve a five bedroom house that will be used for guests of a conference center. The system designer, Stephen Jetton, R.S., has designed an aerobic treatment system. After treatment, the effluent will be pumped to a drip irrigation drainfield for a maximum daily rate of 480 gallons. The property is 32.41 acres and water will be supplied by private water well. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 825 Rim Rock Road San Marcos, TX (Guest house #1). All present voting "Aye". MOTION PASSED**

**32815 AUTHORIZE COMMERCIAL OSSF PERMIT AT 825 RIM ROCK ROAD SAN MARCOS, TX (GUEST HOUSE #2)**

Phil Collins is proposing an OSSF to serve a five bedroom house that will be used for guests of a conference center. The system designer, Stephen Jetton, R.S., has designed a standard treatment system oversized by 25%. After treatment, the effluent will be pumped to a leaching chamber drainfield for a maximum daily rate of 480 gallons. The property is 32.41 acres and water will be supplied by private water well. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 825 Rim Rock Road San Marcos, TX (Guest house #2). All present voting "Aye". MOTION PASSED**

**32816 AUTHORIZE COMMERCIAL OSSF PERMIT AT 825 RIM ROCK ROAD SAN MARCOS, TX (ACTIVITY CENTER)**

Phil Collins is proposing an OSSF to serve a game room and conference center. The system designer, Stephen Jetton, R.S., has designed a standard treatment system oversized by 25%. After treatment, the effluent will be pumped to a leaching chamber drainfield for a maximum daily rate of 300 gallons. The property is 32.41 acres and water will be supplied by private water well. **A motion was made by Commissioner Jones, seconded by**



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**Commissioner Whisenant to authorize Commercial OSSF Permit at 825 Rim Rock Road San Marcos, TX (Activity Center). All present voting "Aye". MOTION PASSED**

**32817 AUTHORIZE AND RATIFY EXPENDITURES RELATED TO THE SHERIFF'S OFFICE DEPLOYMENT OF COUNTY LAW ENFORCEMENT OFFICERS TO THE CITY OF PORT ARANSAS FOR HURRICANE HARVEY ASSISTANCE**

The Sheriff is requesting approval to utilize county resources to assist areas that have been affected by Hurricane Harvey. A total of nine officers (two command staff and seven deputies) and one maintenance staff member will be deployed to the City of Port Aransas. The command staff will arrive on Thursday, August 31st for logistics purposes and prepare the necessary equipment for the deputy's arrival. The deputies and maintenance staff will arrive on Friday, September 1st. The Hays County law enforcement officers will assist the city police with patrol duties, enforcing curfew, and responding to calls for service. The maintenance staff will assist with vehicle and maintenance duties as needed during the deployment. All staff will remain available for assistance through Sep. 8th, return to Hays County for a one day off period on the 9th, returning to the City of Port Aransas on the 10th for additional assistance as needed through September 15th. Savings within the Sheriff's operating budget will be identified for costs associated with the disaster assistance. If additional funds are required, a budget amendment item will be submitted to the court for approval. The Sheriff's budget coordinator will work with the Auditor's Office to track all expenses related to the hurricane assistance. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize and ratify expenditures related to the Sheriff's Office deployment of County law enforcement officers to the City of Port Aransas for Hurricane Harvey assistance. All present voting "Aye". MOTION PASSED**

**32818 AUTHORIZE A NEW LEASE CONTRACT WITH RICOH FOR A COPIER/FAX MACHINE FOR THE CONSTABLE PRECINCT 3 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

The Constable Precinct 3 office currently shares a copier/fax machine with other Precinct 3 departments. This lease will be for Constable Precinct 3's use and will be effective September 1, 2017 in preparation of the offices move to the new building. Funds for one full year's lease payments will need to be budgeted for FY18 prior to adoption if the lease contract is approved. Attachments: Ricoh Quote #19392126 DIR Contract #DIR-TSO-3041 FY17 Budget Amendment: Increase .5473 - \$79 Decrease .5489 - (\$79) FY18 budget prior to adoption: Increase .5473 - \$948. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize a new lease contract with RICOH for a copier/fax machine for the Constable Precinct 3 office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32819 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR RIFLE-RESISTANT BODY ARMOR FOR LAW ENFORCEMENT OFFICERS (SHERIFF'S DEPARTMENT) IN THE AMOUNT OF \$108,976.00**

During the recent session, the legislature passed, and the Governor signed Senate Bill 12 to increase the safety of Texas Law Enforcement Officers that resulted from the Dallas Texas shooting incident that left five police officers dead. Senate Bill 12 authorizes up to \$25 million in funding to assist agencies with purchasing rifle-resistant vests for law enforcement officers. If awarded, we are requesting for 139 rifle-resistant vests at \$784.00 per vests for a total of \$108,976.00 for Officers within Hays County Sheriff's Office. No match is required. The grant period is for one year after the contract execution date. The application is submitted electronically and is due on or before September 6, 2017. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Office of the Governor, Criminal Justice Division for rifle-resistant body armor for law enforcement officers (Sheriff's Department) in the amount of \$108,976.00. All present voting "Aye". MOTION PASSED**

**32820 CALL FOR A PUBLIC HEARING ON SEPTEMBER 19, 2017 TO EXTEND THE 35 MPH SPEED LIMIT ZONE ON SAWYER RANCH ROAD NEAR HIGHPOINTE SUBDIVISION TO APPROXIMATELY 200 FEET SOUTH OF THE ENTRANCE TO MEADOW CREEK RANCH SUBDIVISION**

This action would decrease the existing 50 MPH speed limit in front of Meadow Creek Ranch subdivision to 35 MPH. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on September 19, 2017 to extend the 35 MPH speed limit zone on Sawyer Ranch Road near Highpointe subdivision to approximately 200 feet south of the entrance to Meadow Creek Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32821 CALL FOR A PUBLIC HEARING ON SEPTEMBER 19, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 19, OAKRIDGE PARK SECTION 5 AT KINNICINIK**



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Hays County Planner, Marcus Pacheco, gave staff recommendation. Oakridge Park, Section 5 at Kinnicinik is a recorded subdivision located off of RR 1826 and Green Hills Road in Precinct 4. The proposed re-plat will divide the 4.62 acre lot into two lots. Water service will be provided by West Travis County Public Utility Agency and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on September 19, 2017 to discuss final plat approval of the Replat of Lot 19, Oakridge Park Section 5 at Kinnicinik. All present voting “Aye”. MOTION PASSED**

### **32822 ADOPT THE FY 2018 HOLIDAY CALENDAR**

In order to schedule court dockets, Commissioners Court has been requested to consider approving our FY 2018 County Holiday Calendar. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the FY 2018 Holiday Calendar. All present voting “Aye”. MOTION PASSED**

### **32823 AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFILE TECHNOLOGIES FOR PHASE I OF THE PRESERVATION OF VITAL RECORDS PROJECT AND AMEND THE BUDGET ACCORDINGLY**

Hays County Clerk, Liz Q. Gonzalez spoke. The County Clerk would like to begin the preservation of birth records utilizing Kofile Technologies for off sight management and preservation. The proposed preservation services include conservation, de-acidification, mending, encapsulation, binding, archival imaging, security backups on microfilm, indexing, and two units of archival shelving. Dedicated funds within the County Clerks Records Management and Archive Fund are available to fund this project. Increase 101-617-11 Decrease 101-617-10. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Clerk to utilize Kofile Technologies for Phase I of the Preservation of Vital Records project and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

### **32824 ADOPT A RESOLUTION IN SUPPORT 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**

Chief of Staff, Lon Shell 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. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a resolution in support 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**

**Clerk’s Note Agenda Item #26 RE: APPROVE THE 2018 SHERIFF & CONSTABLE FEES – was pulled**

### **HOLD A PUBLIC HEARING ON THE FY 2018 PROPOSED TAX INCREASE - 1:00 P.M**

Commissioner Ingalsbe opened the public hearing. Dan Lyon – San Marcos resident spoke. Next Public Hearing will be on September 12, 2017 at 1:00 p.m. Public Hearing to adopt the FY 18 Budget will be on September 19, 2017 at 1:00 p.m. Commissioner Ingalsbe closed the public hearing.



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**Clerk's Note Agenda Item #28 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 SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR**

Court convened into Executive session at 10:02 a.m. and reconvened into open court at 12:59 p.m. Court convened into Executive session at 1:17 p.m. and reconvened into open court at 2:10 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Clint Garza, Development and Community Services Director, Vickie Dorsett, Hays County Auditor, Marisol V. Alonzo, Interim Human Resources Director, Shari Miller, Veteran Service Officer, Judge Prather and IT Director, Jeff McGill. No action taken.

**Clerk's Note Agenda Item #30 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 – 133. Fire Marshall recommends the Burn Ban remain lifted.

**Clerk's Note Agenda Item #32 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 2:14 p.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 September 5, 2017.



Handwritten signature of Liz Q. Gonzalez in cursive.

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







STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF SEPTEMBER 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
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Commissioner Ingalsbe gave the invocation and asked the court for a moment of silence. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

**32825 ADOPT A PROCLAMATION DECLARING SEPTEMBER 17-23, 2017 AS CONSTITUTION WEEK**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring September 17-23, 2017 as Constitution Week. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32826 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$ 1,042,692.23 as submitted by the County Auditor. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**Clerk's Note Agenda Item #3 RE: APPROVE PAYMENTS OF JUROR CHECKS - PULLED**

**32827 RATIFY AND APPROVE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the Human Claims in the amount of \$206,096.64 and to approve the \$128,037.96 as submitted by the County Auditor. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32828 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 5, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 5, 2017 as presented by the County Clerk. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32829 APPROVE THE PAYMENT OF THE SEPTEMBER 15, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,537,000.00 EFFECTIVE SEPTEMBER 13, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the September semimonthly payroll disbursements not to exceed \$2,537,000.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the payment of the September 15, 2017 payroll disbursements in an amount not to exceed \$2,537,000.00 effective September 13, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED



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**32830      AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SHERIFF DRUG FORFEITURE FUNDS TO PURCHASE A CONFERENCE PHONE AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is requesting authorization for the purchase a Mitel MiVoice Conference phone to conduct conference calls. Currently, HCSO does not have a phone for this use. The Mitel MiVoice Conference Phone was identified by County IT and is compatible with the county phone system and can be relocated to different rooms for use by multiple departments within the Sheriff's Office. In addition to on-going construction meetings, conference calls are a more efficient and cost effective way to conduct meetings when multiple agencies or individuals are required to participate. Total cost of a Mitel MiVoice Conference Phone is \$790.00; the Sheriff has authorized use of Sheriff Drug Forfeiture Funds for this purchase. Budget Amendment Decrease 053-618-00.5391 Miscellaneous (\$790.00) Increase 053-618-00.5719\_400 Miscellaneous Equipment Operating \$790.00A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize Sheriff Drug Forfeiture Funds to purchase a conference phone and amend the budget accordingly. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32831      AUTHORIZE PAYMENT TO THE LOWER COLORADO RIVER AUTHORITY (LCRA) FOR THE CONSTABLE PCT. 5 RADIO REPLACEMENT, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

On July 11, 2017 the Court authorized the purchase of a replacement mobile radio for Constable Pct. 5 to replace equipment that was damaged in the October 2015 flood. The Constable's office ordered the equipment and did not obtain a purchase order per County Purchasing Policy. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize payment to the Lower Colorado River Authority (LCRA) for the Constable Pct. 5 radio replacement, where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

**32832      APPROVE OUT OF STATE TRAVEL FOR DETECTIVE NELSON WRAY TO ATTEND THE BASIC INVESTIGATION OF COMPUTER AND ELECTRONIC CRIMES PROGRAM (BICEP) COURSE IN HOOVER, ALABAMA.**

Out of state travel is needed to send Detective Nelson Wray to attend the Basic Investigation of Computer and Electronic Crimes Program (BICEP) in Hoover, Alabama on October 15-20, 2017. This training is a five day course designed to provide investigators the ability to investigate cyber related cases. Detective Wray will be able to experience hands on training with equipment such as computer hardware, PDA's, GPS and cell phones related to investigations involving digital evidence. He will also have the opportunity to network with professionals nationwide involved in this field. This training is provided by the US Secret Service and all fees and travel arrangements will be made by the US Secret Service before travel date. No county funds are required. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Detective Nelson Wray to attend the Basic Investigation of Computer and Electronic Crimes Program (BICEP) Course in Hoover, Alabama. All present voting "Aye". MOTION PASSED

**32833      AUTHORIZE THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH RS&H, INC. FOR THE FM 150 CTL PROJECT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP FROM \$336,000.00 TO \$380,000.00**

The additional authorized money will allow for the execution of a Supplemental No. 4 to Work Authorization No. 1 for continued construction inspection services, additional lab/materials testing, and the construction change order adding the gap section. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Supplemental Agreement No. 1 to the Professional Service Agreement with RS&H, Inc. for the FM 150 CTL project in Hays County, increasing the Compensation Cap from \$336,000.00 to \$380,000.00. All present voting "Aye". MOTION PASSED

**32834      RATIFY A REQUEST FOR ASSISTANCE FROM CALDWELL COUNTY TO ALLOW THE HAYS COUNTY TRANSPORTATION DEPARTMENT TO PROVIDE ASSISTANCE RELATED TO THE HURRICANE HARVEY DISASTER**



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Caldwell County has submitted a request to the County Judge's Office seeking assistance with road maintenance and repairs as a result of Hurricane Harvey. Due to their limited resources, they are in need of personnel, equipment as well as a strategic partner to assist with ensuring their county roads are accessible and safe for their residents. Caldwell County will be seeking federal funding for disaster relief as allowed. If funding is secured, they will reimburse Hays County for expenses related to this assistance. If funding is not available, they have offered to assist Hays County with future needs as applicable. The Transportation Department has savings within their operating budget should reimbursement not be granted. The Transportation Department will work with the Auditor's Office to track all expenses related to the hurricane assistance. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify a request for assistance from Caldwell County to allow the Hays County Transportation Department to provide assistance related to the Hurricane Harvey disaster. All present voting "Aye". MOTION PASSED**

**32835 APPROVAL TO AWARD AND EXECUTE ALL CONTRACT DOCUMENTS TO LANGFORD COMMUNITY MANAGEMENT SERVICES RELATED TO RFP 2017-P08 CDBG-DR MANAGEMENT SERVICES**

Purchasing issued RFP 2017-P08 for CDBG-DR Management Services on July 26, 2017. Four (4) responses were received from Public Management, Inc., Langford Community Management Services, Institute for Building Technology and Safety and Grant Works. After evaluation of the responses by County staff it is recommended that award be made to Langford Community Management Services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant for the approval to award and execute all contract documents to Langford Community Management Services related to RFP 2017-P08 CDBG-DR Management Services. All present voting "Aye". MOTION PASSED**

**32836 AMEND THE CONSTABLE PRECINCT 3 OPERATING BUDGET FOR ADDITIONAL FUEL RELATED EXPENSES AS REQUIRED FOR THE REMAINDER OF THIS FISCAL YEAR.**

On May 9, 2017 the Commissioner's Court authorized a \$6k budget amendment to transfer fuel funds to the Constable Pct. 3 budget. The Constable Pct. 3 has had an increase in staffing as well as a realignment of duties and assignments that have resulted in additional law enforcement travel throughout the precinct. The Constable's monthly consumption has continued to increase and it is estimated that an additional \$6,200 will be needed for the remainder of the year based on current usage. Additionally, a portion of two of the deputy's vehicle usage is reimbursed to the county by the City of Wimberley and Woodcreek. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to amend the Constable Precinct 3 operating budget for additional fuel related expenses as required for the remainder of this fiscal year. All present voting "Aye". MOTION PASSED**

**32837 AUTHORIZE THE COMMISSIONER'S COURT TO EXECUTE A RENEWAL CONTRACT WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE**

The District Attorney's legal staff currently utilizes Westlaw for legal research and requests the Courts consideration to renew the contract for a three year term. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. The required funding has already been approved during the FY18 budget process. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Commissioner's Court to execute a renewal contract with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

**32838 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE BOND #SU1143656 IN THE AMOUNT OF \$413,225.50, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR STREETS #4413352 IN THE AMOUNT OF \$16,016.15, AND FOR DRAINAGE #70144631 IN THE AMOUNT OF \$33,717.26, EACH FOR A 2-YEAR PERIOD FOR REUNION RANCH SUBDIVISION, PHASE 2, SECTION 5**

Staff recommends 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 Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, release of the bond #SU1143656 in the amount of \$413,225.50, and acceptance of the maintenance bond for streets #4413352 in the amount of \$16,016.15, and for drainage #70144631 in the amount of \$33,717.26, each for a 2-year period for Reunion Ranch subdivision, Phase 2, Section 5. All present voting "Aye". MOTION PASSED**



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**32839 ACCEPT A RE-VEGETATION BOND #70144632 IN THE AMOUNT OF \$9,799.20 FOR A 1-YEAR PERIOD FOR ALL ROW AREAS WITHIN REUNION RANCH SUBDIVISION, PHASE 2, SECTION 5**

Staff recommends acceptance of a re-vegetation bond to guarantee an adequate amount of vegetative growth on all disturbed areas within the County ROW over a 1-year period. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the re-vegetation bond #70144632 in the amount of \$9,799.20 for a 1-year period for all ROW areas within Reunion Ranch subdivision, Phase 2, Section 5. All present voting "Aye". MOTION PASSED**

**32840 ACCEPT CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE BOND #1134599 IN THE AMOUNT OF \$1,283,689.25, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR STREETS #4407309MNT-4 IN THE AMOUNT OF \$39,869.25, AND FOR DRAINAGE #4407309MNT-1 IN THE AMOUNT OF \$115,480.88, EACH FOR A 2-YEAR PERIOD FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 1**

Staff recommends 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 Whisenant, seconded by Commissioner Jones to accept the road construction and drainage improvements, release of the bond #1134599 in the amount of \$1,283,689.25, and acceptance of the maintenance bond for streets #4407309MNT-4 in the amount of \$39,869.25, and for drainage #4407309MNT-1 in the amount of \$115,480.88, each for a 2-year period for Reunion Ranch subdivision, Phase 3, Section 1. All present voting "Aye". MOTION PASSED**

**32841 ACCEPT A RE-VEGETATION BOND #4407309MNT-2 IN THE AMOUNT OF \$8,499.00 FOR A 1-YEAR PERIOD FOR ALL ROW AREAS WITHIN REUNION RANCH SUBDIVISION, PHASE 3, SECTION 1**

Staff recommends acceptance of a re-vegetation bond to guarantee an adequate amount of vegetative growth on all disturbed areas within the County ROW over a 1-year period. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the re-vegetation bond #4407309MNT-2 in the amount of \$8,499.00 for a 1-year period for all ROW areas within Reunion Ranch subdivision, Phase 3, Section 1. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 9:20 a.m. and reconvened into open session at 9:40 a.m.**

**32842 ESTABLISH A "NO DUMPING" AREA WITHIN THE ROW AT THE INTERSECTION OF MATHIAS LANE AND GOFORTH ROAD**

This action will be to establish a "No Dumping" area at the intersection of Mathias Lane and Goforth Road identified by appropriate signage for enforcement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to hold a public hearing to establish a "No Dumping" area within the ROW at the intersection of Mathias Lane and Goforth Road. All present voting "Aye". MOTION PASSED**

**32843 GRANT A VARIANCE FOR STREET AND DRAINAGE IMPROVEMENTS FOR HEADWATERS AT BARTON CREEK PHASE 2**

Headwaters at Barton Creek Phase 2 is a proposed 225 lot section of the Headwaters at Barton Creek Subdivision. Water will be provided by the City of Dripping Springs and Wastewater service will be accomplished by the Headwaters MUD. Headwaters at Barton Creek Phase 2 was originally reviewed under the interlocal cooperation agreement with the City of Dripping Springs, and approved administratively by our staff. The developer is revising the preliminary plan, and is requesting a variance from our Development Regulations. The proposed revision is to better protect hilltops and the natural areas within the subdivision. The following are the requested revisions: 1) Adjusting the intersection of Smoke Tree Circle and Starfire Drive to the highpoint of the Starfire Dr. This reduces the necessary cut to the hilltop at Smoke Tree Circle. This adjustment also required a land plat configuration along Starfire Dr. and Smoke Tree Circle. This adjustment resulted in the reduction of 2 residential lots. 2) Reducing the ROW of Hazy Hills Trail Loop from 60' to 50' in width following the updated trip counts prepared by HDR, the transportation engineer for the project. This change does not change the roadway pavement width. 3) Removal of the small WQ specific lots and noting the larger open space lots to include water quality and drainage improvements. The final location for the water quality facilities will be identified in the Construction Plans for Headwater Phase 2. 4) Minor corrections to tables, lot numbering, distances, etc. The Revised Preliminary Plat follows the same roadway and drainage patterns as the original approval. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a variance for street and drainage improvements for Headwaters at Barton Creek Phase 2. All present voting "Aye". MOTION PASSED**



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**Clerk's Note Agenda Item #21 RE: SUB-791 CRUMLEY SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT- PULLED**

**32844 AUTHORIZE PAYMENT OF DISASTER RELATED OVERTIME COMPENSATION AND OTHER EXPENDITURES RELATED TO OPENING THE EMERGENCY OPERATIONS CENTER (EOC) FOR DISASTER PREPAREDNESS AND RESPONSE FOR HURRICANE HARVEY AND AMEND THE BUDGET ACCORDINGLY**

Kharley Smith – Office of Emergency Management Director and EMC, spoke. In preparation for the Hurricane Harvey disaster, the OES Director opened the EOC for disaster preparedness and response as needed throughout the County. Expenses were incurred in order to allow for emergency services staff to rest on a four hour rotation shift as well as food expenses for all staff members that manned the EOC. Additionally, the Director is requesting payment of overtime hours accrued for two emergency services staff members. Throughout the past several months Hays County has experienced several unplanned events that have required a response by emergency services staff resulting in the accumulation of excessive compensation hours. Due to the job duties for these two individuals, extended time off is difficult to manage. The OES is requesting the County pay down comp accruals to a 40 hour balance for each staff member listed. Financial Impact: \$3,102 - 97 hours Overtime Compensation for Asst EMC Coordinator, slot 0987-001 (includes fringe) \$ 941 - 30 hours Overtime Compensation for Fire Marshal, slot 0980-001 (includes fringe) \$1,398 - Food purchased for all EOC staff during Hurricane Harvey \$ 345 - One hotel room/two nights for OES staff to utilize using a rotation shift during Hurricane Harvey. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize payment of disaster related overtime compensation and other expenditures related to opening the Emergency Operations Center (EOC) for disaster preparedness and response for Hurricane Harvey and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32845 APPROVE SELECTION OF HALFF ASSOCIATES, INC. FOR RFQ 2017-P13 HAZARD MITIGATION GRANT WRITING, ENGINEERING AND MANAGEMENT SERVICES; AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT; AND AUTHORIZE EXECUTION OF A CONTRACT FOR THOSE SERVICES**

Clint Garza, Director of Development and Community Services, spoke. Purchasing issued RFQ 2017-P13 for Hazard Mitigation Grant Writing, Engineering and Management Services on August 16, 2017. Two (2) responses were received from Halff Associates, Inc. and TLC Engineering, Inc. After evaluation of the responses by County staff, approval to request a cost proposal from Halff Associates, Inc. and to authorize staff and counsel to negotiate a contract for those services is requested. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve selection of Halff Associates, Inc. for RFQ 2017-P13 Hazard Mitigation Grant Writing, Engineering and Management Services; authorize staff and counsel to negotiate a contract; and authorize execution of a contract for those services. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 11:13 a.m. and reconvened into open session at 1:00 p.m.**

**HOLD A PUBLIC HEARING ON THE FY 2018 PROPOSED TAX INCREASE - 1:00 P.M.**

Commissioner Ingalsbe opened the public hearing. Dan Lyon – San Marcos resident spoke. Next Public Hearing will be on September 19, 2017 at 1:00 p.m. Public Hearing to adopt the FY 18 Budget will be on September 19, 2017 at 1:00 p.m. Commissioner Ingalsbe closed the public hearing.

**32846 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**

Court convened into Executive session at 9:49 a.m. and reconvened into open court at 9:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff, Lon Shell, Jerry Borcharding, Adam Leach, and Tammy Crumley and David Baylor. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept the counteroffer regarding Parcel 24 N and Hays County's Acquisition approximately 145,768sqft. of ROW along proposed FM 110 from Basler Plastics, as presented in executive session; and authorize closing the transaction. All present voting "Aye". MOTION PASSED**



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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 PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR**

Court convened into Executive session at 10:01 a.m. and reconvened into open court at 11:09 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy. 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 - PULLED*

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

Today's Drought Index – 217. Fire Marshall recommends the Burn Ban remain lifted.

**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. POSSIBLE ACTION MAY FOLLOW- PULLED*


**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 1:17 p.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 September 12, 2017.



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





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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 19<sup>TH</sup> DAY OF SEPTEMBER 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
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
EFREN CHAVEZ JR.	DEPUTY COUNTY CLERK

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

Pastor Josh Murillo 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.

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller, Human Resources Acting Director presented the Hays County Service Awards. 5-Years – John C. Browning – Emergency Services, Jessica Barley – Sheriff's Office. Lucia Ferrer – Treasurer's Office, Joel Hostetler – Sheriff's Office. 15-Years – Yvonne Hernandez – Juvenile Detention Center, Michael Prado – Sheriff's Office, Bobby Ramirez – Sheriff's Office. 20-Years – Veronica Gonzales – Sheriff's Office. 25-Years – John J. Roppolo – District Attorney's Office.

**32847 ADOPT A PROCLAMATION DECLARING OCTOBER 1-7, 2017 AS NATIONAL 4-H WEEK IN TEXAS**

Jason Mangold Hays County Coordinator for AgriLife Extension, Makenna Hawkins & Rebecca McDaniels spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring October 1-7, 2017 as National 4-h week in Texas. All present voting "Aye". MOTION PASSED

**PRESENTATION RECOGNIZING 4-H GOLD STAR AWARD RECIPIENTS**

Kate Blankenship, Hays County AgriLife Extension Agent spoke.

**32848 ADOPT A PROCLAMATION DECLARING TUESDAY, OCTOBER 3, 2017 AS NATIONAL NIGHT OUT**

Gary Cutler Hays County Sheriff spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring Tuesday, October 3, 2017 as National Night Out. All present voting "Aye". MOTION PASSED

**32849 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 \$1,409,131.54 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #6 RE: APPROVE PAYMENTS OF JUROR CHECKS – WAS PULLED**

**32850 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Humana Claims in the amount of \$227,958.88 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32851 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 12, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of September 12, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32852 APPROVE THE PAYMENT OF THE SEPTEMBER 29, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,452,000.00 EFFECTIVE SEPTEMBER 27, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**



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Approve the September end of the month payroll disbursements not to exceed \$3,452,000.00. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payroll disbursements not to exceed \$3,452,000.00 effective September 27, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**32853            AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A NEW LEASE AGREEMENT WITH XEROX CORPORATION FOR A COPIER/FAX/SCANNER FOR THE WIMBERLEY TAX OFFICE SUBSTATION**

The new lease agreement will be for a Xerox WorkCentre 3655X to be located at the new Wimberley Tax Office Substation. Funds were budgeted during the FY18 budget process for the annual cost of the lease within the Tax Office operating budget. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Commissioners Court to execute a new lease agreement with Xerox Corporation for a copier/fax/scanner for the Wimberley Tax Office substation. All present voting "Aye". MOTION PASSED

**32854            TAX COLLECTION CONTRACT WITH HAYS COUNTY ESD #9**

The newly formed ESD #9 has requested that the Hays County Tax Assessor-Collector collect their taxes beginning with tax year 2017. Their board approved the contract on Wednesday, September 13, 2017. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve of tax collection contract with Hays County ESD #9. All present voting "Aye". MOTION PASSED

**32855            APPROVE A TRANSFER REQUEST OF TWO 2009 CHEVROLET COLORADO EXTENDED CAB PICKUPS FROM THE TRANSPORTATION DEPARTMENT TO DEVELOPMENT SERVICES AND BUILDING MAINTENANCE**

The Transportation Department is seeking approval to transfer the following assets from the Transportation Department's inventory to the following: Development Services: 2009 Chevrolet Colorado extended cab pickup; VIN 1GCCS199598131177; County Tag 017111; Building Maintenance: 2009 Chevrolet Colorado extended cab pickup; VIN 1GCCS199598130725; County Tag 017110 A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a transfer request of two 2009 Chevrolet Colorado extended cab pickups from the Transportation Department to Development Services and Building Maintenance. All present voting "Aye". MOTION PASSED

**32856            AUTHORIZE THE EXECUTION OF A RENEWAL CONTRACT WITH WEST THOMPSON REUTERS FOR LEGAL RESEARCH IN THE HAYS COUNTY DISTRICT COURTS**

Per Section 323.023(b)(3) of the Texas Local Government Code, Law Library funds may be used for purchasing electronic research subscriptions for use by judges in the county. The District Courts office subscription is a one year renewable contract. The District Courts offices are currently using WestlawNext for their services and requests the Courts consideration to renew the contract. This is a one-year renewable contract. Content use will be monitored during the year to determine future needs and the availability of funds. The subscription cost includes access for 5 judges and up to 5 administrative staff employees. Funds to cover the subscription cost were budgeted for FY18. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a renewal contract with West Thompson Reuters for legal research in the Hays County District Courts. All present voting "Aye". MOTION PASSED

**32857            APPOINT ELECTION JUDGES AND CLERKS PURSUANT TO CHAPTER 32 OF THE ELECTION CODE**

Appointment of Election Judges and Clerks, as recommended by the Hays County Democratic and Republican Parties, to serve a one year terms effective September 1<sup>st</sup>. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to appoint Election Judges and Clerks pursuant to Chapter 32 of the Election Code. All present voting "Aye". MOTION PASSED

**32858            AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND CARFAX FOR POLICE PROGRAM**

Enrollment in the CARFAX For Police Program allows the Hays County Sheriff's Office to subscribe, in exchange for motor vehicle accident reports data created or collected by the Sheriff's Office, to the CARFAX investigative tools ("Investigative Tools"), the CARFAX E-Commerce Service, and such other tools and services that CARFAX may offer participants of the CARFAX For Police Program. Hays County will be reimbursed \$6.00 for each motor vehicle accident report provided under this agreement. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an agreement between Hays County and CARFAX For Police Program. All present voting "Aye". MOTION PASSED





**32859 AMEND THE BUILDING MAINTENANCE DEPARTMENT BUDGET FOR JANITORIAL SERVICES AS NEEDED FOR THE REMAINDER OF FISCAL YEAR 2017**

Additional funds will be needed for janitorial services for the remainder of the fiscal year 2017. Funds initially allocated for a building maintenance project have been identified to cover the services. Budget Amendment: Decrease: 001-695-00.5719\_700 (\$24,195); Increase: 001-695-00.5456 \$24,195 A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Building Maintenance Department budget for janitorial services as needed for the remainder of fiscal year 2017. All present voting "Aye". MOTION PASSED

**32860 AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RESOLUTION CERTIFYING THAT THE COUNTY HAS APPROVED A \$13,000 GRANT FOR FY 2018 TO COMBINED COMMUNITY ACTION, AN ORGANIZATION THAT PROVIDES HOME DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY THAT ARE ELDERLY OR HAVE A DISABILITY**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Commissioners Court that the County has approved a \$13,000 grant for FY 2018 to Combined Community Action, an organization that provides home delivered meals to homebound persons in the county that are elderly or have a disability. All present voting "Aye". MOTION PASSED

**32861 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HALFF AND ASSOCIATES TO PROVIDE SERVICES RELATED TO RFQ 2017-P13 AND AMEND THE BUDGET ACCORDINGLY**

Staff wishes to enter into a Professional Services Agreement with Halff and Associates to assist with Flood Mitigation Assistance Application Development. Contract documents will be provided in court. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with Halff and Associates to provide services related to RFQ 2017-P13 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32862 APPROVE THE APPOINTMENT OF JOHN SANCHEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the appointment of John Sanchez to the Hays County Child Protective Board. All present voting "Aye". MOTION PASSED

**32863 AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A PARTICIPATION AGREEMENT WITH TYLER TECHNOLOGIES, INC. RELATED TO DATA EXCHANGE SOFTWARE ENHANCEMENT**

The dataXchange Participation Agreement is a software module enhancement within our current Odyssey Case Manager Package. This will allow law enforcement and judicial offices end users to obtain information related to criminal cases, warrants, citations, jail bookings/releases and hot check data from other participating counties. There is no cost to the county for this software enhancement. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute a participation agreement with Tyler Technologies, Inc. related to Data Exchange software enhancement. All present voting "Aye". MOTION PASSED

**32864 EXTEND THE 35 MPH SPEED LIMIT ZONE ON SAWYER RANCH ROAD NEAR HIGHPOINTE SUBDIVISION TO APPROXIMATELY 200 FEET SOUTH OF THE ENTRANCE TO MEADOW CREEK RANCH SUBDIVISION**

This action would decrease the existing 50 MPH speed limit in front of Meadow Creek Ranch subdivision to 35 MPH. Commissioner Ingalsbe opened public hearing at 9:30am. No public comments were made. Commissioner Ingalsbe closed the public hearing at 9:31am. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to extend the 35 MPH speed limit zone of Sawyer Ranch Road near Highpointe Subdivision to approximately 200 feet south of the entrance to Meadow Creek Ranch subdivision. All present voting "Aye". MOTION PASSED

**32865 CALL FOR A PUBLIC HEARING ON OCTOBER 3, 2017 TO INSTALL A STOP SIGN FOR PRIVATE ROAD CEDAR PAW LANE WITHIN THE ROW ON SIGNAL HILL ROAD**

This action would require all vehicles traveling on the private road known as Cedar Paw Lane to stop at a new stop sign posted in the ROW of Signal Hill Rd at that intersection. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to call for a public hearing on October 3, 2017 to install



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a stop sign for private road Cedar Paw Lane within the ROW on Signal Hill Road. All present voting "Aye". MOTION PASSED

**32866 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #K0956889A IN THE AMOUNT OF \$969,723.55, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70152113 IN THE AMOUNT OF \$49,078.96 FOR SHADOW CREEK SUBDIVISION, PHASE 8, SECTION 2**

Marcus Pacheco County Planner gave full staff recommendation. Staff recommends 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 Commissioner Jones, seconded by Commissioner Whisenant to consider the acceptance of road construction and drainage improvements, release of the construction bond #K0956889A in the amount of \$969,723.55, and acceptance of the 2-year maintenance bond #70152113 in the amount of \$49,078.96 for Shadow Creek subdivision, Phase 8, Section 2. All present voting "Aye". MOTION PASSED**

**32867 CALL FOR A PUBLIC HEARING ON OCTOBER 17, 2017 TO DISCUSS THE REVISION OF THE BLUE SKY RANCH SUBDIVISION.**

The property owners in the Blue Sky Ranch subdivision are submitting a Texas Local Government Code 232.009 request for revision of plat. The property owners would like to remove plat note 13. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on October 3, 2017 to discuss the revision of the Blue Sky Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32868 SUB-785; REPLAT OF LOT 19. OAKRIDGE PARK SECTION 5 AT KINNICINIK. DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; HOLD PUBLIC HEARING.**

Marcus Pacheco County Planner spoke and gave full staff recommendation. Oakridge Park, Section 5 at Kinnicininik is a recorded subdivision located off of RR 1826 and Green Hills Road in Precinct 4. The proposed replat will divide the 4.62 acre lot into two lots. Water service will be provided by West Travis County Public Utility Agency and wastewater treatment will be accomplished by individual on-site sewage facilities. Commissioner Ingalsbe opened public hearing at 9:34am. No public comments were made. Commissioner Ingalsbe closed the public hearing at 9:34am. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the final plat SUB-785; Replat of Lot 19. Oakridge Park Section 5 at Kinnicininik. All present voting "Aye". MOTION PASSED**

**32869 ACCEPT 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 34 IN THE CYPRESS CREEK ACRES SUBDIVISION.**

Caitlyn Strickland County Planner spoke. The owner applied for a permit to construct a new building and an On-Site Sewage Facility. Hays County. Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. Due to timing constraints, the owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start on his building and septic system. The property owner has been made aware of the platting requirement, and has already submitted a replat to bring his property into compliance. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and a grant a development authorization to the owner of portion lot 34 in Cypress Creek Acres Subdivision. All present voting "Aye". MOTION PASSED**

**32870 APPROVE THE APPOINTMENT OF BRADLEY RUOFF TO FILL THE UNEXPIRED TERM OF TIM VON KENNEL TO THE EMERGENCY SERVICES DISTRICT #6 BOARD OF COMMISSIONERS**

Commissioner Whisenant spoke. Mr. Tim Von Kennel has resigned his position on the ESD #6 Board of Commissioners due to his relocation out of Hays County and the ESD#6 area. A resume for Bradley Ruoff is attached. This appointment will expire on December 31, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the appointment of Bradley Ruoff to fill the unexpired term of Tim Von Kennel to the Emergency Services District #6 Board of Commissioners. All present voting "Aye". MOTION PASSED**

**32871 THE SHERIFF'S OFFICE TO UTILIZE COUNTY WIDE FUNDS FOR THE PURCHASE OF TWO A/C COILS AND REPLACEMENT WATER HEATER AND AMEND THE BUDGET ACCORDINGLY**

Capt. Julie Villapando spoke. The Sheriff's Office, Jail Division request a budget amendment to cover the cost of the replacement of One Boiler with Two high efficiency water heaters to supply our Kitchen, Laundry and A-



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Quad with hot water. In addition to this request is to provide and install a replacement condenser coil for the Roof-Top A/C unit providing air conditioning and heating for Evidence Storage, Chaplin's Office, and adjacent areas. Due to the lag time to receive these coils, we also request a spare condenser coil for our stock. This was the second failure of 31 Roof-Top A/C's, and stocking a coil will reduce unnecessary down time. Budget Amendment: Decrease 001-645-00.5741 - County Wide (\$27,604) Increase 001-618-03.5741 - Miscellaneous Capital Improvements \$27,604. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize County Wide funds for the purchase of two A/C Coils and replacement water heater and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32872 AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HDR INC. RELATED TO HDR'S SERVICES AS PROJECT MANAGER FOR THE DACY LANE PROJECT IN PRECINCTS 1 AND 2**

HDR was selected by the Commissioners Court on or about August 15th. The attached scope and fee have been negotiated for the services contemplated for this project. Please note that the Commissioners Court, in approving this agreement, is granting an exemption from the Purchasing Act pursuant to Texas Local Government Code 262.024(a)(4). Sec. 262.024. DISCRETIONARY EXEMPTIONS. (a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption: (1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county; (2) an item necessary to preserve or protect the public health or safety of the residents of the county; (3) an item necessary because of unforeseen damage to public property; (4) a personal or professional service. **A motion made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Professional Services Agreement between Hays County and HDR Inc. related to HDR's services as project manager for the Dacy Lane project in Precincts 1 and 2. All present voting "Aye". MOTION PASSED**

**32873 RETAIN SERVICES OF ABIP, PC RELATED TO THE HAYS COUNTY ANNUAL FINANCIAL AUDIT AND AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE THE ENGAGEMENT LETTER**

Purchasing issued RFQ 2017-P09 for Auditing Services on August 23, 2017. Six (6) responses were received from Weaver & Tidwell, L.L.P., Garza/Gonzalez & Associates, Park Fowler & Co., PLLC, ABIP, PC and Davis Kinard & Co., PC. After evaluation of the responses by County staff, approval to execute the Engagement Letter for those services is requested. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to retain services of ABIP, PC related to the Hays County annual financial audit and authorize the Commissioners Court to execute the engagement letter. All present voting "Aye". MOTION PASSED**

**32874 AMEND THE DEVELOPMENT SERVICES FEE SCHEDULE**

Roxie McInnis Development and Community Services Manager and Clint Garza Director of Development Services spoke. The proposed amendments to the Development Services fee schedule are as follows: 2 New Fees - these new fees are in response to updated policies and procedures in both the Transportation Department and Development Services. New fees will become effective January 1, 2018. Driveway Permit Application (\$25). Paper Processing Fee (\$10 for permit applications, \$20 for subdivision applications). Fee Increases - the proposed increases more accurately align the fee with the cost associated with review. Increased fees become effective for all applications submitted on or after October 1, 2017. Class A Flood Hazard Area Permit (increase from \$35 to \$50). Subdivision Review Fees (increase per lot fee by \$50). **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to amend the Development Services fee schedule as presented to court with the \$50 increase from the #170 – Subdivision Review Fee to be accounted for in the Infrastructure Fund. All present voting "Aye". MOTION PASSED**

**32875 APPROVE THE 2018 SHERIFF & CONSTABLE FEES**

Marisol Villarreal-Alonzo County Auditor and Clint Garza Director of Development Services spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve the 2018 Sheriff & Constable Fees. All present voting "Aye". MOTION PASSED**

**32876 AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RENEWAL CONTRACT, INCLUDING AN AMENDMENT FOR ADDITIONAL SERVICES WITH CORRECT CARE SOLUTIONS (CCS) RELATED TO THE HEALTHCARE PROGRAM AT THE JAIL DIVISION**

The Sheriff's Office, Jail Division is requesting court approval to extend the medical care services contract with Correct Care Solutions for one additional year. The renewal agreement includes an amendment for additional staffing for a part-time Administrative Assistant as well as an additional 20 hours per week for mental health services. The requested increase for mental health hours is due the Sandra Bland Act. This bill will require counties to provide 24 hour mental health services by tele-mental or on-site. The additional 20 hours are needed



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to accommodate the increase of inmates requiring mental health services. The Administrative Assistant is needed to provide assistance to relieve nurses and the health service administrator of clerical duties so they can focus on clinical aspects of the job and inmate healthcare. In addition, adding the administrative assistant will allow the health service administrator more time for training and supervision of nurses. Funds were included in the FY18 Proposed Budget for the contract renewal and proposed staffing modification. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute a renewal contract, including an amendment for additional services with Correct Care Solutions (CCS) related to the healthcare program at the Jail Division. All present voting "Aye". MOTION PASSED**

**HOLD A PUBLIC HEARING ON THE FY 2018 HAYS COUNTY PROPOSED BUDGET - 1:00 P.M**

Commissioner Ingalsbe opened public hearing at 1:02 pm. Mary Cauble – San Marcos resident, David Crowell – Kyle resident, County Court at Law Judge David Glickler and Assistant County Auditor Vickie Dorsett made public comments. Commissioner Ingalsbe closed the public hearing at 1:46 pm. No action taken.

**Clerk's Note: Court took break at 1:52 p.m. and reconvened into open session at 1:57 p.m.**

**32877 SET THE FY 2018 SALARIES AND ALLOWANCES FOR HAYS COUNTY ELECTED OFFICIALS**

Dan Lyon – San Marcos resident, made a public comment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to set the FY 2018 salaries and allowances for Hays County Elected Officials. All present voting "Aye". MOTION PASSED**

**32878 ADOPT THE FY 2018 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL CHANGES AS A RESULT OF THE PUBLIC HEARING**

Assistant County Auditor Vickie Dorsett and Chief of Staff Lon Shell spoke. A list of final changes to the FY 2018 budget for the Court to consider will be provided. Additional items for consideration may be submitted by the Court members or as a result of the public hearing. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to budget \$3,500.00 into contingencies and adopt the FY 2018 Hays County budget after making any final changes as a result of the public hearing. All present voting "Aye". MOTION PASSED**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve an Assistant Court Coordinator for the County Courts at Law to begin on April 1<sup>st</sup>, 2018 with salary coming from the \$10,000 identified County Wide and the additional coming from County Wide Salary Adjustments. All present voting "Aye". MOTION PASSED**

**A motion was made by Commissioner Whisenant, to consider funding the Indigenous Cultures line item at \$2,500.00. Motion died for lack of second. MOTION FAILED**

**32879 RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2018 HAYS COUNTY BUDGET**

Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the Commissioner's Court to ratify the property tax increase reflected in the budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$4,991,342 or 6.80% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,312,952. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the property tax increase reflected in the FY 2018 Hays County Budget. All present voting "Aye". MOTION PASSED**

**32880 APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2018 AND LEVY THE TAXES**

David Crowell – Kyle resident and Dan Lyon – San Marcos made public comments. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve an order adopting the tax rate for FY 2018 and levy the taxes, and for the property tax rate to be increased by the adoption of a tax rate of 44.50¢, which is effectively a 2.49% increase in the tax rate. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #39 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**



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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 PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR**

Court convened into Executive session at 10:19 a.m. and reconvened into open court at 1:02 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant and Kharley Smith Emergency Management Coordinator. No action taken.

**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 10:19 a.m. and reconvened into open court at 1:02 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant and Kharley Smith Emergency Management Coordinator. No action taken.

**Clerk's Note 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. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED*

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

Clint Browning County Fire Marshall gave an update on the burn ban. The drought index is at a 319. The burn ban will remain lifted.

**Clerk's Note 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. POSSIBLE ACTION MAY FOLLOW. – WAS PULLED*

**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adjourn court at 3:08 p.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 September 19, 2017.



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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 3<sup>RD</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
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Josh Murillo 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

Dan Lyon resident of San Marcos spoke. Constable Pct. 1- David Peterson spoke.

#### **32881 ADOPT A PROCLAMATION DECLARING OCTOBER 15, 2017 AS WHITE CANE SAFETY DAY**

Commissioner Conley spoke. Samantha Armbruster 1<sup>st</sup> Vice President of the San Marcos Lions Club accepted the Proclamation. Today white cane laws are on the books of every state in the United States and many other countries providing blind persons a legal status in traffic in the event of accident. The white cane now universally acknowledges that the bearer is blind. To make the American people more fully aware of the meaning of the white cane, and of the need for motorists to exercise special care for the blind person who carries it, the U.S. Congress, by a joint resolution approved October 6, 1994, authorized the President to annually issue a proclamation designating October 15th as "National White Cane Safety Day." A copy of this proclamation is available from the White House, Office of Press Secretary, Washington, DC., USA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to adopt a Proclamation Declaring October 15, 2017 as White Cane Safety Day. All present voting "Aye". MOTION PASSED**

#### **32882 ADOPT A PROCLAMATION DECLARING OCTOBER 2017 AS DOMESTIC VIOLENCE AWARENESS MONTH**

Commissioner Conley spoke. Melissa Rodriguez of the Hays-Caldwell Women's Center spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a Proclamation Declaring October 2017 as Domestic Violence Awareness Month. All present voting "Aye". MOTION PASSED**

#### **32883 ADOPT A PROCLAMATION IN RECOGNITION OF LANDIS SHOE CLINIC FOR 100 CONTINUOUS YEARS OF SERVING HAYS COUNTY**

Commissioner Ingalsbe and Commissioner Conley spoke. Becky Sierra spoke. Ronnie Mendez spoke and acknowledges the help of Rene Medina to keep this business going. The Hays County Commissioners Court does hereby recognize and congratulate the Landis Shoe Clinic on its one hundredth year of business in San Marcos, Texas and the Mendez Family for its continuous operation of the Landis Shoe Clinic through three generations. **A motion was made by Commissioner Whisenant seconded by Commissioner Ingalsbe to adopt a proclamation in recognition of Landis Shoe Clinic for 100 continuous years of serving Hays County. All present voting "Aye". MOTION PASSED**

#### **PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE HAYS COUNTY AUDITOR'S OFFICE FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)**

Commissioner Ingalsbe, Commissioner Conley, District Court Administrator of Hays, Caldwell and Comal Counties- Steve Thomas and Hays County Auditor Marisol Villarreal- Alonzo spoke. The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that



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goal. This Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

**PRESENTATION ON THE HAYS COUNTY-TEXAS DEPARTMENT OF TRANSPORTATION PARTNERSHIP PROGRAM FM 150 WEST CHARACTER PLAN PROJECT**

Joe Canteloupo, Sr. Vice President of K. Friese & Associates gave a PowerPoint presentation on the FM 150 West Character Plan Project. The Hays County-Texas Department of Transportation Partnership Program was formalized by an Advance Funding Agreement (AFA) executed between Hays County and the Texas Department of Transportation on December 18, 2013 and Texas Transportation Commission action on August 29, 2013 identifying project development funding (corridor study, schematic development, right-of-way preservation) for the FM 150 West Character Plan for FM 150 between Arroyo Ranch Road and RM 12. On May 20, 2014, the County entered into a professional services agreement with K. Friese & Associates for the development of a Corridor Plan and Nature & Character Plan for the FM 150 corridor from Arroyo Ranch Road northwest through the County to RM 12 in Dripping Springs. Since that time, the County established a Phase 1 Citizens Advisory Panel (CAP) which met 11 times, and hosted three Public Meetings. Presentations to the Court on the status of the project were made on January 13, 2015, December 15, 2015 and April 5, 2016. At the April 5, 2016 presentation, the Commissioners Court acknowledged and accepted the final report of Phase 1, the "FM 150 West Character Plan: Features and Themes Report." Since that time, Phase 2 of the project was initiated with a Phase 2 CAP. The CAP met seven times and the County hosted two Public Meetings. A presentation to the Court on the status of Phase 2 of the project was made on March 21, 2017. This presentation will provide information regarding the progress of Phase 2 and the final report of the project study process, the "FM 150 West Character Plan: Final Report and Master Plan." The Report can be reviewed at the following link: <http://improvefm150.com/report.html>

**32884 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Approve payments of County invoices in the amount of \$1,06,737.98 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32885 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$2,276.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32886 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$149,854.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32887 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 19, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 19, 2017 as presented by the Hays County Clerk. All present voting "Aye". MOTION PASSED

**32888 APPROVE THE RE-APPOINTMENT OF ANDY CABLE, JOHN ANDERSON AND SCOTT BROWN AS MEMBERS OF EMERGENCY SERVICES DISTRICT #7**

Terms for Andy Cable, John Anderson and Scott Brown expire 12/31/2017. They have each agreed to serve another term for ESD #7 ending 12/31/2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Andy Cable, John Anderson and Scott Brown as members of Emergency Services District #7. All present voting "Aye". MOTION PASSED

**32889 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2520 W HWY 290, DRIPPING SPRINGS, TEXAS 78620**



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Frank Glass is proposing an OSSF to serve six new warehouse buildings. Each building will accommodate up to 5 employees. This is a 7.37-acre property where each warehouse will be individually served by a rainwater collection system. The system designer, Stephen Jetton, R.S., 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 120 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 2520 W Hwy 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**32890            AUTHORIZE TANK REPLACEMENT FOR EXISTING OSSF AT 100 HAYS YOUTH DR, BUDA, TX**

Hays County Youth Athletic Association is proposing a tank replacement for an existing OSSF to serve the restrooms at the soccer field located at 100 Hays Youth Dr, Buda in Precinct 2. This property is on 21.6 acres out of the MORTON M MCCARVER SURVEY. The tank to be replaced is a 1500 gallon single compartment trash tank. There are two existing 750 gallon tanks and a pump tank after the trash tank. After treatment, effluent will be dispersed to an existing low pressure dosage field. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Tank Replacement for existing OSSF at 100 Hays Youth Dr, Buda, TX. All present voting "Aye". MOTION PASSED**

**32891            AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 13731 CARPENTER LANE, MANCHACA, TX**

MCCOLLUM-SAVELL HOLDINGS, LLC is proposing an OSSF to serve a dog kennel, small office and one bedroom apartment at 13731Carpenter Lane, Manchaca in Precinct 2. This property is on 11.01 acres out of the JOHN G. MCGHEE SURVEY and water will be supplied by a private water well. The components of this on-site sewage facility will be an 800 GPD NuWater Aerobic Treatment Unit with Tuff Tiger filter and a 1500 gallon flow equalization tank. After treatment, effluent will be dispersed to a drip irrigation field. The system was designed by Doug Dowlearn for a flow of 556 gallons per day. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 13731 Carpenter Lane, Manchaca, TX. All present voting "Aye". MOTION PASSED**

**32892            APPROVE UTILITY PERMITS**

Permit Road Name Utility 1047 Belterra Drive & Trinity Hills Drive (Belterra subd.) C.C. Carlton (irrigation lines) 1048 Trinity Hills Drive (Belterra subd.) C.C. Carlton (water line tie-in). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the Utility Permit #1047 on Belterra Drive & Trinity Hills Drive (Belterra subd.) issued to C.C. Carlton; #1048 Trinity Hills Drive (Belterra subd.) issued to C.C. Carlton as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

**32893            APPROVE SPECIFICATIONS FOR RFP 2018-P02 BLANCO RIVER DEBRIS REMOVAL AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

Dan Lyon resident of San Marcos spoke. Commissioner Conley and General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve specifications for RFP 2018-P02 Blanco River Debris Removal and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED**

**32894            APPROVE RENEWAL OF IFB 2016-B10 FOR ROAD CONSTRUCTION MATERIALS WITH COLORADO MATERIALS, LTD., BRAUNTEX MATERIALS, INC., INDUSTRIAL ASPHALT & AGGREGATE AND VULCAN MATERIALS, LLC 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. The Transportation Department utilizes these contracts whenever the supplies are needed for various road projects. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2016-B10 for Road Construction Materials with Colorado Materials, Ltd., Brauntex Materials, Inc., Industrial Asphalt & Aggregate and Vulcan Materials, LLC for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED**





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**32895            AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH TRANS UNION (TLO) FOR WARRANT FEE RECOVERY SERVICES FOR ALL CONSTABLE'S OFFICES**

The Constable Pct. 1 Office is currently utilizing this service to assist with warrant searches. The supplemental will add users to allow all five Constable Offices to utilize the service. Funds were budgeted during the FY18 budget process within each Constable Office to cost share for this service. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Supplemental Agreement with Trans Union (TLO) for warrant fee recovery services for all Constable's Offices. All present voting "Aye". MOTION PASSED**

**32896            AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to amend various departmental operating budgets in preparation for the County's FY 2017 year-end process All present voting "Aye". MOTION PASSED**

**32897            AUTHORIZE COMMERCIAL OSSF PERMIT AT 100 VISTA WEST RANCH ROAD, DRIPPING SPRINGS, TX 78620**

Joseph Hogge of Vista West Ranch LLC is proposing an OSSF to serve a lodging structure for a wedding venue. The house will hold ten beds. The property will be served by a public water supply. The system designer, Kyle DeHart, R.S., has designed a non-standard treatment system which consists of pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 360 gallons. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 100 Vista West Ranch Road, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**32898            RATIFY THE EXISTING SPOTLESS CLEANING CONTRACT FOR THE SHERIFF'S OFFICE AND JAIL DIVISION RELATED TO JANITORIAL SERVICES**

Rodrigo Amaya resident of San Marcos spoke. Tom Hackney- Sheriff's Office- Jail Facilities Manager spoke. In November of 2016 the Commissioner's Court authorized the Sheriff's Office to contract for janitorial services utilizing the existing county wide agreement with Spotless Cleaning. Additional services for the visitation area and two portable buildings were added in May 2017 which increased the time and fees associated with this contract. The Sheriff is seeking ratification of this contract effective May 1, 2017 for the increased services. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to ratify the existing Spotless Cleaning contract for the Sheriff's Office and Jail Division related to janitorial services. All present voting "Aye". MOTION PASSED**

**32899            RATIFY THE EXECUTION OF A SERVICES AGREEMENT WITH TEXAS DISPOSAL SYSTEMS FOR TRASH HAULING SERVICES AT THE PRECINCT 3 BUILDING LOCATED AT 200 STILLWATER**

The County currently contracts with Texas Disposal System for trash hauling services countywide. However, each new service location requires a Service Agreement before delivery of the trash receptacle. Funds were budgeted during the FY18 budget process for this service. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to ratify the execution of a Services Agreement with Texas Disposal Systems for trash hauling services at the Precinct 3 building located at 200 Stillwater. All present voting "Aye". MOTION PASSED**

**32900            AUTHORIZE THE PURCHASE OF ADDITIONAL FURNITURE FOR THE PRECINCT 3 BUILDING LOCATED AT 200 STILLWATER AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the purchase of additional furniture for the Precinct 3 building located at 200 Stillwater and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



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**32901      AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE FY18 INTERLOCAL CONTRACT FOR THE NEXT GENERATION 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR EMERGENCY COMMUNICATIONS GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES TO BE PROVIDED BY THE COUNTY IN THE AMOUNT OF \$156,607.00**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute the FY18 Interlocal Contract for the Next Generation 9-1-1 Database Program with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information System (GIS) services to be provided by the County in the amount of \$156,607.00. All present voting "Aye". MOTION PASSED

**32902      AUTHORIZE THE EXECUTION OF THE FY18 INTERLOCAL CONTRACT FOR THE PUBLIC SAFETY ANSWERING POINT MAINTENANCE, EQUIPMENT AND TRAINING PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) IN THE AMOUNT OF \$3,000.00**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize the execution of the FY18 Interlocal Contract for the Public Safety Answering Point Maintenance, Equipment and Training Program with the Capital Area Emergency Communications District (CAECD) in the amount of \$3,000.00. All present voting "Aye". MOTION PASSED

**32903      APPROVE SPECIFICATIONS FOR RFP 2018-P03 COUNTYWIDE PLUMBING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2018-P03 Countywide Plumbing Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

**32904      AUTHORIZE THE EXECUTION OF SOCIAL SERVICE CONTRACTS AS APPROVED IN THE FY 2018 BUDGET**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of Social Service contracts as approved in the FY 2018 budget. All present voting "Aye". MOTION PASSED

**32905      AUTHORIZE THE DISTRICT COURT TO HIRE THE BAILIFF, SLOT 1153-007 POSITION AT THE 45TH PERCENTILE EFFECTIVE OCTOBER 16, 2017 AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the District Court to hire the Bailiff, slot 1153-007 position at the 45th percentile effective October 16, 2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32906      RATIFY THE EXECUTION OF THE TASER INTERNATIONAL, INC. STATEMENT OF WORK (SOW) AND QUOTE FOR AXON FLEET IN-CAR CAMERA SYSTEMS FOR THE SHERIFF'S OFFICE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the execution of the Taser International, Inc. Statement of Work (SOW) and Quote for Axon Fleet in-car camera systems for the Sheriff's Office. All present voting "Aye". MOTION PASSED

**32907      AUTHORIZE COUNTY WIDE OPERATIONS AND RECORDS MANAGER TO EXTEND TEMPORARY PART-TIME POSITIONS RELATED TO RECORDS RETENTION AND PRESERVATION EFFECTIVE 10/1/17 AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize County Wide Operations and Records Manager to extend temporary part-time positions related to



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records retention and preservation effective 10/1/17 and amend the budget accordingly. All present voting “Aye”. MOTION PASSED

**32908            AUTHORIZE THE EXECUTION OF A CONTRACT WITH HNTB CORPORATION TO PROVIDE ENGINEERING SERVICES FOR TWO SEGMENTS OF THE FM 2001 REALIGNMENT PROJECT (EXTENSION OF WHITE WING TRAIL) IN HAYS COUNTY AS PART OF THE 2016 ROAD BOND PROGRAM**

The FM 2001 realignment project between I-35 and SH 21 is included in the Hays County-TxDOT Partnership Program. Preliminary engineering, environmental documentation and right-of-way identification has been conducted and right-of-way donations have already taken place. Approval of consultants and funding for construction engineering and acquisition of remaining right-of-way, all included in the 2016 Road Bond Program, would position this important mobility and safety project to move quickly to construction. TxDOT has already committed funding for Phase One construction through the Advance Funding Agreement process. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a contract with HNTB Corporation to provide engineering services for two segments of the FM 2001 realignment project (extension of White Wing Trail) in Hays County as part of the 2016 Road Bond program. All present voting “Aye”. MOTION PASSED**

**32909            AUTHORIZE THE EXECUTION OF A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES AND RIGHT-OF-WAY ACQUISITION SERVICES FOR THE FM 2001 REALIGNMENT PROJECT BETWEEN GRAEF ROAD AND SH 21 IN HAYS COUNTY AS PART OF THE 2016 ROAD BOND PROGRAM**

The FM 2001 realignment project between I-35 and SH 21 is included in the Hays County-TxDOT Partnership Program. Preliminary engineering, environmental documentation and right-of-way identification has been conducted and right-of-way donations have already taken place. Approval of consultants and funding for design services and acquisition of remaining right-of-way, all included in the 2016 Road Bond Program, would position this important mobility and safety project to move quickly to construction. TxDOT has already committed funding for Phase One construction through the Advance Funding Agreement process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a contract with Kimley-Horn and Associates, Inc. to provide engineering services and right-of-way acquisition services for the FM 2001 realignment project between Graef Road and SH 21 in Hays County as part of the 2016 Road Bond Program. All present voting “Aye”. MOTION PASSED. An additional motion was made by Commissioner Jones, seconded by Commissioner Whisenant under exhibit B the Hays County Commissioners Court, by authorizing execution of this Professional Services 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**

**32910            AUTHORIZE THE EXECUTION OF A CONTRACT WITH BROWN & GAY ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES FOR THE FM 967 UPGRADE PROJECT FROM THE UNION PACIFIC RAILROAD IN DOWNTOWN BUDA TO I-35 IN HAYS COUNTY AS PART OF THE 2016 ROAD BOND PROGRAM**

For the FM 967 upgrade project from the Union Pacific Railroad in downtown Buda to I-35, Hays County would provide engineering to accommodate the TxDOT District Office to improve the roadway and bring it up to standards before transferring it to the City of Buda. The roadway would be transferred to the City of Buda for operation and maintenance and the Robert S. Light Extension, another Hays County-TxDOT Partnership Program project, would be added to the State Highway System for operation and maintenance by TxDOT. This arrangement was agreed-to by the County and TxDOT during the development of the Partnership Program and recent Advance Funding Agreements. TxDOT has funds available for both the maintenance project and construction of the Robert S. Light Extension from FM 1626 to I-35. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a contract with Brown & Gay Engineers, Inc. to provide engineering services for the FM 967 upgrade project from the Union Pacific Railroad in downtown Buda to I-35 in Hays County as part of the 2016 Road Bond Program. All present voting “Aye”. MOTION PASSED**

**32911            HOLD A PUBLIC HEARING TO INSTALL A STOP SIGN FOR PRIVATE ROAD CEDAR PAW LANE WITHIN THE ROW ON SIGNAL HILL ROAD**

Commissioner Ingalsbe opened the Public Hearing at 11:15a.m. No public input was received. Commissioner Ingalsbe closed the Public Hearing. Commissioner Whisenant and Jerry Borcharding Director of Hays County Transportation Department spoke. This action would require all vehicles traveling on the private road known as



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Cedar Paw Lane to stop at a new stop sign posted in the ROW of Signal Hill Rd at that intersection. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to install a stop sign for private road Cedar Paw Lane within the ROW on Signal Hill Road. All present voting “Aye”. MOTION PASSED**

**32912 SELECT VOLKERT, INC. TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE SAWYER RANCH ROAD PEDESTRIAN, SCHOOL BUS AND SAFETY IMPROVEMENT PROJECT FROM DARDEN HILL ROAD TO BELTERRA DRIVE; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Commissioner Whisenant spoke. Project development funding for the Sawyer Ranch Road pedestrian, school bus and safety improvement project from Darden Hill Road to Belterra Drive would come from the Drainage/Low Water Crossings/Bridge Replacements; Environmental Mitigation/Conservation; and Non-Motorized Transportation element of the 2016 Road Bond Program. The Sawyer Ranch Road pedestrian, school bus and safety improvement project from Darden Hill Road to Belterra Drive project is one of the highest priorities in Precinct 4 and in the County, based on existing and planned school facilities along and in the vicinity of the Sawyer Ranch Road corridor in this rapidly-growing area of Hays County. Approval of Volkert, Inc. for schematic, environmental documentation and PS&E services would position this important safety project to move quickly to construction and allow the County to seek additional construction funding through CAMPO. Volkert, Inc. has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to select Volkert, Inc. to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Sawyer Ranch Road pedestrian, school bus and safety improvement project from Darden Hill Road to Belterra Drive; and to authorize staff and counsel to negotiate a contract. All present voting “Aye”. MOTION PASSED**

**32913 SELECT LJA ENGINEERING, INC. TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE FM 110 AT SH 123 BRIDGE CROSSING; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

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. LJA Engineering, Inc. is on the County’s pre-qualification list. 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. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select LJA Engineering, Inc. to provide Plans, Specifications & Estimates (PS&E) services for the FM 110 at SH 123 Bridge Crossing; and to authorize staff and counsel to negotiate a contract All present voting “Aye”. MOTION PASSED**

**32914 ACCEPT BOND NO. PB03010404346 FOR STREET AND DRAINAGE IMPROVEMENTS FOR SUNFIELD PHASE 2, SECTION 8 IN THE AMOUNT OF \$1,148,837.50**

County Planner Marcos Pacheco spoke and gave full staff recommendation. The final plat for the Sunfield Phase 2, Section 8 Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda and has 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 Jones, seconded by Commissioner Whisenant to accept Bond No. PB03010404346 for street and drainage improvements for Sunfield Phase 2, Section 8 in the amount of \$1,148,837.50. All present voting “Aye”. MOTION PASSED**

**32915 ACCEPT BOND NO. PB03010404348 FOR STREET AND DRAINAGE IMPROVEMENTS FOR SUNFIELD PHASE 2, SECTION 9 IN THE AMOUNT OF \$416,005.00**



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County Planner Marcos Pacheco spoke and gave full staff recommendation. The final plat for the Sunfield Phase 2, Section 9 Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda and has 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 Jones, seconded by Commissioner Whisenant to accept Bond No. PB03010404348 for street and drainage improvements for Sunfield Phase 2, Section 9 in the amount of \$416,005.00. All present voting “Aye”. MOTION PASSED**

**32916 SELECT HDR INC. AS THE DESIGN ENGINEER FOR THE CYPRESS CREEK PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Commissioner of Precinct 3, Will Conley, and the Transportation Department recommend the selection of HDR Inc. from a pool of capable engineering firms as the best qualified to provide engineering services on the Cypress Creek project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to select HDR Inc. as the design engineer for the Cypress Creek project and authorize staff and counsel to negotiate a contract. All present voting “Aye”. MOTION PASSED**

**32917 AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RPS TO PERFORM ENGINEERING SERVICES FOR THE FM 621 SAFETY ENHANCEMENT PROJECT**

General Counsel Mark Kennedy spoke. If authorized, RPS will perform engineering services for the FM 621 project in regards to the addition of a center turn lane, geometry improvements, and shoulder enhancements. Subcontractors for RPS will provide ROW surveying, real-estate, and environmental services necessary to advance the design through TxDOT. Funds for this project were budgeted during the FY18 budget adoption process. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Professional Services Agreement with RPS to perform engineering services for the FM 621 Safety Enhancement project. All present voting “Aye”. MOTION PASSED**

**32918 SELECT M&S ENGINEERING AS THE DESIGN ENGINEER FOR THE SYCAMORE CREEK AND BEAR CREEK LOW WATER CROSSING PROJECTS AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Commissioner Whisenant spoke. Commissioner of Precinct 4, Ray Whisenant, and the Transportation Department recommend the selection of M&S Engineering from a pool of capable engineering firms as the best qualified to provide engineering services on the Bear Creek and Sycamore Creek project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to select M&S Engineering as the design engineer for the Sycamore Creek and Bear Creek low water crossing projects and authorize staff and counsel to negotiate a contract. All present voting “Aye”. MOTION PASSED**

**32919 SELECT BINKLEY BARFIELD INC. AS THE DESIGN ENGINEER FOR THE WINDY HILL CORRIDOR STUDY AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

Commissioner of Precinct 2, Mark Jones, and the Transportation Department recommend the selection of Binkley Barfield from a pool of capable engineering firms as the best qualified to provide engineering services for the Windy Hill Corridor Study. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Binkley Barfield Inc. as the design engineer for the Windy Hill Corridor Study and authorize staff and counsel to negotiate a contract. All present voting “Aye”. MOTION PASSED**

**32920 SELECT AMERICAN STRUCTUREPOINT AS THE DESIGN ENGINEER FOR FM150 AND RM12 REALIGNMENT PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**



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Commissioner of Precinct 4, Ray Whisenant, and the Transportation Department recommend the selection of American Structurepoint from a pool of capable engineering firms as the best qualified to provide engineering services on the FM150 and RM12 project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to select American Structurepoint as the design engineer for FM150 and RM12 realignment project and authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**32921 SUB-790 REUNION RANCH PHASE 2, SECTION 4 (24 LOTS). ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$315,510.25 (BOND # SU1146030)**

The final plat for the Reunion Ranch Phase 2, Section 4 subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has 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 Ingalsbe to accept fiscal surety for the construction of street and drainage improvements in the amount of \$315,510.25 ( Bond # SU1146030 ) for SUB- 790 Reunion Ranch Phase 2, Section 4 (24 lots). All present voting "Aye". MOTION PASSED**

**32922 SUB-810 REUNION RANCH PHASE 3, SECTION 2 (53 LOTS). ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$775,909.00 (BOND # SU1146031)**

County Planner Marcus Pacheco spoke and gave recommendation. The final plat for the Reunion Ranch Phase 3, Section 2 subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has 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 Jones to accept fiscal surety for the construction of street and drainage improvements in the amount of \$775,909.00 (Bond # SU1146031) for SUB-810 Reunion Ranch Phase 3, Section 2 (53 lots). All present voting "Aye". MOTION PASSED**

**32923 SUB-841 REUNION RANCH PHASE 3, SECTION 5 (35 LOTS). ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$444,755.00 (BOND # SU1146032)**

County Planner Marcus Pacheco spoke and gave recommendation. The final plat for the Reunion Ranch Phase 3, Section 5 subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has 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 Jones to accept fiscal surety for the construction of street and drainage improvements in the amount of \$444,755.00 (Bond # SU1146032) for SUB-841 Reunion Ranch Phase 3, Section 5 (35 lots). All present voting "Aye". MOTION PASSED**

**32924 CALL FOR A PUBLIC HEARING ON OCTOBER 17, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 8, INDIAN HILLS RANCH SUBDIVISION**

Indian Hills Ranch Subdivision is a recorded subdivision located off of FM 150 in Precinct 2. The proposed replat will divide the 43.859 acre lot 8 into 2 lots. 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 Jones, seconded by Commissioner Ingalsbe to Call for a public hearing on October 17, 2017 to discuss final plat approval of the Replat of Lot 8, Indian Hills Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32925 ACTION TO APPROVE A LETTER AGREEMENT BETWEEN HAYS COUNTY AND TEXHEALTH CENTRAL TEXAS FOR PARTICIPATION IN A REGIONAL HEALTH CARE PROGRAM THAT PROVIDES INSURANCE PREMIUM SUPPORT FOR EMPLOYEES OF SMALL BUSINESSES**

Jim Rodriguez FACHE President and CEO of TexHealth Central Texas Inc. spoke. TexHealth Central Texas and Hays County initially entered into an agreement, which was subsequently renewed in following years, in



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August 2009. TexHealth was formed as a regional health care program pursuant to Subchapter B, Section 75 of the Health and Safety Code. National healthcare reform required the TexHealth program to modify its operations to form a premium support program aimed at small businesses to make available health care coverage for uninsured and underinsured small employers and their employees. This program is at no cost to the County. See attached Letter Agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a Letter Agreement between Hays County and TexHealth Central Texas for participation in a Regional Health Care Program that provides insurance premium support for employees of small businesses. All present voting "Aye". MOTION PASSED**

**32926 AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 4 TO THE MASTER CONTRACT FOR PRIME STRATEGIES, INC. (PSI) FOR PROGRAM MANAGEMENT RELATED TO THE TEXAS DEPARTMENT OF TRANSPORTATION PARTNERSHIP PROJECTS EFFECTIVE 10/1/2017**

Associated work authorizations for Fiscal Year 2018 will be executed by Commissioners in order to track the project budgets. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones for The Hays County Commissioners Court, by authorizing execution of this Supplemental to a Professional Services 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**

**32927 AWARD THE HEALTH AND DENTAL PLAN CONTRACT TO UNITED HEALTH CARE WITH THE NEGOTIATED ADMINISTRATIVE FEES; AND TO AUTHORIZE COUNSEL AND STAFF TO FINALIZE THE TERMS OF THE CONTRACT AND PLAN FOR COURT CONSIDERATION**

Shari Miller, Interim Human Resources Director spoke. Commissioner Whisenant spoke. The Commissioners Court on 8/22/17 gave approval to negotiate with United Health Care for health and dental plans. These negotiations are complete and it is the recommendation of the Insurance Committee to award the Hays County health and dental plan coverage to United Health Care effective January 1, 2018. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to award the Health and Dental Plan contract to United Health Care with the negotiated administrative fees; and to authorize counsel and staff to finalize the terms of the contract and plan for Court consideration. All present voting "Aye". MOTION PASSED**

**32928 APPROVE RECOMMENDATIONS FOR FY '18 VEHICLE LEASE ORDER AND AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO COMPLETE ORDER; AMEND THE BUDGET ACCORDINGLY**

Clint Garza, Director of Development and Community Services spoke. Robert Eller- Chief Deputy Constable Pct. 2 office spoke. Commissioner Conley & Commissioners Whisenant spoke. Staff has been working with Enterprise to explore a lease program for countywide vehicles. Roughly one-third of the current Hays County Fleet is 10 years old or older. Staff recommends utilizing a lease program and cycling vehicles more frequently to put employees in safer and more fuel-efficient vehicles. Staff has proposed replacement and selections for new vehicles for FY '18. Replacements were selected based on mileage/age/condition of existing fleet vehicles. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve option two as presented to the Commissioners Court for recommendations for FY '18 Vehicle Lease Order and authorize the Director of Countywide Operations to complete order; amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**Clerk's Note: Court took a break at 11:35a.m. and reconvened at 11:49a.m.**

**Clerk's Note Agenda Item #51 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- PULLED**

**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**



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Court convened into Executive session at 10:05 a.m. and reconvened into open court at 10:36 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley and Commissioner Whisenant. No action taken.

**CLERK'S NOTE AGENDA ITEM # 53 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- PULLED**

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

Commissioner Ingalsbe gave an update on the burn ban. The drought index is at a 156. The burn ban will remain lifted.

**CLERK'S NOTE AGENDA ITEM #55 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- PULLED**

**ADJOURNMENT**

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 12:15 p.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 October 3, 2017.



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







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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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<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
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Denise Grant, chaplain at CTMC 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.

**RECOGNITION OF THE CHILD PROTECTIVE SERVICE VOLUNTEER OF THE YEAR, MARY CAUBLE**

Commissioner Jones spoke. Lee Ikels- Chairman of the Child Protective Service Board spoke. Mary Cauble- Child Protective Service Volunteer of the year spoke. Commissioner Conley & Commissioner Whisenant spoke.

**PUBLIC COMMENTS**

Dan Lyon- resident of San Marcos spoke.

**32962 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve county invoices in the amount of \$771,436.18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32963 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of juror checks in the amount of \$4,710.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32964 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payments of Humana claims in the amount of \$143,009.07 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32965 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 10, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court minutes of October 10, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**32966 ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY SWAT TEAM FOR NIGHT VISION BINOCULARS IN THE AMOUNT OF \$105,420.00 AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya- resident of San Marcos spoke. General Counsel Mark Kennedy spoke. On January 17, 2017 the Commissioners Court approved submission of a grant application and accompanying resolution to the Governor's Office, Homeland Security Grants Division for funding to purchase night vision binoculars (15 units) for 26 members of the Hays County SWAT Team. The grant project period is from September 1, 2017 through August 31, 2018. Attached is the Award Notice and Conditions and responsibilities for the grant project. Acceptance is done electronically. Budget Amendment: Increase



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Intergovernmental Revenue - .4301 and Increase Law Enforcement Equipment Capital - .5717\_7001. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to accept a grant award from the Office of the Governor, Homeland Security Grants Division for the Hays County SWAT Team for Night Vision Binocular in the amount of \$105,420.00 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32967 ACCEPT STATEMENT OF WORK #580-17-SOW0046 FROM FUGRO GEOSPATIAL, INC. FOR ORTHOIMAGERY IN THE TEXAS CAPITAL AREA 2018 STRATMAP PROJECT**

StratMap - or Strategic Mapping Program - is a program of TNRIS (Texas Natural Resources Information System) that focuses on acquiring and improving digital geographic data for statewide mapping applications. Hays County's shared cost of \$53,417.82 for the 2018 Orthoimagery project was budgeted during the FY18 budgeting process. Fugro Geospatial Inc. (DIR Contract Number DIR-TSO-3391) was selected for the contract based on a combination of technical merit, proposed communication plan and cost, making their proposal the best overall value. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Statement of Work #580-17-SOW0046 from Fugro Geospatial, Inc. for Orthoimagery in the Texas Capital Area 2018 StratMap project. All present voting "Aye". MOTION PASSED.

**32968 ACCEPT A DONATION OF \$1,500 TO THE SHERIFF'S OFFICE TRAINING ACADEMY AND AMEND THE BUDGET ACCORDINGLY**

The Training Division received a donation of \$1,500 from Mr. William Howard Jr. The Training Division would like to apply donated funds towards a purchase of ammunition. Budget Amendment: Increase Revenue 001-618-00.4610 Contributions \$1,500.00 and Increase Expense 001-618-00.5333 Training Academy Expenses \$1,500.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a of \$1,500 to the Sheriff's Office Training Academy and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32969 APPROVE SPECIFICATIONS FOR RFQ 2018-P05 PRESERVATION ARCHITECT FOR THE HISTORIC JAIL RESTORATION PROJECT AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

The Hays County Historical Commission Director is seeking to complete the restoration of the interior of the historic jail. The jail will function as a museum devoted to the history of law enforcement in Central Texas. The lower level of the building will be used for public access and exhibits and the upper two rooms for storage and/or office space. In conjunction with this RFQ, a Request for Qualifications for a Historian/Museum Specialist will be issued by Hays County for the installation of exhibits. It is expected that the successful Respondents to these RFQs will work in conjunction with each other as is necessary. Donated funds were received and budgeted during the FY18 budget process to fund this project. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ 2018-P05 Preservation Architect for the Historic Jail Restoration Project and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

**32970 APPROVE SPECIFICATIONS FOR RFQ 2018-P06 HISTORIAN EXHIBIT CONSULTANT AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

The Hays County Historical Commission Director is seeking to complete the restoration of the interior of the historic jail. The Historian Exhibit Consultant will work with the Historical Commission, Committees and Architect Specialist to provide an initial research design in addition to exhibition design and installation costs. The candidate will provide all relevant and necessary historical research and documentation on significant lawmen and outlaws of Texas that will be used within the inaugural exhibitions and supervise the final installation of all exhibition displays. Donated funds were received and budgeted during the FY18 budget process to fund this project. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ 2018-P06 Historian Exhibit Consultant and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

**32971 APPROVE UTILITY PERMITS**

Permit 1094. Road Name: Oak Branch Drive (Oak Run West subd.). Utility: WTCPUA (water line). A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve Utility Permit # 109 Oak Branch Drive (Oak Run West Subd) issued to WTCPUA as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED



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**32972      AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH CHARTER COMMUNICATIONS OPERATING, LLC FOR INTERNET SERVICE AT JACOB'S WELL NATURE CENTER**

Park staff is requesting internet service at \$74.97 per month, no contract with a \$99.00 installation fee for Parks office located at Jacob's Well Natural Area. Funds were budgeted during the FY18 budget process to add this service. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the execution of an agreement with Charter Communications Operating, LLC for service at Jacob's Well Nature Center. All present voting "Aye". MOTION PASSED**

**32973      AUTHORIZE PAYMENT TO COMFORT BOYS AIR CONDITIONING & HEATING FOR REPAIR SERVICES IN WHICH NO PURCHASE ORDER WAS OBTAINED OR QUOTES RECEIVED PER COUNTY PURCHASING POLICY**

The Building Maintenance Department requested services to repair the AC units at the County Courthouse and did not obtain a purchase order per County Purchasing Policy. Funds are available within their FY17 operating budget to fund the charges. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize payment to Comfort Boys Air Conditioning & Heating for repair services in which no purchase order was obtained or quotes received per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**32974      RATIFY THE EXECUTION OF A GRANT APPLICATION(S) TO THE TEXAS WATER DEVELOPMENT BOARD FOR FLOOD MITIGATION ASSISTANCE AS RELATED TO RFQ 2017-P13; AND TO DESIGNATE THE DIRECTOR OF COUNTYWIDE OPERATIONS AS THE AUTHORIZED REPRESENTATIVE FOR THE EXECUTION OF FUTURE GRANT APPLICATIONS AND ASSOCIATED DOCUMENTS**

Halff and Associates has assisted with Flood Mitigation Assistance grant application(s) development per RFQ 2017-P13. **A motion was made by Commissioner , seconded by Commissioner to ratify the execution of a grant application(s) to the Texas Water Development Board for Flood Mitigation Assistance as relatedto RFQ 2017-P13; and to designate the Director of Countywide Operations as the Authorized Representative for the execution of future grant applications and associated documents. All present voting "Aye". MOTION PASSED**

**32975      RATIFY AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY FOR THE FY 2018 SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATTF) GRANT AWARD**

The SCATTF is comprised of an 18-county task force formed as a regional effort to combat vehicle related criminal activity. The Task Force works with police agencies and municipalities within their respective counties to help reduce auto theft and auto burglary. This is a renewal grant that reimburses the cost of the base salary for the officer assigned to these duties. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to ratify an Interlocal agreement with Travis County for the FY 2018 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award. All present voting "Aye". MOTION PASSED**

**32976      ACCEPT THE ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LOC #SBP702531 IN THE AMOUNT OF \$725,440.63, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1051956 IN THE AMOUNT OF \$106,841.02 FOR BELTERRA SUBDIVISION, PHASE 21, SECTION 1**

Commissioner Whisenant spoke. Staff recommends 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 Whisenant, seconded by Commissioner Conley to accept the road construction and drainage improvements, release of the LOC #SBP702531 in the amount of \$725,440.63 and acceptance of the 2-year maintenance bond #1051956 in the amount of \$106,841.02 for Belterra subdivision, Phase 21, Section 1. All present voting "Aye". MOTION PASSED.**

**32977      CALL FOR A PUBLIC HEARING ON OCTOBER 31, 2017 TO ESTABLISH A NO PARKING AREA ON CREEK ROAD FROM 300 FEET SOUTH OF THE INTERSECTION WITH ROGER HANKS PARKWAY TO THE NORTH SIDE OF THE INTERSECTION WITH MOUNT GAINOR ROAD, AND TO ESTABLISH A NO FISHING AREA AT THE ONION CREEK BRIDGE**



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Commissioner Whisenant spoke. This action would establish a No Parking area on Creek Road between Roger Hanks Parkway and Mt. Gainor Road (see map), and to establish a No Fishing area at the Onion Creek bridge. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on October 31, 2017 to establish a No Parking area on Creek Road from 300 feet south of the intersection with Roger Hanks Parkway to the north side of the intersection with Mount Gainor Road, and to establish a No Fishing area at the Onion Creek bridge. All present voting "Aye". MOTION PASSED**

**32978 ACCEPT ROADS INTO THE COUNTY ROAD SYSTEM, AND THE RELEASE OF THE MAINTENANCE BOND #22050061 FOR \$117,426.70 FOR REUNION RANCH SUBD. PHASE 2, SECTION 2**

Director of Transportation Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Roads include: Katie Drive (1,597 ft.), William Court (399 ft.), Angela Rose Court (372 ft.), Mary Elise Way (1,782 ft.), and a segment of Jacksdaw Drive (3,081 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner to Jones accept roads into the county road system, and the release of the maintenance bond #22050061 for \$117,426.70 for Reunion Ranch subd. Phase 2, Section 2. All present voting "Aye". MOTION PASSED**

**32979 ACCEPT THE CONSTRUCTION OF THE ROADS AND DRAINAGE IMPROVEMENTS, FOR BOND, #1059746, TO RELEASE THE AMOUNT OF \$699,375.35 (PERFORMANCE) AND ACCEPT THE AMOUNT OF \$93,520.55 (MAINTENANCE) FOR A 3-YEAR PERIOD, AND ALSO TO ACCEPT THE 2-YEAR RE-VEGETATION BOND #1059747 IN THE AMOUNT OF \$54,139.75 FOR RUTHERFORD WEST SUBDIVISION, SECTION 4**

Staff recommends 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 the construction of the roads and drainage improvements, for bond, #1059746, to release the amount of \$699,375.35 (performance) and accept the amount of \$93,520.55 (maintenance) for a 3-year period, and also to accept the 2-year re-vegetation bond #1059747 in the amount of \$54,139.75 for Rutherford West subdivision, Section 4. All present voting "Aye". MOTION PASSED**

**32980 AUTHORIZE THE COURT TO EXECUTE SUPPLEMENTAL WORK AGREEMENT #1 WITH AECOM TECHNICAL SERVICES FOR CONSTRUCTION ENGINEERING SERVICES ON THE NORTHPOINT DRAINAGE PROJECT AND AMEND THE BUDGET ACCORDINGLY**

Director of Transportation Jerry Borcharding spoke. Commissioner Ingalsbe and Commissioner Conley spoke. If authorized, this supplemental agreement provides for additional scope of work that has been requested by the Transportation Department. The original scope of work provided inspection of public works three days a week over a period of months. With the Northpoint drainage project, there is a need for construction observation and inspection on a daily basis to assist with citizen inquiries and coordinate with county staff. Budget Amendment: Decrease Road Material and Supplies: .5351 - \$47,134.76 and Increase Contract Services Consultant: .5448\_008 - \$47,134.76. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Court to execute supplement work agreement #1 with AECOM Technical Services for construction engineering services on the Northpoint Drainage Project and amend the budget accordingly. All voting present "Aye" MOTION PASSED**

**32981 ACCEPT BOND NO. PB03010404350 FOR STREET AND DRAINAGE IMPROVEMENTS FOR SUNFIELD PHASE 2, SECTION 9 IN THE AMOUNT OF \$2,360,556.00**

The final plat for the Sunfield Phase 2, Section 11 Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda and has 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 Jones, seconded by Commissioner Whisenant to accept Bond No. PB03010404350 for street and drainage improvements for Sunfield Phase 2, Section 11 in the amount of \$2,360,556.00. All voting present "Aye". MOTION PASSED**

**32982 APPROVE THE REVISION OF THE BLUE SKY RANCH SUBDIVISION; HOLD A PUBLIC HEARING**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. County Planner Caitlyn Strickland spoke. The property owners in the



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Blue Sky Ranch subdivision are submitting a Texas Local Government Code 232.009 request for revision of plat. The property owners would like to remove plat note 13. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the revision of the Blue Sky Ranch Subdivision as presented by staff. All present voting "Aye". MOTION PASSED**

**32983 SUB-791 CRUMLEY SUBDIVISION (2 LOTS). APPROVE FINAL PLAT**

County Planner Caitlyn Strickland spoke and gave staff recommendation. The proposed Crumley Subdivision is a 2 lot subdivision located off of RR 12 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-785; Replat of Lot 8, Indian Hills Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32984 CALL FOR A PUBLIC HEARING ON NOVEMBER 7, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 22 IN KAI VISTA ESTATES SECTION 1**

Kai Vista Estates Section 1 is a recorded subdivision located off of Williamson Road in PCT 2. The proposed re-plat will divide the 2.74 acre lot into two lots. Water service will be provided by GoForth SUD and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to call for a public hearing on November 7, 2017 to discuss final plat approval of the Replat of lot 22 in Kai Vista Estates Section 1. All present voting "Aye". MOTION PASSED**

**32985 SUB-785; REPLAT OF LOT 8, INDIAN HILLS RANCH SUBDIVISION APPROVE FINAL PLAT; HOLD PUBLIC HEARING**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. County Planner Caitlyn Strickland spoke and gave staff recommendation. Indian Hills Ranch Subdivision is a recorded subdivision located off of FM 150 in Precinct 2. The proposed re-plat will divide the 43.859 acre lot 8 into 2 lots. 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 Jones, seconded by Commissioner Whisenant to approve final plat of SUB-785; Replat of Lot 8, Indian Hills Ranch Subdivision. All present voting "Aye". MOTION PASSED**

**32986 SUB-894 CENTURY ACRES, REPLAT OF LOT 2B (2 LOTS). GRANT A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES**

County Planner Caitlyn Strickland spoke. Commissioner Jones spoke. The Century Acres Subdivision is located off of Crystal Meadows Drive in Precinct 2. The proposed replat will divide existing Lot 2B into two lots, Lot 2B and Lot 2C. Lot 2B will be 9.54 acres and 2C will be 0.34 acres. Water service will be provided by Aqua Texas. Wastewater service will be accomplished by OSSFs. The Hays County minimum lot size for a lot served by a public groundwater supply system and advanced OSSF is 1 acre. Lot 2C does not meet the current minimum lot size as a 0.34 acre tract. The applicant is seeking a Variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. Lot 2C will serve as a Utility lot with no occupied structures or residences. This plat is being reviewed under the County's 1445 agreement with the City of Kyle. This action will allow the plat to move forward with County's process for final approval with the City of Kyle. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to grant a variance Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. SUB-894 Century Acres, Replat of Lot 2B (2 lots). All present voting "Aye". MOTION PASSED**

**32987 CALL FOR A PUBLIC HEARING ON NOVEMBER 7, 2017 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 18 IN RIVER OAKS OF WIMBERLEY SUBDIVISION**

River Oaks of Wimberley is a recorded subdivision located off of Windmill Run in PCT 3. The proposed re-plat will divide the 10 acre portion of lot 18 into three lots. 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 Conley, seconded by Commissioner Whisenant to call for a public hearing on November 7, 2017 to discuss final plat approval of the Replat of lot 18 in River Oaks of Wimberley Subdivision. 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**



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**OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive session at 9:47 a.m. and reconvened into open court at 10:45 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Chief of Staff Lon Shell, General Counsel Mark Kennedy, and No Action Taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE SHERIFF'S OFFICE VEHICLE MAINTENANCE DEPARTMENT**

Court convened into Executive session at 9:47 a.m. and reconvened into open court at 10:45 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Chief of Staff Lon Shell, General Counsel, Mark Kennedy, Director of Development and Community Services Clint Gaza, Sheriff Gary Cutler and Captain Mark Cumberland. No Action Taken.

**Clerk's Note Agenda Item #30** 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-*  
**PULLED**

**Clerk's Note Agenda Item #31** RE: *DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION-* **PULLED**

**Clerk's Note Agenda Item #32** 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-*  
**PULLED**

**ADJOURNMENT**

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 10:49a.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 17, 2017.



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







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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 24<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
MARK JONES	COMMISSIONER, PCT. 2
LON SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
ROXANNE SANCHEZ	DEPUTY COUNTY CLERK

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

Commissioner Ingalsbe called for a moment of silence. 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**

Rodrigo Amaya – San Marcos resident and Dan Lyon – San Marcos resident spoke.

**32988 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments county invoices in the amount of \$2,747,052.30 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32989 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$1,158.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32990 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payment of Humana claims of \$244,806.93 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32991 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 17, 2017**

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

**32992 APPROVE THE PAYMENT OF THE OCTOBER 31, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,555,560.00 EFFECTIVE OCTOBER 31, 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 \$3,555,560.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the October 31, 2017 payroll disbursements in an amount not to exceed \$3,555,560.00 effective October 31, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**32993 AUTHORIZE THE EXECUTION OF A COMMERCIAL LIGHTING RETROFIT PROGRAM APPLICATION TO THE CITY OF SAN MARCOS**



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**AS PART OF THE COUNTYWIDE ENERGY EFFICIENCY PROJECT AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO SUBMIT APPLICATIONS AND SUPPORTING DOCUMENTATION**

Commissioner Ingalsbe and Clint Garza – Chief of Staff spoke. Requesting the approval of a Lighting Rebate Application. The rebate is in the amount of \$11,875 for the Jail located at 1307 E. Uhland Rd. The rebate will be awarded to the County as a result of the lighting retrofits that will take place in the facility as part of the Countywide Energy Upgrade Project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Commercial Lighting Retrofit Program application to the City of San Marcos as part of the Countywide Energy Efficiency Project and authorize the Executive Director of Countywide Operations to submit applications and supporting documentation. All present voting “Aye”. MOTION PASSED**

**32994 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION TO THE VICTIM SERVICES PROGRAM AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received a donation of \$1,000 from the San Marcos Lions Club and is requesting for the donation to be used for the Victim Service Program. Budget Amendment: Increase 001-618-99-899.4610 Contributions \$1,000.00; Increase 001-618-99-899.5201 General Supplies \$500.00; Increase 001-618-99-899.5551 Continuing Ed \$500.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to accept a donation to the Victim Services Program and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32995 AUTHORIZE COMMERCIAL OSSF PERMIT AT 130 W CONCORD CIRCLE, DRIFTWOOD, TEXAS 78737**

Rich Goldstein – Austin resident and Mary Buchanan – Austin resident spoke. Roxie McInnis - Development Services, Mark Kennedy – Office of General Counsel and Commissioner Whisenant spoke. Black Market Investments, LLC is proposing an OSSF to serve an office, a future restaurant, and two wedding venues. This 63.74-acre tract of land will be served by a public water well. The system designer, Erin Banks, P.E., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 2000 gallons. **A motion was made by a Commissioner Whisenant, seconded by Commissioner Shell to authorize a Commercial OSSF Permit at 130 W Concord Circle, Driftwood, Texas 78737. All present voting “Aye”. MOTION PASSED**

**32996 APPROVE SPECIFICATIONS FOR IFB 2018-B01 METAL PIPE AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for IFB 2018-B01 Metal Pipe and authorize Purchasing Manager to solicit for bids and advertise. All present voting “Aye”. MOTION PASSED

**32997 APPROVE SPECIFICATIONS FOR RFP 2018-P01 COUNTYWIDE JANITORIAL SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for RFP 2018-P01 Countywide Janitorial Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting “Aye”. MOTION PASSED

**32998 ACCEPT A DONATION IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00) FROM THE REMME FAMILY TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Shell thanked the Remme family for their donation. Kaare & Brenda Remme have graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610; Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a donation in the**



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amount of ten thousand dollars (\$10,000.00) from the Remme Family to be used for the Child Protective Board services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32999        AUTHORIZE A NEW LEASE CONTRACT WITH RICOH FOR A COPIER FOR THE COUNTY CLERK PRECINCT 3 SATELLITE OFFICE**

The County Clerk has a new satellite office in the Pct. 3 Building. A copier is needed to provide services to the public. Funds were budgeted in the Records Management Fund during the FY18 budget process for this lease. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize a new lease contract with RICOH for a copier for the County Clerk Precinct 3 satellite office. All present voting "Aye". MOTION PASSED**

**33000        AUTHORIZE COMMERCIAL OSSF PERMIT AT 931 SYCAMORE CREEK ROAD, DRIPPING SPRINGS, TX 78620**

Trevathan, LLC is proposing an OSSF to serve 9 short-term rental cottages. There will be 2 one-bedroom cottages and 7 two-bedroom cottages. The cottages will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a non-standard treatment system which consists of pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a drip field for a maximum daily rate of 960 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize a Commercial OSSF Permit at 931 Sycamore Creek Road, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**33001        AUTHORIZE COMMERCIAL OSSF PERMIT AT 3801 CREEK RD, DRIPPING SPRINGS, TX 78620**

Whit Hanks of Camp Lucy is proposing an OSSF to serve a new poolhouse. The poolhouse will have a restaurant and bar that will have 60 seats. The building will also serve as an office and check-in for guests. This system will be served by a public water supply. The system designer, Erin Banks, P.E., has designed a non-standard treatment system, which consists of a grease tank, pre-treatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed to a drip irrigation drainfield for a maximum daily rate of 1000 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize a Commercial OSSF Permit at 3801 Creek Rd, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

**33002        APPROVE UTILITY PERMITS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permit .1050 Springlake Drive (Springlake subd.) issued to DSWSC (water line) and Utility Permit # .1051 Marsh Ln & Heron Dr (Shadow Creek subd.) issued to CenterPoint Energy (gas line) and .1052 Heritage Oaks Drive (Heritage Oaks subd.) issued to WTCPUA (water line). All present voting "Aye". MOTION PASSED**

**33003        AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE HAYS COUNTY GOVERNMENT CENTER**

The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Hays County Government Center. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include the following: 1st floor: Mini mart in Employee breakroom; 2nd floor: (1) Drink (1) Snack in public area; 3rd floor: (1) Drink (1) Snack in public area, (1) Drink (1) Snack in employee break area. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an agreement with Mcliff Coffee & Vending for vending services at the Hays County Government Center. All present voting "Aye". MOTION PASSED**

**33004        AUTHORIZE THE EXECUTION OF A CONTRACT RENEWAL WITH TRANS UNION (TLO) FOR INVESTIGATIVE SERVICES IN THE DISTRICT ATTORNEY'S OFFICE**

The District Attorney uses this agency to locate witnesses and victims during investigations for upcoming jury trials and cases. The cost for this service are increasing from \$110 per month to \$150 per month for one Chief and currently three Investigators to access this database. The required funding has already been approved during the FY2018 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a contract renewal with Trans**



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Union (TLO) for Investigative Services in the District Attorney's Office. All present voting "Aye".  
**MOTION PASSED**

**33005 RECEIVE THE COUNTY JUDGE'S ACCEPTANCE OF THE RESIGNATION OF WILL CONLEY AS HAYS COUNTY COMMISSIONER PCT. 3 AND APPOINTMENT OF LON SHELL HIS SUCCESSOR IN OFFICE, EFFECTIVE OCTOBER 17, 2017**

Commissioner Ingalsbe, Commissioner Jones and Commissioner Whisenant spoke. Mark Kennedy – Office of General Counsel spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to receive the County Judge's acceptance of the resignation of Will Conley as Hays County Commissioner Pct. 3 and appointment of Lon Shell his successor in office, effective October 17, 2017. All present voting "Aye". MOTION PASSED**

**33006 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #SUR23100156 IN THE AMOUNT OF \$2,361,295.12, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #EACX088000028 IN THE AMOUNT OF \$140,012.47 FOR STONEFIELD SUBDIVISION, SECTION 11**

Staff recommends 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 Ingalsbe to accept road construction and drainage improvements, release of the construction bond #SUR23100156 in the amount of \$2,361,295.12, acceptance of the 2-year maintenance bond #EACX088000028 in the amount of \$140,012.47 for Stonefield subdivision, Section 11. All present voting "Aye". MOTION PASSED**

**33007 SUB-884 DRIFTWOOD DIESEL (1 LOT). GRANT A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES**

Marcus Pacheco – Development Services spoke and Clint Garza – Chief of Staff spoke. Commissioner Jones and Whisenant spoke. The proposed Driftwood Diesel Subdivision is located off of FM 1626 in Precinct 2. The subdivision will create only one lot, Lot 1, Water service will be provided by Private Well and Wastewater service will be accomplished by an Individual On-Site Sewage Facility. An existing residence resides on the property that previously utilized the existing private well. A new commercial shop will be constructed on the lot utilizing this existing private well for water and a new advanced on-site sewage facility for wastewater. The Hays County current minimum lot size for a lot served by an individual private well and advanced OSSF is 3 acres. When the parcel was created the minimum lot size at the time for a private well and on-site sewage facility was 1 acre and the parcel met the rules in place at the time it was divided. Lot 1 does not meet the current minimum lot size as a 1.502 acre tract. The applicant is seeking a Variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. This plat is being reviewed under the County's 1445 agreement with the City of Buda. This action will allow the plat to move forward with County's process for final approval with the City of Buda. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to grant a variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye". MOTION PASSED**

**33008 AUTHORIZE THE FILING OF THE RECORD PLAT FOR BUDA BUSINESS PARK, LOTS 1,2,3,6, & 7, BLOCK "A"**

Clint Garza – Chief of Staff spoke. This subdivision is located within the incorporated limits of the City of Buda. The plat was approved by the City on February 17, 2009; however, the plats were not recorded with the County Clerk within 12 months. The applicant is requesting authorization to file the approved plats. The City of Buda has approved recordation and will be recording the plat themselves. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the filing of the record plat for Buda Business Park, Lots 1,2,3,6 & 7, Block "A". All present voting "Aye". MOTION PASSED**

**33009 APPROVE THE APPOINTMENT OF COMMISSIONER LON SHELL TO THE DOWNTOWN SAN MARCOS TAX INCREMENT REINVESTMENT ZONE NO. 5 BOARD OF DIRECTORS**

Commissioner Shell will replace former Commissioner Will Conley on the TIRZ 5 board for the remainder of the two year term which will end on Dec. 31, 2018. **A motion was made by Commissioner Jones,**



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seconded by Commissioner Ingalsbe to approve the appointment of Commissioner Lon Shell to the downtown San Marcos Tax Increment Reinvestment Zone No. 5 board of Directors. A present voting “Aye”. MOTION PASSED

**33010 APPOINT TWO COMMISSIONERS COURT MEMBERS TO THE COMBINED EMERGENCY COMMUNICATION CENTER (CECC) EXECUTIVE BOARD**

Commissioner Lon Shell spoke. The Court approved the CECC ILA between Hays County, the City of Kyle, and the City of Buda on 10-10-17. The ILA requires the appointment of two court members to serve on the executive board. The Executive Board bylaws are attached, see the board Composition and Term sections of the ILA below. 5.02 Composition. The Executive Board will be composed of the following members: two members of the Hays County Commissioners Court, the city manager of Kyle (or designee), one member of the Kyle City Council, the city manager of Buda (or designee), one member of the Buda City Council, and a representative who shall be an appointed commissioner of an Emergency Services District and shall be mutually selected by a majority of the ESDs of Hays County. Four Members of the Executive Board constitutes a quorum to conduct business. 5.04 Terms. All Executive Board members serve at the pleasure of their appointing governing body or agency. The Executive Board’s ESD representative shall serve for a term of two (2) years and may not be appointed from the same ESD for two (2) consecutive terms. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to appoint two Commissioners Court members to the Combined Emergency Communication Center (CECC) Executive Board. All present voting “Aye”. MOTION PASSED**

**33011 AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 26 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR INSTALLATION OF COUNTER TOPS AND MILLWORK AT THE COUNTY CLERK PRECINCT 3 SUBSTATION**

Clint Garza – Chief of Staff and Commissioner Shell spoke. The County Clerk’s office is in need of countertop and millwork at the Precinct 3 facility. During the planning phase of the Precinct 3 renovation workspace, the County Clerk’s office countertops were overlooked. Funds are available in County Wide misc. capital improvements for unspecified projects that were budgeted during the FY 2018 budget process. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 26 between Hays County and Wood and Thomason Construction, LP for installation of counter tops and millwork at the County Clerk Precinct 3 substation. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note: Court took a break at 9:43 a.m. and returned into open session at 9:50 a.m.**

**RECEIVE SUBMITTAL OF A GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL FROM TURNER CONSTRUCTION COMPANY, CONSTRUCTION MANAGER AT RISK, FOR THE JAIL AND PUBLIC SAFETY BUILDING PHASES OF CONSTRUCTION; AND TO ACCEPT OR DECLARE UNACCEPTABLE SAID GMP**

Brenda Jenkins – ECM and Codi Newsom – ECM spoke. Mike Kaiman, Kevin Machcinski - Turner Construction spoke. Commissioners Ingalsbe, Commissioner Whisenant and Commissioner Shell spoke. Clint Garza - Chief of Staff spoke. Mark Kennedy – Office of General Counsel spoke and asked for an Amended GMP to be submitted. Hays County’s architect, program manager, its building committee, and its executive committee have been working with Turner Construction to achieve a GMP proposal. The Parties previously agreed to segment out a smaller Phase I of construction, which consists of some sitework at the Umland property as well as construction of the Fleet Maintenance Building. GMP for that smaller Phase I was accepted by the Hays County Commissioners Court on or about July 18, 2017. Turner is now prepared to deliver GMP for all remaining phases of construction and will give a presentation regarding that GMP in open court. Under the Construction Manager at Risk contract, the GMP must be prepared and delivered in the format that includes the Construction Manager at Risk’s General Conditions originally submitted in the RFP response, estimated Costs of Work organized by trade; allowance amounts by item; contingency amounts; the Construction Phase Fee originally submitted in the RFP response, a Contract Time and date of Substantial Completion. If Hays County does not accept Turner’s GMP proposal, it may seek Competitive Sealed Proposals from 3rd parties while keeping Turner’s GMP on hold for 90 days. No Action Taken.

**Clerks Note Re: Item #26 - HOLD A PUBLIC HEARING AT 10:00 AM IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE, INCLUDING BUT NOT LIMITED TO DISCUSSION AND POSSIBLE ACTION TO ESTABLISH THE ASSESSMENT RATE AND STATE FISCAL YEAR 2018 MANDATORY PAYMENTS, AND AUTHORIZE THE INTERGOVERNMENTAL TRANSFER OF THE FUNDS DERIVED FROM THOSE MANDATORY**



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PAYMENTS TO PROVIDE THE NONFEDERAL SHARE OF THE SUPPLEMENTAL PAYMENT PROGRAM AUTHORIZED UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM ("SEC 1115") WAIVER – **WAS PULLED**

**Clerks Note Re: Item #27** - 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 PREP SCHOOL. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Court convened into Executive session at 10:36 a.m. and reconvened into open court at 10 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, Clint Garza - Chief of Staff, Mark Kennedy – Office of General Counsel, Tammy Crumley, Mike Kamerlander and Ann Miller. No Action Taken.

**Clerks Note Re: Item #29** 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**

Today's Drought Index – 309. Fire Marshall recommends the Burn Ban remain lifted.

**Clerks Note Re: Item #31** 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 Shell to adjourn court at 10:49 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 October 24, 2017.



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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 31<sup>ST</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
MARK JONES	COMMISSIONER, PCT. 2
LON SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Chaplin Nahum Melendez 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**

Dan Lyon resident of San Marcos spoke. Rodrigo Amaya resident of San Marcos spoke. Sam Brannon resident of San Marcos spoke. Cristen Hearne resident of Dripping Springs spoke.

#### **PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Shari Miller, Human Resources Director presented the Hays County Service Awards. 5 Years – Charlotte M. Ladd – District Clerk's Office, Michelle D. Howard and Monika Lacey – District Attorney's Office, Caitlyn Strickland – Development Services, Ashley Martinez and Tanner Deichmann – Sheriff's Office. 10 Years – Andrew Murken – Information Technology, Joel Ware Jr. – Juvenile Detention Center, Mary Helen Herrera – Treasurer's Office, 15 Years – Valerie Renee Mendoza and Brad Doring – Sheriff's Office, Valerie Deleon – District Court Office, 20 Years – Larry Dean Shaffer and Chad Travis Edwards – Sheriff's Office, 25 Years- Kevin W. Johnson, David W. Ybarra and Andrew S. Wray – Sheriff's Office, 35 Years – Shelly S. Williams – Juvenile Probation, Retirement – Ruben Picasio – Transportation, and Steve Lucio – Maintenance

#### **33012 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,707,380.80 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33013 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payment of Juror checks in the amount of \$636.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33014 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payment of Humana claims of \$126,492.91 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33015 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 24, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court minutes of October 24, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



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**33016            AUTHORIZE PAYMENT TO THE SAN MARCOS DAILY RECORD FOR LEGAL CLASSIFIED ADVERTISEMENTS FOR THE ELECTION OFFICE, WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

The Election Office secured public notices for an upcoming election and did not obtain a purchase order per County Purchasing Policy. The advertisement is a required posting and the expense will be shared between all entities participating in the election. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to the San Marcos Daily Record for Legal Classified Advertisers for the Election Office, where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**33017            RATIFY THE PURCHASE OF A REPLACEMENT OUTDOOR SECURITY CAMERA FOR THE SHERIFF'S OFFICE JAIL DIVISION**

The Jail maintenance division purchased a replacement outdoor security camera. The total price for the camera and bracket exceeded \$500.00 requiring court approval. Funds have been identified in the miscellaneous capital equipment g/l due to other equipment savings. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the purchase of a replacement outdoor security camera for the Sheriff's Office Jail Division.**

**33018            AUTHORIZE A NEW LEASE CONTRACT WITH RICOH FOR A COPIER FOR THE SHERIFF'S OFFICE JAIL DIVISION**

The Sheriff's Office Jail Division is in need of a copier in the Classifications Division. Funds were requested and approved in the FY18 Budget for this lease. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize a new lease contract with RICOH for a copier for the Sheriff's Office Jail Division. All present voting "Aye". MOTION PASSED**

**33019            AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION TO THE COMMUNITY OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received a donation of \$750 from the San Marcos Lions Club and is requesting for the donation to be used for the Jr. Deputy Academy. Budget Amendment: Increase 052-618-00.4610 Contributions \$750.00 and Increase 052-618-00.5222 Special Projects \$750.00. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to accept a donation to the Community Outreach Program and amend the budget accordingly. A present voting "Aye". MOTION PASSED**

**33020            AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE THREE VEHICLE SAFETY CAGES AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office is in need of three safety cages for the patrol vehicles. The vehicles were purchased in FY17 however cages were not purchased for them and at this time the Sheriff's Office is requesting to utilize savings in the Communication Equipment Operating g/l for this purchase. The total cost for this purchase is \$1,650.00; funds have been identified in savings from the purchase of hand held radios. Budget Amendment: 001-618-00.5715\_400 Communication Equipment Operating (\$1,650.00) and 001-618-00.5717\_400 Law Enforcement Equipment Operating \$1,650.00. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize savings to purchase three vehicle safety cage and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33021            AUTHORIZE THE ORDER OF A TRANSPORT VAN FOR THE HAYS COUNTY SHERIFF'S OFFICE AS A PART OF THE FY '18 VEHICLE LEASE PROGRAM**





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On 10-3-2017, Commissioners Court approved a recommendation on quantities and types of vehicles for the FY '18 lease program. At that time, the approved budget included funds for 1 - 2018 Ford Transit 350 Wagon, Transport Van. At the time of approval, staff did not realize though the annual lease cost included the van, the quantity of vehicles that was taken to court did not include it. Funds have already been moved; therefore, budget amendment is not necessary. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the order of a Transport Van for the Hays County Sheriff's Office as part of the FY '18 vehicle lease program. All present voting "Aye".** MOTION PASSED

**33022 APPROVE UTILITY PERMITS**

Permit Road, Name and Utility: 1053 High Road County Line SUD (water line), 1054 Cotton Gin Road County Line SUD (water line) and 1055 CR 158 CenterPoint Energy (gas line). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit # 1053 High Road issued to County Line SUD (water line); Utility Permit # 1054 Cotton Gin Road issued to County Line SUD (water line); and Permit # 1055 CR 158 issued to CenterPoint Energy (gas line) as submitted by the Transportation Department. All present voting "Aye".** MOTION PASSED

**33023 AUTHORIZE THE EXECUTION OF SUPPLEMENT TO AGREEMENT FOR SERVICES NO. 01 FROM TERRACON FOR ADDITIONAL BORINGS REQUIRED AT THE UHLAND SITE FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

Based on recommendations from the design team and the contractor's VE Item #1 to revise the foundation system and utilize a slab-on-grade system, additional borings are required to validate the recommended design changes. The additional borings have been requested in an attempt to identify transition zones for variable building pad thicknesses. The cost-not-to-exceed would allow up to 6 additional borings at the Uhland site. Terracon proposal is attached. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Supplement to Agreement for Services No. 1 from Terracon for additional borings required at the Uhland Site for the Hays County Safety Bond project. All present voting "Aye".** MOTION PASSED

**33024 AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 4 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

The proposed grant application is requesting funding in the amount of \$200,000.00 for a Probation Officer, Mentor Coordinator- part-time position, Program Manager, Treatment services and office supplies for the Veterans Treatment Court Program. The Veterans Treatment Court provides for voluntary participation of defendants whose criminal cases are attributed to physical and mental injuries sustained during their tenure in military services. Grant funding period is July 1, 2018 - June 30, 2019. Application is attached. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to submit a grant application to the Texas Veterans Commission for funding for the Hays County Veterans Treatment Court in the amount of \$200,000.00 and amend the budget accordingly. All present voting "Aye".** MOTION PASSED

**33025 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS VETERANS COMMISSION FOR FUNDING FOR THE HAYS COUNTY VETERANS TREATMENT COURT IN THE AMOUNT OF \$200,000.00**

The proposed grant application is requesting funding in the amount of \$200,000.00 for a Probation Officer, Mentor Coordinator- part-time position, Program Manager, Treatment services and office supplies for the Veterans Treatment Court Program. The Veterans Treatment Court provides for voluntary participation of defendants whose criminal cases are attributed to physical and mental injuries sustained during their tenure in military services. Grant funding period is July 1, 2018 - June 30, 2019. Application is attached. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to submit a grant application to the Texas Veterans Commission for funding for the Hays County Veterans Treatment Court in the amount of \$200,000.00 and amend the budget accordingly. All present voting "Aye".** MOTION PASSED



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**33026      AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE OCTOBER 2, 2017 FOR THE FACILITY MAINTENANCE POSITION, SLOT NUMBER 0200-002 AND AMEND THE BUDGET ACCORDINGLY**

A stipend has been requested for the Facility Maintenance position via the Request/Justification Form. This position travels throughout the County on a routine basis. It is imperative that this position be available to staff and supervisors in order to remain productive and perform duties effectively. Decrease 001-695-00.5489 and Increase 001-695-00.5194. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Building Maintenance Department to add a telephone allowance effective October 2, 2017 for the Facility Maintenance position, slot number 0200-002 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33027      APPROVE THE MUTUAL TERMINATION OF THE MASTER AGREEMENT BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS AND NEWNAM, INC. EFFECTIVE ON OR ABOUT MARCH 10, 2009**

General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the mutual termination of the Master Agreement between Hays County and Lockwood, Andrews and Newman, Inc. effective on or about March 10, 2009. All present voting "Aye". MOTION PASSED**

**33028      AUTHORIZE THE PURCHASE OF A SECURITY CAMERA SYSTEM UTILIZING THE JUSTICE COURT SECURITY FUND, FOR THE JUSTICE OF THE PEACE PRECINCT 3 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

The Justice of the Peace Precinct 3 would like to purchase a security camera system for the new office space in Pct. 3 for security within his front office clerk space, common employee entrances, and the courtroom. Additionally, Judge Cable is requesting an exemption from the purchasing policy requiring three quotes. The vendors that were contacted for quotes required a monitoring security package with monthly service fees which is not budgeted. Funds have been identified in the Justice Court Security Fund to fund the equipment purchase. Budget Amendment: Increase Misc. Equipment .5719\_400 and Decrease General Supplies .5201. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the purchase of a security camera system utilizing the Justice Court Fund, for the Justice of the Peace Precinct 3 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33029      ACCEPT ROADS INTO THE COUNTY ROAD SYSTEM, AND THE RELEASE OF THE MAINTENANCE BOND #4398396 & 4398397 FOR \$297,933.53 FOR SHADOW CREEK SUBD. PHASE 8, SECTION 1**

Commissioner Jones spoke. Staff recommends acceptance of the roads into the county road system. The Transportation Department has inspected and approved the punch list repairs. Roads include: Triumph Road (2,200 ft.), Sambar Drive (738 ft.), and Twisted Oaks Lane (1,080 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept roads into the county road system, and the release of the maintenance bond #4398396 for \$297,933.53 for Shadow Creek subd. Phase 8, Section 1. All present voting "Aye". MOTION PASSED**

**33030      HOLD A PUBLIC HEARING TO ESTABLISH A NO PARKING AREA ON CREEK ROAD FROM 300 FEET SOUTH OF THE INTERSECTION WITH ROGER HANKS PARKWAY TO THE NORTH SIDE OF THE INTERSECTION WITH MOUNT GAINOR ROAD, AND TO ESTABLISH A NO FISHING AREA AT THE ONION CREEK BRIDGE**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. Commissioner Whisenant and Commissioner Jones spoke. Jerry Borcharding, Transportation Director, gave staff recommendation. This action would establish a No Parking area on Creek Road between Roger Hanks Parkway and Mt. Gainor Road, and to establish a No Fishing area at the Onion Creek Bridge. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to establish a No Parking area on Creek Road from 300 feet south of the intersection with Roger Hanks Parkway to the north side of the intersection with Mount Gainor**



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Road, and to establish a No Fishing area at Onion Creek Bridge. All present voting “Aye”. MOTION PASSED

**Clerk’s Note Agenda Item #21 RE: ACCEPT FISCAL SURETY IN THE FORM OF SUBDIVISION BOND NO.E235960 FOR STREET AND DRAINAGE IMPROVEMENTS FOR WINDY HILL SUBDIVISION - 24 ACRES IN THE AMOUNT OF \$248,827.25- PULLED**

**33031 APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF KYLE FOR THE COLLECTION OF THE BUNTON CREEK PID ASSESSMENTS**

Tax Office Chief Deputy, Jenifer O’Kane spoke. General Counsel Mark Kennedy spoke. Commissioner Ingalsbe spoke. The City of Kyle has requested that we include the Bunton Creek PID assessment on our annual tax bills. We will be charging the standard amount of \$0.15 per parcel collection fee. The City of Kyle has approved the contract and it has been signed by Mayor Webster. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an Interlocal Agreement with the City of Kyle for the collection of the Bunton Creek PID assessments. All present voting “Aye”. MOTION PASSED**

**ACCEPT THE GUARANTEED MAXIMUM PRICE (“GMP”) PROPOSED FROM TURNER CONSTRUCTION COMPANY, CONSTRUCTION MANAGER AT RISK (“TURNER”), ON OCTOBER 24, 2017, FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II; AND TO ACCEPT SAID PROPOSAL, DECLARE IT UNACCEPTABLE, ALLOW TURNER TO WITHDRAW THE GMP PROPOSAL AND DELIVER IT AT A LATER DATE, OR TAKE OTHER APPROPRIATE ACTION**

Brenda Jenkins, Sr. Vice President of ECM International spoke. General Counsel Mark Kennedy spoke. Commissioner Ingalsbe, Commissioner Shell, Commissioner Whisenant and Commissioner Jones spoke. Mike Kaiman, Vice President of Turner Construction Company spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. Turner Construction Company delivered the GMP for Phase II to Commissioners Court on October 24th. The GMP proposal as delivered was \$7,152,634 over the approved Construction Cost Limitation (CCL) for the project. Turner presented a path of potential VE items and alternates that would decrease the cost within the CCL; however, the Hays County Sheriff’s Office and Building Committee do not recommend the proposed alternates included in the path forward. If Hays County does not accept Turner’s GMP proposal, it may seek Competitive Sealed Proposals from 3rd parties while keeping Turner’s GMP on hold for 90 days. No Action Taken.

**Clerk’s Note: Court took a break at 10:54 a.m. and returned into open session at 11:04 a.m.**

**33032 APPROVE THE APPOINTMENT OF COMMISSIONER DEBBIE INGALSBE AND COMMISSIONER LON SHELL TO THE COMBINED EMERGENCY COMMUNICATIONS CENTER (CECC) EXECUTIVE BOARD**

Commissioner Jones spoke. The Court approved the CECC ILA between Hays County, the City of Kyle, and the City of Buda on 10-10-17. On 10-24-17 the Court took action to move forward with an appointment but no Commissioners were identified at that time. The ILA requires the appointment of two court members to serve on the executive board. The Executive Board bylaws are attached, see the board Composition and Term sections of the ILA below. 5.02 Composition. The Executive Board will be composed of the following members: two members of the Hays County Commissioners Court, the city manager of Kyle (or designee), one member of the Kyle City Council, the city manager of Buda (or designee), one member of the Buda City Council, and a representative who shall be an appointed commissioner of an Emergency Services District and shall be mutually selected by a majority of the ESDs of Hays County. Four Members of the Executive Board constitutes a quorum to conduct business. 5.04 Terms. All Executive Board members serve at the pleasure of their appointing governing body or agency. The Executive Board’s ESD representative shall serve for a term of two (2) years and may not be appointed from the same ESD for two (2) consecutive terms. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Commissioner Debbie Ingalsbe and Commissioner Lon Shell to the Combined Emergency Communications Center (CECC) Executive Board. All present voting “Aye”. MOTION PASSED.**



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**33033      AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS & NEWNAM, INC. RELATED TO THE RIGHT OF WAY SERVICES FOR DACY LANE, PHASE II FROM AMBERWOOD LOOP TO HILLSIDE TERRACE, ROAD WIDENING AND REALIGNMENT PROJECT**

Commissioner Jones spoke. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement between Hays County and Lockwood, Andrews & Newman, Inc. related to the Right of Way services for Dacy Lane, Phase II from Amberwood Loop to Hillside Terrace, road widening and realignment project. All present voting "Aye". MOTION PASSED

**33034      AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS & NEWNAM, INC. RELATED TO THE RIGHT OF WAY SERVICES FOR FM 110 (SAN MARCOS LOOP), FROM IH 35 TO SH 123**

Commissioner Ingalsbe spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement between Hays County and Lockwood, Andrews & Newman, Inc. related to the Right of Way services for FM 110 (San Marcos Loop), from IH 35 to SH 123. All present voting "Aye". MOTION PASSED

**33035      AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS & NEWNAM, INC. RELATED TO THE RIGHT OF WAY SERVICES FOR FM 1626 A (SOUTH), FROM RM 967 TO FM 2770, SAFETY EXPANSION PROJECT**

Commissioner Jones spoke. General Counsel Mark Kennedy spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement between Hays County and Lockwood, Andrews & Newman, Inc. related to the Right of Way services for FM 1626 A (South), from RM 967 to FM 2770, safety expansion project. All present voting "Aye". MOTION PASSED

**33036      ACTION TO AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT WITH COLLECTIVE DATA FOR THE SHERIFF'S OFFICE RELATED TO A FLEET & ASSET MANAGEMENT SYSTEM**

Lt. David Burns of the Hays County Sheriff's Office spoke. IT Director Jeff McGill spoke. General Counsel Mark Kennedy spoke. Commissioner Ingalsbe, Commissioner Shell and Commissioner Whisenant spoke. Chief of Staff, Clint Garza spoke. During the FY18 budget process, the Sheriff's Office was approved to purchase a web-based fleet and asset management software system to support the offices of quartermaster, fleet and building maintenance. This is a web based system designed for government organizations. Additionally, the Sheriff is requesting an exemption from the purchasing policy requiring three written quotes. The Sheriff's Office, Inventory Specialist has reached out to multiple vendors requesting quotes but was unable to obtain comparable quotes. The system requirements have been reviewed by the IT Department with the following notations for consideration: Two servers are required for this software system: Database Server & Application/Web Server; The IT Director has indicated that the current hardware infrastructure (servers) in place will allow for the addition of this software as a temporary solution; If this Fleet & Asset Mgmt. System software is approved, a SQL server will need to be budgeted during the FY19 budget process to move this product to (approximate cost could be \$8k-\$10K). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a license agreement with Collective Data for the Sheriff's Office related to a Fleet & Asset Management System. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #29 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-PULLED**



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**Clerk's Note Agenda Item #30 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-* **PULLED**

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

Today's Drought Index – 342 Burn Ban will remain lifted.

**Clerk's Note Agenda Item #32 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-* **PULLED**

**ADJOURNMENT**

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to adjourn court at 11:13 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 31, 2017.



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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 7<sup>TH</sup> 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 A. 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:

Josh Murrillo, Seventh Day Adventist 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**

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

#### **33037 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount of \$1,685,606.81 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33038 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of juror checks in the amount of \$4,118.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33039 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana Claims in the amount of \$197,376.68 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33040 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 31, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court minutes of October 31, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



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**33041 APPROVE THE PAYMENT OF THE NOVEMBER 15, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,400.00 EFFECTIVE NOVEMBER 15, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

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

**33042 APPROVE OUT OF STATE TRAVEL FOR RENEE LUNA TO ATTEND THE FORENSIC EXAMINATION OF VIOLENT CRIME SCENES IN OCEANSIDE, CALIFORNIA**

Out of state travel is needed to send Renee Luna to attend the Forensic Examination of Violent Crime Scenes Course in Oceanside, California on December 4-6, 2017. As a Criminalist for the Sheriff's Office, Ms. Luna's attendance to this advanced course will allow her to partake in practical applications of several techniques that are important to Crime Scene Examination and reconstruction of violent crimes. She will be exposed to topics such as Stain Recognition, Angle of Impact determination, Specialized Photography, Painting with light, Shooting Reconstruction and many others. This training will also allow Ms. Luna to network with other criminalists across the nation. Registration, flight expenses, hotel fees, rental car and per diem will be paid out of the Sheriff's Office Continuing Ed general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Renee Luna to attend the Forensic Examination of Violent Crime Scenes in Oceanside, California. All voting present "Aye". MOTION PASSED

**33043 AUTHORIZE THE EXECUTION OF A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE TEXAS INDIGENT DEFENSE COMMISSION FOR UP TO \$125,002.00**

This is a formula grant available annually to the County to assist in the implementation of the provision of the Fair Defense Act (FDA) and improve the indigent defense system. The funds can be used for investigator expenses, attorney fees, and expert witness expense incurred by the County on criminal indigent cases. The grant application is submitted through an on-line electronic process with the Resolution e-mailed for verification authorization. The grant amount is an estimate at this time based on previous award and will be finalized upon grant award. The funding period for this grant is October 1, 2017 through September 30, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a resolution and submit a grant application to the Texas Indigent Defense Commission for up to \$125,002.00. All present voting "Aye". MOTION PASSED.

**33044 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE SHERIFF'S OFFICE AND JUSTICE OF THE PEACE PRECINCT 1 PLACE 1, AND PRECINCT 1, PLACE 2 OFFICES**



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A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the delivery of the Internal Examination Reports for the Sheriff's Office and Justice of the Peace Precinct 1 Place 1, and Precinct 1, Place 2 Offices. All present voting "Aye". MOTION PASSED

**33045            AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE NOVEMBER 1, 2017 FOR THE FACILITY MAINTENANCE POSITION, SLOT NUMBER 0200-004 AND AMEND THE BUDGET ACCORDINGLY**

A stipend has been requested for the Facility Maintenance position via the Request/Justification Form. This position travels throughout the County on a routine basis. It is imperative that this position be available to staff and supervisors in order to remain productive and perform duties effectively. Budget Amendment: Increase Telephone Allowance .5194 and Decrease Telephone Expense .5489. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Building Maintenance Department at add a telephone allowance effective November 1, 2017 for the Facility Maintenance position, slot number 0200-004 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33046            ACCEPT A DONATION OF \$1,000 TO HAYS COUNTY FROM GREGG AND REBECCA REYES**

To facilitate Hays County's and Kyle's negotiation with owners of the pending Water Ridge subdivision, formerly Blanco River Ranches subdivision, PID Works recently performed analysis regarding valuation of anticipated improvements associated with the development. Although the analysis does offer a public benefit to the County, Mr. Reyes agreed to donate \$1,000 to Hays County to reimburse the County for the expense of this analysis. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept a donation of \$1,000 to Hays County from Gregg and Rebecca Reyes. All present voting "Aye". MOTION PASSED**

**33047            AUTHORIZE THE EXECUTION OF A CONSTRUCTION AGREEMENT WITH JB CONSTRUCTION FOR RENOVATIONS TO THE FORMER CAFÉ SPACE AT THE HAYS COUNTY GOVERNMENT CENTER AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO SIGN CHANGE ORDERS THAT MAY ARISE DURING PROJECT, NOT EXCEEDING 10% OF TOTAL PROJECT COST**

The Elections Department is in need of office/workspace that is able to accommodate their needs in one area. They currently use multiple locations during elections to perform the necessary tasks vital to the election process. The area dedicated to café space located at the Hays County Government Center is currently vacant and can be renovated to suit their needs. The funds to cover the project were awarded in the FY'18 budget year. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a construction agreement with JB Construction for renovations to the former café space at the Hays County Government Center and authorize the Executive Director of Countywide Operations to sign change orders that may arise during project, not exceeding 10% of total project cost. All present voting "Aye". MOTION PASSED**

**33048            ACCEPT FISCAL SURETY IN THE FORM OF SUBDIVISION BOND NO.E235960 FOR STREET AND DRAINAGE IMPROVEMENTS FOR WINDY HILL SUBDIVISION - 24 ACRES IN THE AMOUNT OF \$248,827.25**





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Transportation Director, Jerry Borcharding, gave staff recommendation. Windy Hill Subdivision - 24 Acres is a 62 lot subdivision, across 24.0 acres, which fronts along Jack Rabbit Lane. Water will be provided by GoForth SUD and wastewater will be accomplished by the Windy Hill Utility District. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept fiscal surety in the form of Subdivision Bond No. E235960 for street and drainage improvements for Windy Hill Subdivision – 24 Acres in the amount of \$248,827.25. All present voting “Aye”. MOTION PASSED**

**33049 APPROVE FINAL PLAT SUB-876 MEDLIN CREEK RANCH PHASE 3 (15 LOTS); ACCEPT CONSTRUCTION BOND NO. CNB-25041-00 IN THE AMOUNT OF \$233,598.75 FOR STREET AND DRAINAGE IMPROVEMENTS**

Hays County Planner, Caitlyn Strickland, gave staff recommendation. The proposed Medlin Creek Ranch Phase 3 is a 15 lot subdivision across 95.40 acres, located off of Fitzhugh Road in Precinct 4. The subdivision will be served by individual water 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 Jones to approve final plat SUB-876 Medlin Creek Ranch Phase 3 (15 Lots); accept Construction Bond No. CNB-25041-00 in the amount of \$233,598.75 for street and drainage improvements. All present voting “Aye”. MOTION PASSED**

**33050 APPROVE FINAL PLAT SUB-787; KAI VISTA ESTATES, SEC 1, LOT 22, REPLAT (CREATING LOTS 22A & 22B); HOLD PUBLIC HEARING**

Commissioner Ingalsbe opened the Public Hearing. No public input was received. Commissioner Ingalsbe closed the Public Hearing. Hays County Planner, Caitlyn Strickland, gave staff recommendation. Kai Vista Estates Section 1 is a recorded subdivision located off of Williamson Road in PCT 2. The proposed re-plot will divide the 2.74 acre lot into two lots. Water service will be provided by GoForth SUD and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve final plat SUB-787; Kai Vista Estates, Sec 1, Lot 22 Replat (creating lots 22A & 22b); hold public hearing. All present voting “Aye”. MOTION PASSED**

**33051 APPROVE FINAL PLAT SUB-865; REPLAT OF LOT 18 IN RIVER OAKS OF WIMBERLEY SUBDIVISION; HOLD PUBLIC HEARING**

Commissioner Ingalsbe opened the Public Hearing. No public input was received. Commissioner Ingalsbe closed the Public Hearing. Hays County Planner, Caitlyn Strickland, gave staff recommendation. River Oaks of Wimberley is a recorded subdivision located off of Windmill Run in PCT 3. The proposed re-plot will divide the 10 acre portion of lot 18 into three lots. 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 Shell, seconded by Commissioner Whisenant to approve final plat SUB-865; Replat of lot 18 in River Oaks of Wimberley Subdivision; hold public hearing. All present voting “Aye”. MOTION PASSED**

**33052 EXECUTE AN INTERLOCAL COST SHARING AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF KYLE FOR THE NEWLY CREATED PLANNER POSITION WITHIN THE OFFICE OF EMERGENCY SERVICES DEPARTMENT**



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Office of Emergency Management Director, Kharley Smith, spoke. The Commissioner's Court approved a new full-time Planner position for the OES department during the FY 2018 budget process contingent on partial funding from the City of Kyle. The attached cost sharing agreement outlines the programmatic and financial responsibilities for each entity. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to execute an Interlocal Cost Sharing Agreement between Hays County and the City of Kyle for the newly created Planner position within the Office of Emergency Services department. All present voting "Aye". MOTION PASSED**

**33053      ADOPT A RESOLUTION TO CAST HAYS COUNTY'S 1,472 VOTES FOR LUANNE CARAWAY, CANDIDATE FOR THE HAYS CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS**

Dan Lyon, Rodrigo Amaya, Harvey Jenkins, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant spoke. Luanne Caraway was nominated on September 5, 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a resolution to cast Hays County's 1,472 votes for Luanne Caraway, candidate for Hays County Appraisal District Board of Directors. All present voting "Aye". MOTION PASSED.**

**APPROVE THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSED FROM TURNER CONSTRUCTION COMPANY, CONSTRUCTION MANAGER AT RISK ("TURNER"), ON OCTOBER 24, 2017, FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II; AND TO ACCEPT SAID PROPOSAL, DECLARE IT UNACCEPTABLE, ALLOW TURNER TO WITHDRAW THE GMP PROPOSAL AND DELIVER IT AT A LATER DATE, OR TAKE OTHER APPROPRIATE ACTION**

General Counsel, Mark Kennedy spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. Turner Construction Company delivered the GMP for Phase II to Commissioners Court on October 24th. The GMP proposal as delivered was \$7,152,634 over the approved Construction Cost Limitation (CCL) for the project. Turner presented a path of potential VE items and alternates that would decrease the cost within the CCL; however, the Hays County Sheriff's Office and Building Committee do not recommend the proposed alternates included in the path forward. If Hays County does not accept Turner's GMP proposal, it may seek Competitive Sealed Proposals from 3rd parties while keeping Turner's GMP on hold for 90 days. No action taken.

**CLERK'S NOTE AGENDA ITEM #19 RE:** *HOLD A PUBLIC HEARING AT 10:00 AM IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE, INCLUDING BUT NOT LIMITED TO ESTABLISH THE ASSESSMENT RATE AND STATE FISCAL YEAR 2018 MANDATORY PAYMENTS, AND AUTHORIZE THE INTERGOVERNMENTAL TRANSFER OF THE FUNDS DERIVED FROM THOSE MANDATORY PAYMENTS TO PROVIDE THE NONFEDERAL SHARE OF THE SUPPLEMENTAL PAYMENT PROGRAM AUTHORIZED UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM ("SEC 1115") WAIVER – was pulled*

**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*



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**CLERK'S NOTE AGENDA ITEM #21 RE:** 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 PREP SCHOOL. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT – **was pulled**

**CLERK'S NOTE AGENDA ITEM #22 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 – 354. Per the Hays County Fire Marshall the Burn Ban will remain lifted.

**CLERK'S NOTE AGENDA ITEM #24 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 9:50 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 07, 2017



Handwritten signature of Liz Q. Gonzalez in cursive.

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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 14<sup>TH</sup> 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
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Commissioner Ingalsbe gave the invocation and asked the court for a moment of silence. 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**

Dan Lyon – San Marcos resident, Rodrigo Amaya – San Marcos resident, Mark A. Beck – resident of San Marcos, and Harvey Jenkins – San Marcos resident, all made public comments.

#### **33054 ADOPT A PROCLAMATION DECLARING NOVEMBER 18, 2017 AS NATIONAL ADOPTION DAY**

Andrew Mendoza spoke. Jennifer Stevens spoke. Julia Ramsey-New with the Greater San Marcos Youth Council Inc. spoke. Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring November 18, 2017 as National Adoption Day. All present voting "Aye". MOTION PASSED.**

#### **33055 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2017 AS NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH**

Commissioner Ingalsbe spoke. Eric Schneider, Epidemiologist of the Hays County Local Health Department spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a proclamation declaring the month of November 2017 as National Alzheimer's Disease Awareness Month. All present voting "Aye". MOTION PASSED**

#### **33056 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2017 AS NATIONAL CAREGIVER AWARENESS MONTH**

Commissioner Ingalsbe spoke. Commissioner Shell spoke. Eric Schneider, Epidemiologist of the Hays County Local Health Department spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring the month of November 2017 as National Caregiver Awareness Month. All present voting "Aye". MOTION PASSED.**

#### **33057 APPROVE PAYMENTS OF COUNTY INVOICES**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$1,221,339.61 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED**

#### **33058 APPROVE PAYMENTS OF JUROR CHECKS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payments of Juror checks in the amount of \$6,366.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED**



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**CLERK'S NOTE AGENDA ITEM #6 RE:** *APPROVE THE PAYMENT OF HUMANA CLAIMS –was pulled*

**33059 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 7, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of November 7, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**33060 AUTHORIZE THE EXECUTION OF THE FY 2018 GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDEF)**

The Sheriff's Office receives funding annually from the Drug Enforcement Administration to offset overtime costs for the detective assigned to the OCDEF program. Funding has been budgeted during the FY18 budget process for this grant award. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of the FY 2018 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDEF). All present voting "Aye". MOTION PASSED**

**33061 APPROVAL TO HOLD AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152(A)(1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE; APPROVE THE DISPOSAL OF PROPERTY IN WHICH NO BIDS ARE RECEIVED AS AUTHORIZED PER TEXAS LOCAL GOVERNMENT CODE 263.152(A)(3)**

Commissioner Ingalsbe spoke. Chief of Staff Clint Garza spoke. The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at [www.renebates.com](http://www.renebates.com). Purchasing is also requesting a method and approval to properly dispose of items that do not sell in the online auction. Per Texas Local Government Code 263.152(a)(3) the Commissioner's Court may order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to hold an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152(a)(1) and authorize Purchasing Manager to advertise; approve the disposal of property in which no bids are received as authorized per Texas Local Government Code 263.152(a)(3). All present voting "Aye". MOTION PASSED.**

**33062 AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO ACCEPT A DONATION FROM ST. STEPHENS CHURCH FOR LAW ENFORCEMENT SUPPLIES AND AMEND THE BUDGET ACCORDINGLY**

Budget Amendment: Increase Contributions .4610 and Increase LE Supplies .5206. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Constable Precinct 3 Office to accept a donation from St. Stephens Church for law enforcement supplies and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33063 AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT WITH INDUSTRIAL COMMUNICATIONS FOR THE HAYS COUNTY JUVENILE**



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### **DETENTION CENTER EFFECTIVE 11/1/2017 AND AMEND THE BUDGET ACCORDINGLY**

During the FY18 budget process, the Juvenile Detention Center was approved the purchase of handheld radios. The facility administrator would like to lease the units from Industrial Communications, through their DIR state contract. Leasing the units will be a more cost effective solution, allowing for replacement radios to be provided if units are in need of maintenance through the vendors "wear and tear maintenance program". Budget Amendment: Decrease .5715\_400 Communication Equipment and Increase .5473 Equipment Lease. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Lease Agreement with Industrial Communications for the Hays County Juvenile Detention Center effective 11/1/2017 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

### **33064 AUTHORIZE COMMERCIAL OSSF PERMIT AT 5100 BELL SPRINGS RD, DRIPPING SPRINGS, TEXAS 78620**

Marvin Sommerfeld is proposing to an OSSF to serve three office/warehouse buildings and an existing 3-bedroom mobile home. The 3 office/warehouse buildings will accommodate up to no more than 18 employees and 24 daily customers. This 17.37-acre tract of land will be served by a public water supply. The system designer, Daniel Balboa, R.S., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 540 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 5100 Bell Springs Rd, Dripping Springs, Texas, 78620. All present voting "Aye". MOTION PASSED**

### **33065 APPROVE UTILITY PERMITS**

Permit, Road Name and Utility: 1056 Bell Springs Road, TRE & Assoc. (water line). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit # 1056 Bell Springs Road issued to TRE & Assoc. (water line) as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

### **33066 AUTHORIZE THE EXECUTION OF A MAINTENANCE AGREEMENT WITH KONE INC**

The Building Maintenance Department would like to enter into a maintenance agreement with Kone Inc. for quarterly maintenance on the elevators at the Hays County Government Center. The requested amount includes the annual contract amount and installation of wireless emergency communication in place of the current landlines. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a maintenance agreement with Kone Inc. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #15 RE: AUTHORIZE THE PURCHASE OF COURTROOM FURNISHINGS FOR THE PRECINCT 3 FACILITY AND AMEND THE BUDGET ACCORDINGLY –was pulled**

### **33067 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO HOST THE ANNUAL LOCAL EMERGENCY PLANNING COMMITTEE LUNCHEON**

In accordance with the Emergency Planning and Community Right to Know Act (EPCRA) and under the direction of the Texas Commission on Environmental Quality (TCEQ), Hays County Office of Emergency Services is requesting authorization to host the annual Local Emergency Planning Committee working lunch meeting. Business and Community partners will meet to provide updates on emergency response planning and provide/receive information on hazardous material sites. LEPC Stakeholder participation is required and must include local business/facility representatives. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Office of Emergency Services to host the annual Local Emergency Planning Committee Luncheon. All present voting "Aye". MOTION PASSED**

### **33068 APPROVE SPECIFICATIONS FOR RFQ 2018-P07 RELATED TO FINAL PLANS, SPECIFICATIONS & ESTIMATES (PS&E) ON DACY LANE IN**



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**PRECINCTS 1 AND 2 AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for RFQ 2018-P07 related to final Plans, Specifications & Estimates (PS&E) on Dacy Lane in Precinct 1 and 2 and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting “Aye”. MOTION PASSED**

**33069 GRANT A VARIANCE FOR STREET AND DRAINAGE IMPROVEMENTS FOR HEADWATERS AT BARTON CREEK**

Commissioner Whisenant spoke. Transportation Director, Jerry Borcharding, gave staff recommendation. This variance was approved for Phase 2 on September 12, 2017 and should have applied to all remaining sections of the development as was anticipated by the original Development agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a variance for street and drainage improvements for Headwaters at Barton Creek. All present voting “Aye”. MOTION PASSED**

**33070 AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH VOLKERT, INC. TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE SAWYER RANCH ROAD PEDESTRIAN, SCHOOL BUS AND SAFETY IMPROVEMENT PROJECT FROM MEADOW CREEK DRIVE TO BELTERRA DRIVE AS PART OF THE 2016 ROAD BOND PROGRAM**

Commissioner Whisenant spoke. Project development funding for the Sawyer Ranch Road pedestrian, school bus and safety improvement project from Meadow Creek Drive to Belterra Drive would come from the Drainage/Low Water Crossings/Bridge Replacements; Environmental Mitigation/Conservation; and Non-Motorized Transportation element of the 2016 Road Bond Program. The Sawyer Ranch Road pedestrian, school bus and safety improvement project from Meadow Creek Drive to Belterra Drive project is one of the highest priorities in Precinct 4 and in the County, based on existing and planned school facilities along and in the vicinity of the Sawyer Ranch Road corridor in this rapidly growing area of Hays County. Approval of Volkert, Inc. for schematic, environmental documentation and PS&E services would position this important safety project to move quickly to construction and allow the County to seek additional construction funding through CAMPO. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the court to execute a Professional Service Agreement with Volkert, Inc. to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Sawyer Ranch Road pedestrian, school bus and safety improvement project from Meadow Creek Drive to Belterra Drive as part of the 2016 Road Bond Program. All present voting “Aye”. MOTION PASSED**

**33071 RELEASE OF THE MAINTENANCE BOND #PB10553700072 FOR \$36,329.40, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR REUNION RANCH SUBDIVISION, PH. 2, SEC. 1 (STATIONS 57+25 TO 59+25, AND STATIONS 63+75 TO 70+50)**

Transportation Director, Jerry Borcharding, gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. These stations of roadway are included in the 2-year maintenance bond, and is approximately 900 feet of added length to Reunion Blvd. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to release of the maintenance bond #PB10553700072 for \$36,329.40, and acceptance of the roads into the county road maintenance system for Reunion Ranch subdivision, Ph. 2, Sec. 1 (Stations 57+25 to 59+25, and stations 63+75 to 70+50). All present voting “Aye”. MOTION PASSED**

**33072 RELEASE THE MAINTENANCE BOND #587S208102 FOR \$187,600.00, AND ACCEPT OF THE BRIDGE INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR REUNION RANCH SUBDIVISION, PH. 2, SEC. 1**



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Staff recommends acceptance of the bridge into the county maintenance system. The bridge is on Reunion Blvd. and was issued a separate maintenance bond for this section of Reunion Ranch subdivision. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to release the bond #587S208102 for \$187,600.00 and accept of the bridge into the county road maintenance system for Reunion Ranch subdivision, Ph. 2, Sec. 1. All present voting "Aye". MOTION PASSED**

**33073        AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH CONCEPT DEVELOPMENT & PLANNING, LLC FOR PROFESSIONAL SERVICES RELATED TO THE RM 150 WEST ALIGNMENT PROJECT FROM I-35 TO RM 150/KYLE AS PART OF THE 2016 ROAD BOND PROGRAM**

Commissioner Whisenant spoke. A preliminary engineering and public involvement process for the FM 150 West Alignment project from I-35 to Arroyo Ranch Road was conducted as part of the Hays County-TxDOT Partnership Program. The initial process concluded with the identification of Corridor C for further evaluation as part of the environmental documentation process to be conducted by the Texas Department of Transportation (TxDOT). As outlined in the recently adopted Advance Funding Agreement (AFA) Amendment No. 3 for the FM 150 West Alignment Study, TxDOT will fund the environmental documentation process, and Hays County will fund and provide the schematic documentation and public involvement services for the environmental documentation process. Concept Development & Planning, LLC (CD&P) previously provided public involvement services for the FM 150 West Alignment Study as a subconsultant to K Friese & Associates. Approval of CD&P for public involvement services will support the environmental documentation for the RM 150 West Alignment Project which would allow the County to meet obligations as set forth in the AFA Amendment No. 3. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with Concept Development & Planning, LLC for professional services related to the FM 150 West Alignment project from I-35 to RM 150/Kyle as part of the 2016 Road Bond Program and by motion will authorize the execution of the agreement and the exemption of code §262.023 of the Texas Local Government Code (TLGC), as provided by TLGC §262.024 (a) (4). All present voting "Aye". MOTION PASSED**

**33074        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 A 1.0 ACRE TRACT OUT OF THE JAMES W. HALL SURVEY**

County Planner Marcus Pacheco spoke. The owner 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 owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Jones, 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 a 1.0 acre tract out of the James W. Hall Survey. All present voting "Aye". MOTION PASSED**

**33075        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 LOT 4 IN THE SPRINGLAKE SUBDIVISION**

County Planner Marcus Pacheco spoke. The owner applied for a permit to construct an On-Site Sewage Facility to replace the existing failing system. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. Lot 4 is platted as 4A & 4B. The failing septic system is on 4A, but a new septic system will not be able to fit on the current configuration. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow them to replace the failing OSSF. The property owner has been made aware of the platting requirement, and is already working on meeting the Hays County requirements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from Section 10 C-1 of the Hays Court Rules for On-Site Sewage Facilities and grant a development authorization to the owner of lot 4 in the Springlake Subdivision. All present voting "Aye". MOTION PASSED**





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**Clerk's Note: Court took a break at 9:51 a.m. and reconvened at 10:01 a.m.**

**33076 APPROVE THE CANCELLATION OF A PORTION OF THE ROCKY RANCH ACRES SECTION 1; HOLD A PUBLIC HEARING**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. County Planner Marcus Pacheco spoke. 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 Shell to approve the cancellation of a portion of the Rocky Ranch Acres Section 1; hold a public hearing. All present voting "Aye". MOTION PASSED**

**33077 APPROVE PRELIMINARY PLAN FOR SUB-932 MEDLIN CREEK RANCH REVISED PRELIMINARY (42 LOTS).**

County Planner Marcus Pacheco spoke. This proposed Medlin Creek Ranch Revised Preliminary plan will condense lots 20 and 21 from Phase Four of the original preliminary plan that was approved in May 2017. It will also include the lots from Phase One, to bring the total lot count to 42 lots 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 Shell to approve preliminary plan for SUB-932 Medlin Creek Ranch Revised Preliminary (42 Lots). All present voting "Aye". MOTION PASSED**

**33078 APPROVE FINAL PLAT FOR SUB-877 MEDLIN CREEK RANCH PHASE 4 (5 LOTS); ACCEPT CONSTRUCTION BOND NO. CNB-25042-00 IN THE AMOUNT OF \$137,845.00 FOR STREET AND DRAINAGE IMPROVEMENTS**

County Planner Marcus Pacheco spoke. The proposed Medlin Creek Ranch Phase 4 is a 5 lot subdivision across 26.75, located off of Fitzhugh Road in Precinct 4. The subdivision will be served by individual water 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 Jones to approve the final plat for SUB-877 Medlin Creek Ranch Phase 4 (5 Lots); Accept Construction Bond No. CNB-25042-00 in the amount of \$137,845.00 for street and drainage improvements. All present voting "Aye". MOTION PASSED**

**33079 AUTHORIZE THE EXECUTION OF THE 2017 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RESOLUTION AUTHORIZING SIGNATORIES FOR CONTRACT #7217189 RELATED TO THE CEDAR OAKS MESA WATER IMPROVEMENT PROJECT**

Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the 2017 Texas Community Development Block Grant (CDBG) Resolution Authorizing Signatories for Contract #7217189 related to the Cedar Oaks Mesa water improvement project. All present voting "Aye". MOTION PASSED**

**33080 ACCEPT THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSED FROM TURNER CONSTRUCTION COMPANY, CONSTRUCTION MANAGER AT RISK ("TURNER"), ON OCTOBER 24, 2017, FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II; AND TO ACCEPT SAID PROPOSAL, DECLARE IT UNACCEPTABLE, AUTHORIZE EXECUTION OF A 3RD AMENDMENT TO THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER, OR TAKE OTHER APPROPRIATE ACTION**



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General Counsel Mark Kennedy spoke. Commissioner Whisenant spoke. Commissioner Shell spoke. Commissioner Ingalsbe spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. Turner Construction Company delivered the GMP for Phase II to Commissioners Court on October 24th. The GMP proposal as delivered was \$7,152,634 over the approved Construction Cost Limitation (CCL) for the project. Turner presented a path of potential VE items and alternates that would decrease the cost within the CCL; however, the Hays County Sheriff's Office and Building Committee do not recommend the proposed alternates included in the path forward. If Hays County does not accept Turner's GMP proposal, it may seek Competitive Sealed Proposals from 3rd parties while keeping Turner's GMP on hold for 90 days. As directed by the Commissioners Court on October 30, 2017, staff and ECM have negotiated the terms of a 3<sup>rd</sup> Amendment to the CM at Risk contract that will allow Turner to withdraw its GMP Proposal for the remaining Work and deliver a new Final GMP Proposal in late January 2018. **A motion was made by Commissioner Shell, accept the changes as presented by General Counsel and authorize the execution of a 3<sup>rd</sup> Amendment to the Agreement between Hays County and Turner Construction and to allow them to move the original GMP and come back with a later date with another GMP once the drawings are to the specifications by the court and to come into an agreement. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #30 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 PREP SCHOOL. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Court convened into Executive session at 10:37 a.m. and reconvened into open court at 10:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Mike Kamerlander, and Anne Miller. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF EACH INDIVIDUAL POSITION WITHIN THE HAYS COUNTY VETERANS' SERVICE OFFICE**

Court convened into Executive session at 10:48 a.m. and reconvened into open court at 10:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Tammy Crumley and Jude Prather. No action taken.

**CLERK'S NOTE AGENDA ITEM #33 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**

The Fire Marshall recommends that the Burn Ban will remain lifted for an additional week. No action taken.

**CLERK'S NOTE AGENDA ITEM #35 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*



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## ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:00a.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 November 14, 2017 .

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>TH</sup> DAY OF NOVEMBER A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
LON A. SHELL	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:

Clerk's Note: Court started at 10:13 a.m.

**33081 CANVASS ELECTION RESULTS FOR CONSTITUTIONAL AMENDMENT ELECTION HELD ON NOVEMBER 7, 2017**

Jennifer Anderson, Hays County Elections Administrator, spoke on the elections report. Certify vote totals and declare official result of 7 State Constitutional Amendments. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to canvass election results for constitutional amendment election held on November 7, 2017, pursuant to Chapter 67 of the Texas Election Code. All present voting "Aye". MOTION PASSED**

## ADJOURNMENT

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adjourn court at 10:19 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 17, 2017.



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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 21<sup>ST</sup> 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



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**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



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**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**



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**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**





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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**



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**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**



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**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



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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



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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.

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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 November 21, 2017 .**



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





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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 5<sup>TH</sup> DAY OF DECEMBER 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 A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Deputy Constable Gregg Grumbles 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

Rodrigo Amaya resident of San Marcos and Dan Lyon resident of San Marcos made public comments.

#### **33122 ADOPT A PROCLAMATION RECOGNIZING DECEMBER 3<sup>RD</sup>-9<sup>TH</sup>, 2017 AS NATIONAL INFLUENZA VACCINATION WEEK**

Eric Schneider, Epidemiologist of the Hays County Local Health Department spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation recognizing December 3<sup>rd</sup>-9<sup>th</sup>, 2017 as National Influenza Vaccination Week. All present voting "Aye". MOTION PASSED

#### **33123 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 \$4,601,964.65 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33124 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of juror checks in the amount of \$4,834.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33125 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$330,083.65 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

#### **33126 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 21, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of November 21, 2017 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

#### **33127 AUTHORIZE THE TREASURER'S OFFICE TO HIRE TEMPORARY PERSONNEL (NOT TO EXCEED 120 HOURS) UTILIZING DEPARTMENTAL SALARY SAVINGS TO ASSIST WITH YEAR-END PROCESSING, SCANNING AND FILING**



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The Hays County Treasurer would like to utilize salary savings from a vacant Financial Analysis position to hire temporary personnel for up to 120 hours at \$11.20 per hour. The upcoming months are exceptionally busy due to end of the year processes as well as scanning projects and filing. Additionally, a part-time clerk position will be vacant as of 12/1 which will increase the need for temporary personnel to ensure the electronic scanning processes are maintained in a timely manner. Salary savings within the department due to a vacant position is available to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Treasurer's Office to hire temporary personnel (not to exceed 120 hours) utilizing departmental salary savings to assist with year-end processing, scanning and filing. All present voting "Aye". MOTION PASSED**

**33128            AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 17361 IH 35, BUDA, TX, 78610**

BNT Holdings, LLC is proposing an OSSF to serve a 32,000 square foot office/warehouse. This building will have no more than 30 employees and 5 daily visitors. This 9.459 acre property is Lot 1 of the Cotton Development 2 Subdivision and lies within the City of Buda. Water will be supplied by a public water supply. The system designer, Steve Wenzel, R.S., has designed a system, which consists of standard treatment with dispersal by a low pressure pipe drainfield. The maximum daily usage rate is 260 gallons. The OSSF permit was originally issued 9/21/16. The OSSF was never installed, so the permit is being re-issued. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize institutional OSSF Permit at 17361 IH 35, Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

**33129            AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE A REPLACEMENT CARD ACCESS SYSTEM FOR THE PUBLIC SAFETY BUILDING AND AMEND THE BUDGET ACCORDINGLY.**

The Sheriff is requesting a replacement card access system for the public safety building. The existing system experienced damage from a power surge in February 2017; since that time the system has had multiple repairs and remains nonfunctional. It would be beneficial and more cost effective to have the system replaced. The system provides security access for staff and also records the card user's time and date. Savings within the Sheriff's operating budget have been identified to fund this request. Budget Amendment: Decrease 001-618-00.5715\_400 Communication Eqpt\_Op (\$707), Decrease 001-618-00.5717\_700 Law Enforcement Eqpt\_Capital (\$2,500) and Increase 001-618-00.5719\_400 Miscellaneous Eqpt\_Op \$3,207. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize savings to purchase a replacement card access system for public safety building and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33130            APPROVE AWARD OF RFP 2018-P03 COUNTYWIDE PLUMBING SERVICES TO SI MECHANICAL, LLC AND AUTHORIZE EXECUTION OF A CONTRACT**

Purchasing received 2 proposals from Texas State Plumbing and SI Mechanical, LLC. After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to SI Mechanical, LLC. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve award of RFP-P03 Countywide Plumbing Services to SI Mechanical, LLC and authorize execution of a contract. All present voting "Aye". MOTION PASSED**

**33131            APPROVE SPECIFICATIONS FOR IFB 2018-B04 DOMESTIC WATER TREATMENT SYSTEM AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

**A motion was made by Commissioners Shell, seconded by Commissioner Whisenant to approve specifications for IFB 2018-B04 Domestic Water Treatment System and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**33132            APPROVE UTILITY PERMITS**



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Permit, Road Name and Utility: 1058, Post Rd & CR 158, CenterPoint Energy (gas line). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1058, Post Rd & CR 158 issued to Centerpoint Energy (gas line) as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED**

**33133            RATIFY THE PURCHASE OF A REPLACEMENT 10-TON CARRIER A/C UNIT FOR THE JUVENILE DETENTION CENTER AND AMEND THE BUDGET ACCORDINGLY**

The Juvenile Detention Center is in need of a replacement a/c unit for the kitchen area. The current unit is over 16 years old and has had multiple repairs. SI Mechanical is currently the vendor under contract for all county a/c repairs and has exhausted all potential repair fixes and recommends replacement of the unit. It would be cost prohibitive to continue repairs to the unit, which are now exceeding the cost for replacement. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease Medical Insurance and Increase Misc. Equipment Capital. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the purchase of a replacement 10-Ton Carrier A/C Unit for the Juvenile Detention Center and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33134            ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION PERFORMANCE BOND #PB03010404348 IN THE AMOUNT OF \$416,005.00, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1060749 IN THE AMOUNT OF \$156,832.00 FOR SUNFIELD SUBDIVISION, PH. 2, SEC. 9**

Staff recommends 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 of the subdivision performance bond #PB0310404348 in the amount of \$416,005.00, and acceptance of the 2-year maintenance bond #1060749 in the amount of \$156,832.00 for Sunfield subdivision, Ph. 2, Sec. 9. All present voting "Aye". MOTION PASSED**

**33135            RELEASE OF THE MAINTENANCE BOND #58S208141 FOR \$169,794.15, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR BELTERRA SUBDIVISION, PH. 1A, SECS. 16 & 17**

Staff recommends acceptance of the roads into the county maintenance system. The roads from both sections include: Brentwood Drive (3,026 ft.), Tabago Court (673 ft.), Challis Court (570 ft.), Mendocino Lane (888 ft.), Prescott Drive (1,296 ft.), Noahs Court (442 ft.), and segments of Mesa Verde Drive (1,733 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the maintenance bond #55S208141 for \$169,794.15, and acceptance of the roads into the county road maintenance system for Belterra subdivision, Ph. 1A, Secs. 16 & 17. All present voting "Aye". MOTION PASSED**

**33136            RELEASE THE MAINTENANCE BOND #K08698351 FOR \$3,223,047.77, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR CALITERRA SUBDIVISION, PH. 1, SECS. 1 & 2**

Staff recommends acceptance of the roads into the county maintenance system. The roads from both sections include: White Rock Court (628 ft.), Brins Way (913 ft.), Wynnpage Drive (2,342 ft.), Caliterra Parkway (1,536 ft.), Waters View Court (670 ft.), Evelyn Court (550 ft.) and Emmanuelle Court (287 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release the maintenance bond #K0869351 for \$3,233,047.77, and acceptance of the roads into the county road maintenance system for Caliterra subdivision, Ph. 1, Secs. 1 & 2. All present voting "Aye". MOTION PASSED**





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**33137      SELECT COBB FENDLEY FOR ENGINEERING DESIGN SERVICES (PS&E) AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT FOR IMPROVEMENTS TO THE OLD BASTROP HIGHWAY (CR 266)/HWY80 AND HWY 80/MILITARY DRIVE INTERSECTIONS IN PCT. 1 AS PART OF THE FY 16 BOND PROGRAM**

Commissioner Ingalsbe spoke. 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 Cobb Findley for engineering design services (PS&E) and authorize staff and counsel to negotiate a contract for improvements to the Old Bastrop Highway (CR 266)/Hwy 80 and Hwy 80/Military Drive intersections in Pct. 1 as part of the FY 16 Bond Program; CAMPO will be funding in the amount of \$1.5 Million. All present voting "Aye". MOTION PASSED**

**33138      SELECT RPS FOR ENGINEERING DESIGN SERVICES (PS&E) AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT FOR IMPROVEMENTS TO THE RR12/FM3237 INTERSECTION IN PCT. 3 AS PART OF THE FY 16 BOND PROGRAM**

Commissioner Shell spoke. This project is part of the FY 16 bond program and is a named project. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to select RPS for engineering design services (PS&E) and authorize staff and counsel to negotiate a contract for improvements to the RR12/FM3237 intersection in Pct. 3 as part of the FY 16 Bond program. All present voting "Aye". MOTION PASSED**

**33139      VACATE THE AMENDED PLAT OF LOTS 16 & 17 IN THE VISTA RIDGE ESTATES SUB-945**

County Planner Caitlyn Strickland spoke. The Vista Ridge Estates is a platted subdivision located off Roy Creek Trail in NW PCT 4. In 2017, the owners of lots 16 and 17 applied for and were granted permission for an amended plat that would move the parcel lines between the two lots. The owner now wishes to vacate the amended plat and put the lots back to the original configurations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to vacate the amended plat of lots 16 & 17 in the Vista Ridge Estates. All present voting "Aye". MOTION PASSED**

**33140      APPROVE FINAL PLAT; HOLD PUBLIC HEARING FOR SUB-913; REPLAT OF LOT 2, FAMILY TREE SUBDIVISION**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. County Planner Marcus Pacheco spoke and gave staff recommendation. 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 approve final plat SUB-913; Replat of Lot 2, Family Tree Subdivision; hold public hearing. All present voting "Aye". MOTION PASSED**

**33141      APPROVE FINAL PLAT; HOLD PUBLIC HEARING FOR SUB-903; REPLAT OF LOT 9B, PIONEER RANCH SUBDIVISION**

Commissioner Ingalsbe opened the Public Hearing. No Public input was received. Commissioner Ingalsbe closed the Public Hearing. County Planner Marcus Pacheco spoke and gave staff recommendation. 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 Jones to approve final plat SUB-903; Replat of Lot 9B, Pioneer Ranch Subdivision; hold public hearing. All present voting "Aye". MOTION PASSED**



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**33142 GRANT A VARIANCE TO SECTION 721.5.05 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO SUB-816; UMC SUBDIVISION (1 LOT)**

County Planner Marcus Pacheco spoke. General Counsel Mark Kennedy spoke. Chief of Staff Clint Garza spoke. The proposed UMC Subdivision is a 1 lot subdivision across 10.013 acres along Clovis Barker Road in Precinct 1. Water and Wastewater service will be provided by the City of San Marcos. Section 721.5.05 of the Hays County Development Regulations states the following: "Flag lots shall not be permitted, except if approved by the Commissioners Court as consistent with the intent and spirit of these Regulations. The Department shall advise the Commissioners Court if a proposed Lot constitutes a "flag lot" and the Commissioners Court shall, in reviewing all the circumstances, make the final determination." The owner is requesting that the proposed lot 1 be allowed to utilize a flag lot development. Justification for the variance is included in backup. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to grant a variance to Section 721.5.05 of the Hays County Development Regulations to SUB-816; UMC Subdivision (1 lot). All present voting "Aye". MOTION PASSED**

**33143 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 A LOT 81, SUNRISE ACRES SUBDIVISION**

County Planner Marcus Pacheco spoke. The owner 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 owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe 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 a Lot 81, Sunrise Acres Subdivision. All present voting "Aye". MOTION PASSED**

**33144 EXECUTE A RESOLUTION IN SUPPORT OF DRIPPING SPRINGS' SUBMITTAL OF A NOMINATION FOR FUNDING THROUGH CAMPO'S PLATINUM PLANNING STUDY PROGRAM**

J.Gandolf Burrus, President of Grant Development Services Inc, spoke. General Counsel Mark Kennedy spoke. Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to execute a resolution in support of Dripping Springs' submittal of a nomination for funding through CAMPO's Platinum Planning Study Program. All present voting "Aye". MOTION PASSED**

**33145 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 9:55 a.m. and reconvened into open court at 9:58 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Director of Transportation Jerry Borcharding and Tammy Crumley. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Purchase Agreement between Hays County and B&B Family Partnership, Ltd., Barbara Baugh, and Baugh Management, LLC., related to the acquisition of approximate 28.77 acres of Right of Way and approximate 1.005 acres of Utility easement along proposed FM 110, as presented in Executive Session. All present voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY**



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Court convened into Executive session at 9:58 a.m. and reconvened into open court at 10:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Director of Transportation Jerry Borcharding and Tammy Crumley. No action taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE, PURCHASE AND/OR SALE OF PROPERTIES ASSOCIATED WITH THE HAYS COUNTY SURPLUS PROPERTY PROGRAM**

Court convened into Executive session at 10:48 a.m. and reconvened into open court at 10:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Director of Transportation Jerry Borcharding and Tammy Crumley. No action taken.

**33146 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 19.939 ACRES IN FEE SIMPLE AND 1.50 ACRES OF A DRAINAGE EASEMENT INTEREST FROM PROPERTY LOCATED IN HAYS COUNTY NEAR COUNTY ROAD 159 (YARRINGTON ROAD), OWNED BY LASALLE HOLDINGS, LTD., A TEXAS LIMITED PARTNERSHIP, AND WHICH IS REQUIRED FOR THE CONSTRUCTION OF THE PROPOSED FM 110M ROADWAY IMPROVEMENTS, AND TAKE OTHER APPROPRIATE ACTION (PARCEL 3N (PARTS 1-3) AND PARCEL 3N-E (PARTS 1-2))**

Court convened into Executive session at 11:11 a.m. and reconvened into open court at 11:28 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, Director of Transportation Jerry Borcharding and Tammy Crumley. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire approximately 19.939 acres in fee simple and 1.50 acres of a drainage easement interest from property located in Hays County near County Road 159 (Yarrington Road), owned by LaSalle Holdings, Ltd., a Texas Limited Partnership, and which is required for the construction of the proposed FM 110M intersection roadway improvements, and take other appropriate action. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE AGENDA ITEM #28 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 – 456. Fire Marshall recommends that the Burn Ban will remain lifted.

**CLERK'S NOTE AGENDA ITEM #30 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 11:33a.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 December 05, 2017 .

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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





STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF DECEMBER 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 A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Nahum Melendez 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**

Dan Lyon resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments.

**33147 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 \$1,153,337.77 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33148 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$6,242.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33149 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$226,289.92 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33150 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 5, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of December 5, 2017. All present voting "Aye". MOTION PASSED

**33151 APPROVE THE PAYMENT OF THE DECEMBER 15, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,400.00 EFFECTIVE DECEMBER 15, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

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

**33152 APPROVE THE REAPPOINTMENT OF JERRY BORCHERDING, HAYS COUNTY DIRECTOR OF TRANSPORTATION, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND THE APPOINTMENT OF TIM VANDEVORDE, TRANSPORTATION SUPERINTENDENT, AS THE ALTERNATE VOTING MEMBER, FOR A 1 YEAR TERM BEGINNING JANUARY 1, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the reappointment of Jerry Borcharding, Hays County Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and the appointment of Tim Vandevorde,



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Transportation Superintendent, as the alternate voting member, for a 1 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**33153 APPROVE THE APPOINTMENT OF DAVID FOWLER, CITY OF BUDA SENIOR PLANNER, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND REAPPOINTMENT HOWARD KOONTZ, CITY OF KYLE COMMUNITY SERVICES DIRECTOR, AS THE ALTERNATE VOTING MEMBER, FOR A 1 YEAR TERM BEGINNING JANUARY 1, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of David Fowler, City of Buda Senior Planner, as the primary voting member on the Technical Advisory Committee of CAMPO, and reappointment Howard Koontz, City of Kyle Community Services Director, as the alternate voting member, for a 1 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**33154 APPROVE THE REAPPOINTMENT OF JOE SEGOVIA AND CAROL GREAVES TO EMERGENCY SERVICES DISTRICT #8, FOR A 2 YEAR TERM BEGINNING JANUARY 1, 2018**

Joe Segovia and Carol Greaves have agreed to serve a two-year term beginning January 1, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Joe Segovia and Carol Greaves to Emergency Services District #8, for a 2 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**33155 APPROVE THE REAPPOINTMENT OF HALEY ORTIZ, TOM DAHLSTROM AND JB KOLODZEY TO EMERGENCY SERVICES DISTRICT #2, FOR A 2 YEAR TERM BEGINNING JANUARY 1, 2018**

Haley Ortiz, Tom Dahlstrom and JB Kolodzey have agreed to serve a two-year term beginning January 1, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Haley Ortiz, Tom Dahlstrom and JB Kolodzey to Emergency Services District #2, for a 2 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**33156 AUTHORIZE COMMERCIAL OSSF PERMIT AT 150 RUSSELL LANE, DRIPPING SPRINGS, TEXAS 78620**

Clinton & Jana Edwards are proposing an OSSF to serve ten - 2700 square foot office/warehouse buildings. This 2.00-acre tract of land will be served by a public water supply. The system designer, Jon Maass, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 600 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize Commercial OSSF Permit at 150 Russell Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

**33157 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JOHN SAENZ TO ATTEND THE AMERICAN JAIL ASSOCIATION CONFERENCE IN SACRAMENTO, CALIFORNIA**

Out of state travel is needed to send Lt. John Saenz to the American Jail Association Conference in Sacramento, California on April 21- 25, 2018. As a one of the Lieutenants, over the Sheriff's Office Corrections Bureau, this conference will offer Lt. Saenz with information on current topics affecting the operation of the jail facilities. The conference will also provide choices to better manage inmates and allow him to interact with peers across the Nation. All fees encumbered will be paid out of the Sheriff's Office Continuing Ed general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Lieutenant John Saenz to attend the American Jail Association Conference in Sacramento, California. All present voting "Aye". MOTION PASSED

**33158 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 619 SUMMIT DR, KYLE, TX, 78640**

Iglesia Manantial De Aguas Vivas is proposing an OSSF to serve a 4,800 square foot church. The church will be used for services on Sunday morning and possibly Sunday evening. This property is Lot 6 of the Green Pastures Subdivision and lies outside the city limits of Kyle. Water will be supplied by a public water supply. The system designer, Stan Burrier, P.E. has designed a system, which consists of standard treatment with dispersal by a low pressure pipe drainfield. The maximum daily usage rate is 200 gallons. The OSSF permit was originally issued 4/28/15. The OSSF was never installed, so the permit is being re-issued. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 619 Summit Dr, Kyle, TX, 78640. All present voting "Aye". MOTION PASSED



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**33159            AUTHORIZE A COMMERCIAL OSSF PERMIT AT 4794 TRANSPORTATION WAY,  
SAN MARCOS TX, 78666**

Posey 2000 LLC, C/O by Jerry R. Reed is proposing two commercial warehouses with a max occupancy of 20 workers per building located at 4794 Transportation Way in San Marcos TX 78666. This property is an 11.881 acre tract out of the Henry Warnell Survey. This property is not located within the Edwards Aquifer Recharge Zone. This property is located within the ETJ of the City of San Marcos and is currently utilizing city water. The designer, Jeff Snowden, P.E., has designed a nonstandard drip consisting of a single drip irrigation field. The system is designed to treat 320 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a Commercial OSSF permit at 4794 Transportation Way, San Marcos TX, 78666. All present voting "Aye". MOTION PASSED**

**33160            AUTHORIZE 4 COMMERCIAL OSSF PERMIT(S) AT 4955 BELL SPRINGS ROAD,  
DRIPPING SPRINGS, TEXAS 78620**

The Bell Springs Business Park is proposing an OSSF to serve five office/warehouse buildings. These OSSF Permit(s) will serve buildings (1,3,5), (2,4,6,8,10, 12) (7, 9, 11, 13, & 15), and (14,16,17,18,19,20). Each building will serve up to six employees and four customers. This is a 17.23-acre tract of land. Each individual building will be served by a rainwater collection system where the owner is responsible for the rainwater collection system. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which consists of pre-treatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 600. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize 4 Commercial OSSF Permit(s) at 4955 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**33161            APPROVE SPECIFICATIONS FOR IFB 2018-B02 RATTLER ROAD IMPROVEMENTS  
AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND  
ADVERTISE**

**A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for IFB 2018-B02 Rattler Road Improvements and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**33162            AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON  
REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT  
ATTORNEY'S OFFICE**

The District Attorney's legal staff currently utilizes Westlaw for legal research. The attached modification adds 3 new attorneys which were approved during the FY18 budget process. The required funding was approved during the FY18 budget process. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

**33163            AUTHORIZE AN EQUIPMENT REMOVAL AND REVISED LEASE CONTRACT WITH  
RICOH FOR THE COUNTY CLERK PRECINCT 3 SATELLITE OFFICE**

On October 24th the Court authorized a new copier lease contract for the County Clerk's satellite office in the Pct. 3 Building. The initial contract did not include an option for legal size copies. The revised quote has this option for an additional \$1.88 per month. Funds are available in the Records Management Fund for the revised lease cost. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize an Equipment Removal and Revised Lease Contract with RICOH for the County Clerk Precinct 3 satellite office. All present voting "Aye". MOTION PASSED**

**33164            AUTHORIZE THE EXECUTION OF A PLANNED MAINTENANCE AGREEMENT WITH  
WAUKESHA-PEARCE INDUSTRIES, INC. FOR GENERATOR MAINTENANCE AT  
THE HAYS COUNTY GOVERNMENT CENTER**

The Building Maintenance Department would like to enter into a Planned Maintenance Agreement with Waukesha-Pearce Industries, Inc. for preventative maintenance and annual inspections of the generator located at the Hays County Government Center. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Planned Maintenance Agreement with Waukesha-Pearce Industries, Inc. for generator maintenance at the Hays County Government Center. All present voting "Aye". MOTION PASSED**

**33165            APPROVAL TO AWARD RFP 2018-P01 COUNTYWIDE JANITORIAL SERVICES TO  
SPOTLESS CLEANING AND AUTHORIZE CONTRACT EXECUTION**



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Purchasing received 1 proposal from Spotless Cleaning. After evaluation and scoring of the proposal by staff, it is recommended that contract award be made to Spotless Cleaning. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Approval to award RFP 2018-P01 Countywide Janitorial Services to Spotless Cleaning and authorize contract execution. All present voting "Aye". MOTION PASSED**

**33166 AUTHORIZE THE PURCHASE OF COURTROOM FURNISHINGS FOR THE PRECINCT 3 FACILITY AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Shell spoke. The two tables will not be included in the purchase of the courtroom furnishings. Chief of Staff Clint Garza spoke. The Precinct 3 facility is currently in need of courtroom furnishings and have partnered with Lonestar Furnishings, Buy Board No. 503-16. During the furniture planning portion of the renovations an oversight was made and the necessary items were not ordered. The requested amount will cover the following items: 8) Pew Benches- \$10,550 (6) Juror Seats- \$3,152.28 (6) Task Chairs- \$1,771.74 4B286B (2) Tables- \$2425.42 Freight/Installation- \$1,332.50. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of courtroom furnishings for the Precinct 3 facility and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Court re-opened Item # 20 at 10:12a.m. Chief of Staff Clint Garza spoke. No Action taken.

**33167 ACCEPT BOND NO. PB03010404555 FOR STREET AND DRAINAGE IMPROVEMENTS FOR CAMPO DEL SOL PARKWAY SEGMENTS IN THE AMOUNT OF \$2,487,195.15**

Jerry Borcharding, Director of Transportation gave staff recommendation. The Campo Del Sol Pkwy Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda and has 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 Jones, seconded by Commissioner Whisenant to Discussion and possible action to accept Bond No. PB03010404555 for street and drainage improvements for Campo Del Sol Parkway segments in the amount of \$2,487,195.15. All present voting "Aye". MOTION PASSED**

**33168 ACCEPT SUBDIVISION BOND NO.024230974 FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE PARTEN RANCH PHASE 1 IN THE AMOUNT OF \$2,353,965.90**

Jerry Borcharding, Director of Transportation gave staff recommendation. Parten Ranch, Phase 1 is a proposed 84 lot subdivision located along FM 1826 in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by the Parten Ranch MUD. The final plat for Parten Ranch Subdivision 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.024230974 for street and drainage improvements for the Parten Ranch Phase 1 in the amount of \$2,353,965.90. All present voting "Aye". MOTION PASSED**

**33169 SUB-943; DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 705.4.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO WAIVE THE FEES FOR THE REVISED PRELIMINARY PLAN OF HIGHPOINTE 5-3**

Caitlyn Strickland, Hays County Planner spoke. Highpointe 5-3 is recorded section of the Highpointe Subdivision located off of Sawyer Ranch Road in Precinct 4. The developer is amending 5-3 to change the building line setback from 25 feet to 20 feet. This setback was approved in years prior, but was incorrectly put on the plat. The developer is requesting that the fees are waived, since there is no technical review being performed for this plat. The only item that is changing between the originally platted 5-3 and the amended plat is the setback plat note #12. Highpointe 5-3 was approved in 2017 and recorded 4-26-17. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from chapter 705.4.02 of the Hays County Development Regulations to waive the fees for the revised preliminary plan of Highpointe 5-3 SUB- 943. All present voting "Aye". MOTION PASSED**

**33170 SUB-907; EWING RAE SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

Caitlyn Strickland, Hays County Planner, gave staff recommendation. Ewing Rae Subdivision is a proposed 2.322 acre lot located along Mt. Sharp Rd. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-907; Ewing Rae Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**





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**33171      AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE NEW ENGINEERING TECHNICIAN POSITION, GRADE 111 (BUDGETED TO START 4/1/18) WITH AN EFFECTIVE DATE OF 1/2/2018**

Jerry Borcharding, Director of Transportation spoke. During the FY 2018 budget process, the Commissioner's Court approved a new Engineering Technician position effective 4/1/18. Due to the current volume of work, the Transportation Director request consideration to advertise immediately to fill this position with an anticipated hire date of 1/2/18. Salary savings due to attrition are available to fund this request. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the new Engineering Technician position, grade 111 (budgeted to start 4/1/18) with an effective date of 1/2/2018. All present voting "Aye". MOTION PASSED

**33172      AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO PURCHASE ONE NEW PATROL BICYCLE AND AMEND THE BUDGET ACCORDINGLY**

Constable Pct. 3, Ray Helm spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. In February 2017, the Commissioner's Court authorized the purchase of one new patrol bicycle for the precinct 3 Constable. This new patrol bike was issued to the deputy constable patrolling the parks in the Wimberley area. The Constable is requesting the Court's assistance in purchasing a second patrol bike in order to expand the areas that are more easily accessible utilizing a bicycle. The initial bike purchased for this program in 2014 is not functional for the areas that the Deputy Constables are patrolling but will be kept for a back-up option when the other bikes are not available. Budget Amendment: Possible funding source County Wide contingencies. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 3 office to purchase one new Patrol Bicycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33173      AUTHORIZE CHANGE ORDER COR-008 RELATED TO GMP1, SITE WORK AND FLEET MAINTENANCE, ASSOCIATED WITH THE PUBLIC SAFETY BOND PROGRAM**

Codi Newsom and Rufo Reyes from ECM and Chief of Staff Clint Garza spoke. COR-008 – Site grading and utility revisions as per Bulletin 04:: Additional grading work due to a surveying discrepancy; relocated site utility lines that were encroaching on existing LCRA power poles; additional communication conduits as required between the fleet maintenance and jail. Expenditure :: \$89,207 Ranger Excavating :: \$54,763 – funding from Contractor Contingency M5 Utilities :: \$17,381 – funding from Contractor Contingency VA Electric :: \$11,048 – funding from Contractor Contingency Fencing Demolition allowance expenditure :: \$4,000 – Allocating against established allowance. Erosion Control Allowance expenditure:: \$1,320 – Allocating against established allowance. Striping and Signage:: \$695 – Offset by potential buyout savings. Summary: \$83,192 will be funded via Contractor Contingency (After this expenditure, the remaining contingency amount will be \$310,972.) \$5,320 will be funded via established GMP Allowances \$695 will be funded via Buyout Savings The biggest cost associated with the COR-008 is Ranger Excavating due to a survey discrepancy. Based on our understanding, Doucet used a 'drone' to survey/document the existing grades. The issue is that the drone did not accurately interpolate grades at 'high vegetation' areas. This error resulted in additional cuts and fills. The discrepancy was caught prior to any work starting, thus, no rework or additional cost was incurred to address this issue. M5 Utilities costs were primarily for relocating proposed site utilities that were within the LCRA 30 ft. radius. VA Electric cost were primarily for additional conduits as needed due to the result of ongoing communication relocation meetings with Grande, Spectrum and CenturyLink. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize change order COR-008 related to GMP1, Site Work and Fleet Maintenance, associated with the Public Safety Bond Program. All present voting "Aye". MOTION PASSED

**33174      APPROVE THE CONSTRUCTION EXPENDITURE APPROVAL PROCEDURE FOR ADMINISTRATIVE APPROVALS OF EXPENDITURES ASSOCIATED WITH THE PUBLIC SAFETY BOND PROJECT**

General Counsel Mark Kennedy, Codi Newsom from ECM, and Commissioner Whisenant spoke. Approving the attached procedure will provide a more streamlined process for authorizing contingency expenditures that are within the total project budget and which do not exceed \$50,000. A motion was made by Commissioner Shell, seconded by Commissioner Jones to Discussion and possible action to approve the Construction Expenditure Approval Procedure for administrative approvals of expenditures associated with the Public Safety Bond Project. All present voting "Aye". MOTION PASSED

**33175      AUTHORIZE EXECUTION OF A LOCATION USE AGREEMENT BETWEEN HAYS COUNTY AND STALWART FILMS, INC., RELATED TO FILMING ON FULTON RANCH ROAD IN PRECINCT 3**

Dan Lyon, resident of San Marcos spoke. Rodrigo Amaya, resident of San Marcos spoke. Commissioner Shell spoke. Commissioner Jones spoke. General Counsel Mark Kennedy spoke. Filming for the AMC series "Fear the Walking Dead" has been taking place in Central Texas. Location Managers have identified a stretch of Hays



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County Right of Way that they would like to use for a particular scene in that series. Filming would require the road to be temporarily closed and/or traffic-regulation by the Hays County Sheriff's Office. The Location Use agreement would account and provide compensation to the County for labor and equipment from the Transportation Dept. Law Enforcement would be retained separately through the Sheriff's Office. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a Location Use Agreement between Hays County and Stalwart Films, LLC., related to filming on Fulton Ranch Road in Precinct 3. All present voting "Aye". MOTION PASSED**

**33176 DISCUSSION AND POSSIBLE ACTION, PURSUANT TO 26 USC §147(F) (INTERNAL REVENUE CODE), TO APPROVE A PLAN OF FINANCE BY CAPITAL TRUST AGENCY RELATED TO THE ISSUANCE OF TAX-EXEMPT HOUSING REVENUE BONDS FOR THE REHABILITATION AND FINANCING OF THE EXISTING WESTFIELD APARTMENTS IN SAN MARCOS, TEXAS (PCT.4) UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA)**

Commissioner Whisenant spoke. Jim Shaw with Capital Area Housing Finance Capital Trust Agency plans to issue an aggregate amount of not more than \$130,000,000.00 in tax-exempt housing revenue bonds related to a variety of projects, one of which is the Westfield Apartment complex near Aquarena Spring Blvd. in San Marcos (Pct.4). Of the aggregate amount, a not-to-exceed amount of \$10,765,000.00 will be expended on the Westfield Apartments to rehabilitate and finance the project. The County's practice is to have the issuing entity seek approval of the "most local" entity having jurisdiction under 147(f). In this case, the City of San Marcos would be that entity. However, Capital Trust Agency has requested that the County perform the actual approval since its hearings were conducted under the assumption that the County would be the entity taking action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a plan of finance by Capital Trust Agency, a public agency of the State of Florida to issue an aggregate principal amount not to exceed \$130,000,000.00 in tax-exempt housing revenue bonds and/or notes, in one or more series issued at one or more times a maximum of \$10,765,000.00 of the proceeds of which are to be used to refinance all or a portion of the ownership of an approximately 136-bed student rental housing unit, of the cost acquisition development construction and or rehabilitation financing and ownership of an approximately 136-bed student rental housing development known as Westfield Apartments and to finance all or a portion of the cost of the new rehabilitation and financing of the Project for the benefit of AHF-Westfield, LLC, a Texas limited liability company. All present voting "Aye". MOTION PASSED**

**33177 AUTHORIZE A REVISION IN THE SALARY EXCEPTION PROCESS UTILIZED TO REQUEST AUTHORITY TO HIRE ABOVE THE MINIMUM**

**A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize a revision in the Salary Exception process utilized to request authority to hire above the minimum. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #32 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**

**Clerk's Note Agenda Item #33 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 – 297. Fire Marshall recommends that the Burn Ban will remain lifted.

**Clerk's Note Agenda Item #35 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 10:18 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 December 12, 2017.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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





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

**ON THIS THE 19<sup>TH</sup> DAY OF DECEMBER A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>LON A. SHELL</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RAY O. WHISENANT JR.</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

**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**

Dan Lyon – San Marcos resident, Harvey Jenkins – San Marcos resident, and Pamela Carroll – Director of Girl Scouts of Central Texas, all made public comments.

**PRESENTATION OF A REMOTE UNDERWATER VEHICLE BY OFFICE OF EMERGENCY SERVICES AND SAN MARCOS AREA RECOVERY TEAM**

Irene Salazar and Morgan Carpenter, students at San Antonio College, gave a powerpoint presentation. The Office Of Emergency Services in conjunction with San Marcos Area Recovery Team (SMART) assisted a student led STEM team from San Antonio College in the design, research, implementation and testing of a Remote Underwater Vehicle (RUV). The students designed the RUV to aid in underwater recovery operations for Law Enforcement purposes and Search and Rescue operations. The team's Phase I RUV design has won multiple awards in STEM competitions throughout the US and is currently in Phase II. In Phase II the STEM team plans on implementing new features and tools to better equip Public Safety Dive teams and Search and Rescue Operations and aid in keeping first responders safe.

**PRESENTATION RECOGNIZING THE COUNTY CLERK'S OFFICE FOR RECEIVING THE FIVE STAR EXEMPLARY AWARD**

Liz Q. Gonzalez, Hays County Clerk spoke. This is an award that the Texas Department of State Health Services Vita Statistics Unit gives out yearly. The criteria varies slightly from year to year. Some of the requirements are reporting on: Self-Assessment Survey, Remote Birth Access System, Timeliness, Training & Participation, and Birth Registration. In the past, the County Clerk's Office has received the Five-Star Award. This year we received the Five-Star Exemplary Award. This is no easy task, as other offices only have 1 to 2 people that do the reporting. My office has 20 people that do the reporting. This was a real group effort and I'm very proud of the people I work with. Congratulations to them all!

**33178           APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County Invoices in the amount of \$2,323,375.54 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33179           APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$4,658.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33180           APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of Humana claims in the amount of \$185,857.49 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



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**33181 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 12, 2017**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of December 12, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**33182 APPROVE THE PAYMENT OF THE DECEMBER 31, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,555,560.00 EFFECTIVE DECEMBER 29, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the December end of the month payroll disbursements not to exceed \$3,555,560.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the December 31, 2017 payroll disbursements in an amount not to exceed \$3,555,560.00 effective December 29, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED

**33183 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2780 W HIGHWAY 290, DRIPPING SPRINGS, TEXAS 78620**

The Denbow Company, Inc. is proposing an OSSF to serve three office/warehouse buildings that will accommodate up to 20 employees. This 3.421-acre tract of land will be served by a rainwater collection system. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 180 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2780 W Highway 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

**33184 AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH PLATEAU LAND & WILDLIFE MANAGEMENT FOR ANNUAL WILDLIFE MANAGEMENT SERVICES FOR DAHLSTROM PUBLIC ACCESS AREA**

Annual wildlife management plan includes site monitoring visits, inspection and maintenance of nest boxes and wildlife station, spring bird survey and an annual report for CAD. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an agreement with Plateau Land & Wildlife Management for annual wildlife management services for Dahlstrom Public Access Area. All present voting "Aye". MOTION PASSED

**33185 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT AT TWO LOCATIONS AND AMEND THE BUDGET ACCORDINGLY**

The low water crossing monitoring equipment at the Lime Kiln Rd crossing was recently damaged in a roll over vehicle collision; additionally equipment at the Uhland Rd crossing was damaged inadvertently by the property owner while cleaning up debris in the river bed. Both sites are now inoperable and require repairs in order to regain full functionality. The Emergency Services Director has received quotes from our current LWC installation vendor to complete both repairs. Hays County will be seeking reimbursement from at fault parties; however it is imperative that these repairs are completed in a timely manner for safety reasons. Funding from County-Wide self-insurance is available to fund this request. Any reimbursements received will be deposited back into that g/l account. Attachments: Water & Earth Technologies Quotes. #A637-202 - \$2,815.54. #A637-203 - \$5,340.94. Budget Amendment: Increase OES Equipment Maint. & Repairs. Decrease Co-Wide Self Insurance. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment at two locations and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33186 APPROVE UTILITY PERMITS**

Permit Road Name Utility. 1059 Deer Creek Circle Deer Creek Water (water line). A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permit #1059, Deer Creek Circle issued to Deer Creek Water (water line) as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED



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**33187 APPROVE SPECIFICATIONS FOR IFB 2018-B03 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve specifications for IFB 2018-B03 Dahlstrom Ranch Public Access Development and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

**33188 APPROVAL TO AWARD RFQ 2018-P05 PRESERVATION ARCHITECT TO HUTSON-GALLAGHER FOR THE HAYS COUNTY HISTORICAL JAIL RESTORATION PROJECT AND AUTHORIZE CONTRACT EXECUTION**

Purchasing received 1 statement of qualifications from Hutson-Gallagher. After evaluation and scoring of the qualifications by staff, it is recommended that contract award be made to Hutson-Gallagher. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approval to award RFQ 2018-P05 Preservation Architect to Hutson-Gallagher for the Hays County Historical Jail Restoration Project and authorize contract execution. All present voting "Aye". MOTION PASSED

**33189 AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend various departmental operating budgets in preparation for the County's FY 2017 year-end process. All present voting "Aye". MOTION PASSED

**33190 AUTHORIZE THE EXECUTION OF A CORPORATE RATE AGREEMENT WITH THE HOLIDAY INN, SAN MARCOS FOR DIRECT BILL TERMS FOR HAYS COUNTY**

Hays County Auditor, Marisol Villarreal-Alonzo, spoke. The Holiday Inn, San Marcos has agreed to offer Hays County corporate rates and direct bill terms and conditions. This will allow the District Courts/Sheriff's Office to utilize their facility without the requirement of a credit card hold on occasions when sequestering jurors arises. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Corporate Rate Agreement with the Holiday Inn, San Marcos for direct bill terms for Hays County. All present voting "Aye". MOTION PASSED

**33191 AUTHORIZE THE CONSTABLE PRECINCT 1 OFFICE TO ACCEPT A DONATION FOR LAW ENFORCEMENT EQUIPMENT AND SUPPLIES AND AMEND THE BUDGET ACCORDINGLY**

The Constable Precinct 1 has received a donation for the purchase of seven (7) Glock 9mm guns with accessories and one (1) XG-25 700/800 MHz Handheld Radio with accessories. Budget Amendment: Increase Contributions .4610 - \$6,828.08. Increase LE Supplies .5206 - \$1,807.72. Increase Communication Equipment .5715\_400 - \$2,020.86. Increase LE Equipment .5717\_400 - \$2,999.50. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Constable Precinct 1 Office to accept a donation for law enforcement equipment and supplies and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**33192 AUTHORIZE PAYMENT TO TEXAS PRISONER TRANSPORTATION SERVICES FOR TRANSPORT OF PRISONERS, WHERE NO PURCHASE ORDER WAS ISSUED AS PER THE COUNTY PURCHASING POLICY**

Rodrigo Amaya spoke. The Sheriff's Office Jail Division requested inmate transportation services where no purchase order was obtained as per the County policy. The Sheriff's Office Jail Division is requesting court approval for payment of \$559.00; funds are available in the prisoner transport line item. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Texas Prisoner Transportation Services for transport of prisoners, where no purchase order was issued as per the County Purchasing Policy. All present voting "Aye". MOTION PASSED

**33193 AUTHORIZE EXECUTION OF AN ORDER RATIFYING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY REGIONAL WATER AND**



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**WASTEWATER SYSTEMS RATES, FEES, AND CHARGES FOR WATER AND WASTEWATER SERVICE**

As a Participating Entity in the West Travis County PUA, Hays County must periodically approve the rates, fees, and charges in accordance with §7.03(b) of the Participant Agreement executed between Hays County, The City of Bee Cave, and Travis County MUD No.5. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize execution of an Order Ratifying the West Travis County Public Utility Agency Regional Water and Wastewater Systems Rates, Fees, and Charges for Water and Wastewater Service, with Commissioner Ingalsbe being authorized to sign on behalf of Hays County. All present voting “Aye”. MOTION PASSED**

**33194 AUTHORIZE EXECUTION OF A GENERAL AND CLOSING CERTIFICATE OF HAYS COUNTY, TEXAS, RELATED TO THE REFUNDING OF BONDS BY THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY**

As a Participating Entity in the West Travis County PUA, Hays County must execute the attached Certificate prior to A.G. approval of the Refunding Bonds, Series 2017. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize execution of a General and Closing Certificate of Hays County, Texas, related to the refunding of bonds by the West Travis County Public Utility Agency, with Commissioner Ingalsbe being authorized to sign on behalf of Hays County. All present voting “Aye”. MOTION PASSED**

**33195 APPROVE AWARD OF RFP 2018- P02 BLANCO RIVER DEBRIS REMOVAL PROJECT TO CAHABA DISASTER RECOVERY, LLC AND AUTHORIZE EXECUTION OF A CONTRACT**

Purchasing received two proposals from Cahaba Disaster Recovery, LLC and Myers Concrete Construction, LP. After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to Cahaba Disaster Recovery, LLC. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve award of RFP 2018- P02 Blanco River Debris Removal Project to Cahaba Disaster Recovery, LLC and authorize execution of a contract. All present voting “Aye”. MOTION PASSED**

**33196 AUTHORIZE THE HISTORICAL COMMISSION TO SELL SOUVENIR ITEMS AT THE HISTORIC KYLE TRAIN DEPOT TO HELP OFFSET MAINTENANCE COSTS**

Kate Johnson, Chairman of the Hays County Historical Commission spoke. The Historical Commission Director requests approval to sell souvenir items at the Kyle Depot. The proceeds for items sold will be used to pay for the maintenance and upkeep of the Depot. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Historical Commission to sell souvenir items at the Historic Kyle Train Depot to help offset maintenance costs. All present voting “Aye”. MOTION PASSED**

**33197 ACCEPT A DONATION FROM THE BURDINE JOHNSON FOUNDATION FOR THE HISTORICAL KYLE DEPOT RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY**

Kate Johnson, Chairman of the Hays County Historical Commission spoke. The Historical Commission has received a donation for expenses related to the restoration of 6 vintage light poles to be placed at the Historic Kyle Depot site. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation from The Burdine Johnson Foundation for the Historical Kyle Depot Restoration Project and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**33198 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC., FOR WORK RELATED TO THE HAYS COUNTY DRAINAGE CRITERIA MANUAL, FEMA COMMUNITY RATING SYSTEM (CRS), AND UPDATE OF THE HAYS COUNTY FLOOD DAMAGE PREVENTION RULES**

If approved, Halff Associates, Inc., will initiate professional services associated with communicating, educating and ultimately reducing flood risk in Hays County. Their scope of work will include the following tasks:-Completion of the Hays County Drainage Criteria Manual -Development of the Hays County FEMA



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Community Rating System (CSR) Application -Evaluation of the Hays County Floodplain Regulations. \$50,000 -- 001-712-00.5448. \$47,000 -- 020-710-00.5448\_008. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Halff Associates, Inc., for work related to the Hays County Drainage Criteria Manual, FEMA Community Rating System (CRS), and update of the Hays County Flood Damage Prevention rules. All present voting "Aye". MOTION PASSED**

**33199            AUTHORIZE THE EXECUTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION 2015 HOUSING PROJECT APPLICATION TO THE TEXAS GENERAL LAND OFFICE (GLO)**

The Application to be filed with Texas General Land Office (GLO) for funding under the Community Development & Revitalization Gran Program for Housing Projects including decent housing and suitable living environment and for persons of low-to-moderate income. The GLO derived a formula of allocation based on overall statewide unmet needs based on FEMA and other assessments. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Resolution authorizing the submission of a Community Development & Revitalization 2015 Housing Project Application to the Texas General Land Office (GLO). All present voting "Aye". MOTION PASSED**

**33200            AUTHORIZE THE EXECUTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION 2015 NON-HOUSING PROJECT APPLICATION TO THE TEXAS GENERAL LAND OFFICE (GLO)**

The Application to be filed with Texas General Land Office (GLO) for funding under the Community Development & Revitalization Gran Program for Non-Housing Projects including decent housing and suitable living environment and for persons of low-to-moderate income. The application for 2015 GLO allocated grant funding for Hays County is to carry out infrastructure activities and debris removal through the Method of Distribution (MOD). The GLO derived a formula of allocation based on overall statewide unmet needs based on FEMA and other assessments. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Resolution authorizing the submission of a Community Development & Revitalization 2015 Non-Housing Project Application to the Texas General Land Office (GLO). All present voting "Aye". MOTION PASSED**

**33201            AUTHORIZE THE PARKS DEPARTMENT TO PURCHASE TWO (2) PORTABLE STORAGE BUILDINGS AND AMEND THE BUDGET ACCORDINGLY**

During the FY '18 Budget process, the Parks Department was authorized to purchase a single storage building (\$10k) for use at the Jacobs Well Natural Area. The Director of County Wide Operations and Parks Staff requests approval to purchase two smaller buildings and place in different county owned locations. The two buildings can be purchased for less than the budgeted amount. No additional funds are needed. Budget Amendment: Decrease Misc. Capital Improvements: .5741. Increase Misc. Equipment Operating: .5719\_400. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Parks Department to purchase two (2) portable storage buildings and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33202            SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOTS) ACCEPT LETTER OF CREDIT NO. 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1 IN THE AMOUNT OF \$1,488,723**

Transportation Director, Jerry Borcharding, gave staff recommendation. La Cima Ph. 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. La Cima PH 1 Subdivision has been reviewed under the Interlocal Cooperation Agreement with the City of San Marcos and has 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 Shell, seconded by Commissioner Whisenant to accept Letter of Credit No. 5132 for street and drainage improvements for SUB-677, La Cima Ph. 1 in the amount of \$1,488,723. All present voting "Aye". MOTION PASSED**

**33203            ADOPT A RESOLUTION OF SUPPORT FOR THE SUBMITTAL OF THE RAILROAD SIDING RELOCATION PROJECT, AS PART OF THE CITY**





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**OF KYLE'S APPLICATION TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO)**

Commissioner Jones spoke. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a Resolution of support for the submittal of the railroad siding relocation project, as part of the City of Kyle's application to the Capital Area Metropolitan Planning Organization (CAMPO). All present voting "Aye". MOTION PASSED

**33204 AUTHORIZE THE EXECUTION OF A CONTRACT WITH HDR ENGINEERING, INC. FOR SERVICES RELATED TO THE EVALUATION OF ENVIRONMENTAL CONSTRAINTS AND ROUTE ALTERNATIVES FOR THE MOUNTAIN CITY LOOP**

Commissioner Jones, and General Counsel, Mark Kennedy spoke. An alternate route connecting FM 1626 at the Buda Truck Bypass to FM 150 which bypasses Jack C. Hays Trail (FM 2770) and Hays High School has been contemplated by the County for many years. As a result the proposed loop was included in the County Transportation Plan adopted in 2013. This action will permit the first step in the development of the project, feasibility and route alternative analysis, to begin. The contract cost exceeds \$50,000, and will be subject to Discretionary Exemption under Local Government Code 262.024. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a contract with HDR Engineering, Inc. for services related to the evaluation of environmental constraints and route alternatives for the Mountain City Loop. All present voting "Aye". MOTION PASSED

**33205 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH M & S ENGINEERING FOR PHASE 1 SERVICES FOR THE DESIGN OF IMPROVEMENTS TO LOW WATER CROSSINGS LOCATED AT SYCAMORE AND BEARS CREEKS LOCATED IN PCT 4**

Commissioner Whisenant spoke. This action will provide preliminary design alternatives for upgrades to crossing that frequently flood on Sycamore Creek and Bear Creek in Pct 4. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize the County Judge to execute a Professional Services Agreement (PSA) with M & S Engineering for phase 1 services for the design of improvements to low water crossings located at Sycamore and Bears Creeks located in Pct. 4. All present voting "Aye". MOTION PASSED

**33206 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH HDR ENGINEERING, INC. FOR THE PREPARATION OF A PRELIMINARY ENGINEERING REPORT AND FINAL DESIGN OF THREE LOW WATER CROSSINGS ON HOG CREEK IN PRECINCT 3**

Commissioner Shell spoke. The City of Woodcreek in western Hays County has experienced flooding of residential streets and homes with the high intervals of flash flooding events experienced throughout the region in recent years. Cypress Creek serves as the main drainage way of the area and also acts as a focal point for the residents with small, spring fed ponds serving as water feature amenities for the area. Hog Creek is one of the larger tributaries to Cypress Creek and traverses through the center of the Woodcreek urbanized area. This tributary has been the primary flooding source of the homes and roads affected in Woodcreek. This proposed project will consist of two phases. Phase I – Preliminary Engineering, will include performing a preliminary engineering report to evaluate structural alternatives to reduce flooding including channelization, improvements to low water crossings, and a cursory review of previous detention alternatives developed previously by others. Phase II – Final Design will include final design of three (3) low-water crossing replacement structures (Hog Creek at Brookmeadow Dr., Brookhollow Dr., and Woodcreek Dr.) with hydraulically adequate structures complying with current Hays County street and drainage design requirements. The contract cost exceeds \$50,000, and will be subject to Discretionary Exemption under Local Government Code 262.024. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Authorize the County Judge to execute a contract with HDR Engineering, Inc. for the preparation of a Preliminary Engineering Report and final design of three low water crossings on Hog Creek in Precinct 3. All present voting "Aye". MOTION PASSED

**33207 SUB-907; EWING RAE SUBDIVISION (1 LOT) APPROVE THE FINAL PLAT**

Hays County Planner, Caitlyn Strickland gave staff recommendation. Ewing Rae Subdivision is a proposed 2.322 acre lot located along Mt. Sharp Rd. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the final plat of SUB-907, Ewing Rae Subdivision (1Lot). All present voting "Aye". MOTION PASSED



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**33208 EXECUTE AN INTERLOCAL AGREEMENT WITH THE WIMBERLEY INDEPENDENT SCHOOL DISTRICT (WISD) FOR ONE NEW PART-TIME DEPUTY CONSTABLE POSITION EFFECTIVE 1/1/18 FOR ENFORCEMENT OF SCHOOL ZONE TRAFFIC REGULATIONS IN PRECINCT 3 AND AMEND THE BUDGET ACCORDINGLY**

Constable Pct. 3, Ray Helm and Commissioner Shell spoke. The WISD would like the Constable Pct. 3 to assist with traffic control in an around the school zone area of the Jacob's Well Elementary School. The position will be part-time (50%) effective 1/1/18 with all associated costs reimbursed by the school district. Budget Amendment: Increase Intergovernmental Revenue: \$22,085. Increase Staff Salaries: \$16,459. Increase Uniform Allowance: \$270. Increase FICA: \$1,037. Increase Medicare: \$243. Increase Retirement: \$2,201. Increase Vehicle Maint.: \$1,875. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to execute an Interlocal Agreement with the Wimberley Independent School District (WISD) for one new part-time Deputy Constable position effective 1/1/18 for enforcement of school zone traffic regulations in Precinct 3 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33209 EXECUTE AN AMENDED AND RESTATED HAYS COUNTY PROPERTY USE POLICY AND AFFILIATED GROUNDS USE LICENSE AGREEMENT, EFFECTIVE IMMEDIATELY**

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to execute an amended and restated Hays County Property Use Policy and affiliated Grounds Use License Agreement, effective immediately. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #35 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 FM 110 IN PCT. 1 – was pulled*

**33210 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE HAYS COUNTY HUMAN RESOURCES DEPARTMENT**

Court convened into Executive session at 10:26 a.m. and reconvened into open court at 10:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Clint Garza, and Director of Human Resources, Shari Miller. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to regrade Benefit and Leave Administrator from Grade 111 to 112 with a 6% salary increase effective 1/1/18; regrade and retitle HR Manager to HR Specialist, grade 115 to 112 effective 1/1/18; add HR/Payroll Assistant, grade 109 effective 2/1/18, Countywide Salary Savings will fund the position changes. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #37 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**

Yesterday's Drought Index – 226. Burn Ban will remain in effect.

**Clerk's Note Agenda Item #39 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**



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A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adjourn court at 11:05 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 December 19, 2017

*Liz Q. Gonzalez*

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

