

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30TH DAY OF JANUARY A.D., 2018, 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:

Murray Cask of 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.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Dan Lyon, San Marcos resident and David Crowell, Kyle resident all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5-Year Service Awards – Constable Pct. 4 – Jimmy Zuehlke, Health Department – Michael Jones, County Clerk – Carol Josephson, District Court – Richard Boyer. 10-Year Service Award – IT – Mark Lane. 20-Year Service Award – JP Pct. 2 – Rhonda Nix. 25-Year Award – Rhonda Nix. Retirement – Sheriff's Office – Terence Carter, County Clerk – Rosanna Ramirez.

RECOGNITION OF DEPUTIES ABBOT, BEDINGFIELD, GIESELMAN, MCLEOD, AND SERGEANT CRAIGMILE, OF THE HAYS COUNTY SHERIFF'S OFFICE, FOR THEIR STEADFAST COMMITMENT TO PUBLIC SAFETY AND SELFLESS SERVICE IN THE LINE OF DUTY

Commissioner Shell, Commissioner Whisenant, Commissioner Ingalsbe and Sheriff Cutler spoke of Thanksgiving night, early morning of Black Friday, this past year when some of our deputies were ambushed and one was shot. The Commissioners thanked all those that were involved and for their service and dedication to Hays County.

32302 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of county invoices in the amount of \$1,578,144.60 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

32303 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$1,906.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

32304 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana Claims in the amount of \$153,969.18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

32305 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 23, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of January 23, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED



32306 APPROVE AND ACCEPT THE 2017 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve and accept the 2017 Racial Profiling Report for the Hays County Sheriff's Office. All present voting "Aye". MOTION PASSED

32307 APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve utility permit #1063 on Huck Finn Trail issued to SLP Cable Comm. LLC and #1064 on Sawyer Ranch Road issued to PEC as submitted by the Department of Transportation. All present voting "Aye". MOTION PASSED

32308 APPROVE OUT OF STATE TRAVEL FOR THE 911 DATABASE COORDINATOR AND TWO COUNTY PLANNERS FOR THE ESRI USER CONFERENCE. JULY 9TH THROUGH JULY 13TH, 2018 IN SAN DIEGO, CA

During budget, the department allocated funds to send the above mentioned 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 Jones, seconded by Commissioner Whisenant to approve out of state travel for the 911 Database Coordinator and two County Planners for the ESRI User Conference. July 9th through July 13th, 2018 in San Diego, CA. All present voting "Aye". MOTION PASSED

32309 APPROVE THE CANCELLATION OF HAYS COUNTY COMMISSIONERS COURT ON THE FOLLOWING DATES IN 2018: FEBRUARY 20, MARCH 13, JUNE 12, OCTOBER 9, NOVEMBER 6, NOVEMBER 27 AND DECEMBER 25, AND IN 2019: JANUARY 1

Court dates have been presented for cancelation due to Holidays or County Association Conferences. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the cancellation of Hays County Commissioners Court on the following dates in 2018: February 20, March 13, June 12, October 9, November 6, November 27 and December 25, and in 2019: January 1. All present voting "Aye". MOTION PASSED

32310 APPROVE AND CONFIRM THE APPOINTMENTS OF RAMIRO ALMENDAREZ AS DEPUTY CONSTABLE AND JAVIER JAIME CASTRO AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 30, 2018

Constable Pct. 1, David Peterson, gave the Court a list of the Deputy's credentials. Commissioner Ingalsbe performed the swearing-in of Ramiro Almendarez and Javier Castro. 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: 3B(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or 3B(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 appointments of Ramiro Almendarez as Deputy Constable and Javier Jaime Castro as Reserve Deputy Constable in the Hays County Constable Precinct 1 Office, effective Date January 30, 2018. All present voting "Aye". MOTION PASSED

32311 AUTHORIZE THE EXECUTION OF A RENEWAL SERVICE AGREEMENT WITH SHRED-IT FOR SHREDDING AT THE LOCAL HEALTH DEPARTMENT

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Per HIPAA regulations, all documents containing personal health information must be shredded. This contract will facilitate shredding the documents that are no longer needed by the department as it transitions into paperless recordkeeping. The service will eliminate the need to use staff hours for shredding.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Renewal Service Agreement with Shred-It for shredding at the Local Health Department. All present voting "Aye". MOTION PASSED

32312 ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY

The Hays County Child Protective Board has received grant funding from the City of San Marcos utilizing the county federal tax identification number as authorized. The total awards received are as follows; City of San Marcos - \$12,500 City of Buda - \$375 (remainder of prior year) 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 municipality has deposited their funds with the county. Budget Amendment: Increase Contributions: .4610. Increase Social Service Grant Funding: .5800. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a grant contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voting "Aye". MOTION PASSED

32313 APPROVE SPECIFICATIONS FOR RFP 2018-P10 COUNTYWIDE ELECTRICAL SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFP 2018-P10 Countywide Electrical Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

32314 AUTHORIZE THE COUNTY COURT AT LAW OFFICE TO PURCHASE ONE NEW BULLET PROOF VEST FOR A BAILIFF POSITION AND AMEND THE BUDGET ACCORDINGLY

The County Court at Law has one new hire filling a vacant slot that requires a fitted Bullet Proof Vests for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer, therefore, previous employee's vests are not usable for the new hire. Potential funding source Co-Wide contingencies. Budget Amendment: Decrease County Wide Contingencies 001-645-00.5399 Increase DOJ BPV Grant LE Eqpt .5717_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Court at Law Office to purchase one new bullet proof vest for a Bailiff position and amend the budget accordingly. All present voting "Aye". MOTION PASSED

32315 AUTHORIZE THE EXECUTION OF A MAINTENANCE AGREEMENT WITH TOUCH LEGAL INC. FOR THE LAW LIBRARY KIOSK LOCATED AT THE JAIL

The Hays County Jail is in need of an extended maintenance agreement with Touch Legal DBA Touch Sonic Technologies for the law library kiosk. Funding for the agreement is budgeted in the Jail. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Maintenance Agreement with Touch Legal Inc. for the Law Library Kiosk located at the jail. All present voting "Aye". MOTION PASSED

32316 AUTHORIZE THE SUBMITTAL AND FILING OF A LOCAL GOVERNMENT RECORDS CONTROL SCHEDULE AMENDMENT WITH THE TEXAS STATE LIBRARY ARCHIVES COMMISSION; AUTHORIZE THE RECORDS MANAGEMENT OFFICER TO SIGN ALL RELATED DOCUMENTS

Pursuant to Section 203.041 of the Texas Local Government Code; the Records Management Officer shall prepare and file records control schedules with the Texas State Library and Archives Commission. The Records Control Schedule Amendment modifies retention for the Local Health Department by including retention for records not on the currently adopted retention schedules. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submittal and filing of a Local Government Records Control Schedule Amendment with the Texas State Library Archives Commission; authorize



the Records Management Officer to sign all related documents. All present voting "Aye". MOTION PASSED

32317 AUTHORIZE THE EXECUTION OF A SERVICE MAINTENANCE AGREEMENT WITH ARGYLE SECURITY GROUP, INC. FOR EQUIPMENT LOCATED AT VARIOUS LOCATIONS THAT UTILIZE EQUIPMENT THAT WOULD REQUIRE THEIR SERVICES

The Building Maintenance Department would like to enter into a Service Maintenance Agreement with Argyle Security Group, Inc. for work performed at various locations. Several County facilities utilize security equipment that require maintenance provided by Argyle Security. Entering into an agreement will allow the County to receive a negotiated rate which will result in a savings on maintenance costs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Service Maintenance Agreement with Argyle Security Group, Inc. for equipment located at various locations that utilize equipment that would require their services. All present voting "Aye". MOTION PASSED**

32318 RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 751.0055 OF THE TEXAS HEALTH AND SAFETY CODE

Pursuant to Section 751.0055 of the Texas Health and Safety Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a permit under this chapter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to receive the County Judge's delegation of Commissioner Ingalsbe pursuant to Section 751.0055 of the Texas Health and Safety Code. All present voting "Aye". MOTION PASSED**

32319 AUTHORIZE THE SUBMITTAL OF A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY (DHS) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM IN THE AMOUNT OF \$200,000

The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire related hazards. The program provides direct financial assistance to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The application is due on February 2, 2018 through the AFG application portal and will require a 10% match. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submittal of a Grant Application to the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED**

32320 AUTHORIZE THE PURCHASE OF A NEW SWINGLINE 750M SHREDDER FOR THE RECORDS MANAGEMENT OFFICE UTILIZING RECORDS PRESERVATION FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Records Management office is in need of a heavy duty shredder for projects. Records Management staff and interns are assisting various departments with converting paper records into electronic records. At least 60 boxes of records need to be destroyed each month and in the next two years it is anticipated that at least 1,200 boxes will be converted and destroyed. The Records Management staff were utilizing a confidential shred service, but the cost increased from \$888 to \$2,500 per year. Rather than continuing to utilize a shred service, the department is requesting a shredder. The Swingline 750M shredder features a micro-cut shred for confidentiality and PIN code access for unattended operation. The programmable 4-digit code also prevents unauthorized access to materials loaded for shred. Records Preservation Funds are available to fund this request. Increase 106-610-00.5711_400 Office Equipment. Reduce 106-610-00.5448 Contract Services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the purchase of a new Swingline 750M Shredder for the Records Management Office utilizing Records Preservation Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

32321 ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT AND THE 2017 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 Shell to accept and approve the 2017 Racial Profiling Report and the 2017 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voting "Aye". MOTION PASSED**



32322 AUTHORIZE THE EXECUTION OF A CALCULATION AGENCY AGREEMENT BETWEEN HAYS COUNTY AND BOK FINANCIAL, NA RELATED TO THE QUALIFIED ENERGY CONSERVATION BONDS (QECB)

As a requirement of the QECB bonds certain forms must be filed with the Internal Revenue Service (IRS) to receive the tax credit. BOK Financial will perform the calculations necessary to complete Form 1097-BTC, or any successor form, reporting the tax credit for the period ending on each such interest payment dates and file the necessary documents with the IRS. Funds are available in the County Wide contract services budget to fund this request. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Calculation Agency Agreement between Hays County and BOK Financial, NA related to the Qualified Energy Conservation Bonds (QECB). All present voting "Aye". MOTION PASSED**

32323 APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY7 UC 1115 waiver funds was announced on January 25, 2018. 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 2-2-18): \$ 3,169,805. CTMC amount: \$1,258,767. Seton Hays amount: \$1,911,038. Reduced amount of \$2,849,804.60. **A motion was made by Commissioner Shell, 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 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

32324 HOLD A PUBLIC HEARING TO ESTABLISH A 3-WAY STOP LOCATED AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding gave staff recommendation. This action would add 2 stop signs on Heidenreich Lane at the intersection with Grist Mill Rd to establish the 3-way stop scenario. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 3-Way Stop located at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

32325 CALL FOR A PUBLIC HEARING ON FEBRUARY 13, 2018 TO ESTABLISH A STOP SIGN ON RIM ROCK RANCH ROAD AT THE INTERSECTION WITH BENITO LANE (PRIVATE) FOR SOUTHBOUND TRAFFIC ONLY

This action would establish a stop sign for vehicles traveling south (going towards FM 32) on Rim Rock Ranch Road at the intersection with a private road called Benito Lane. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on February 13, 2018 to establish a Stop Sign on Rim Rock Ranch Road at the intersection with Benito Lane (private) for Southbound traffic only. All present voting "Aye". MOTION PASSED**

32326 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BGE FOR CONSTRUCTION PHASE SERVICES FOR THE RATTLER ROAD SIDEWALK PROJECT

Transportation Director, Jerry Borcharding spoke. This contract in general provides for construction management and inspection of the project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with BGE for Construction Phase Services for the Rattler Road Sidewalk Project. All present voting "Aye". MOTION PASSED**



32327 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 31, HARMON HILLS I SUBDIVISION

Hays County Planner, Caitlyn Strickland, 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 Whisenant, seconded by Commissioner Shell 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 31, Harmon Hills I Subdivision. All present voting "Aye". MOTION PASSED**

32328 SUB-949 BLANCO RIVER RAPIDS, LOTS 23A & 25A (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

Hays County Planner, Caitlyn Strickland, spoke. Blanco River Ranch is an unrecorded subdivision located off of River Rapids Road in Precinct 3. Lots 23, 24, and 25 are currently being divided into two parcels, Lots 23A and 25A. Water service will be provided by private wells and wastewater service will be accomplished by advanced individual OSSF. The Hays County minimum lot size for a lot served by private well and advanced OSSF in the Edwards Aquifer Contributing Zone is 2 acres. Lots 23A and 25A do not meet the current minimum lot size as 1.53 and 1.54 acres tracts. The applicant is seeking a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. The applicants' tracts prior to this new subdivision, have been in the same configuration for around 40 years. The addition of the acreage relegated the tracts to the current Hays County Rules for On-Site Sewage Facilities. The applicants' wish to divide the original Lot 24, which they own in common, to their current acreage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan and grant a Variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye". MOTION PASSED**

32329 HOLD A PUBLIC HEARING AT 10:00AM REGARDING THE METHOD OF DISTRIBUTION FOR APPROXIMATELY \$11.6 MILLION IN COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM FUNDING AVAILABLE THROUGH THE TEXAS GENERAL LAND OFFICE

Commissioner Ingalsbe opened the public hearing. Ruben Garza, Trey Bell, Dan Lyon and Quinton Clayton spoke. Commissioner Ingalsbe closed the public hearing. Chief of Staff, Clint Garza and Dennis Ku, spoke. The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant - Disaster Recovery funding to Texas for Disaster Events DR-4223 and DR4245 occurring in 2015. The Texas General Land Office (GLO) has been designated by the State as the agency to administer the funding to counties included in the disaster declarations. As the City of San Marcos received a direct Congressional allocation, it is not included in the Hays County MOD. In addition to the approximately \$7.4 million awarded to the County in 2016, the County has been awarded an additional amount of approximately \$4.2 million. Total funding to the County is now approximately \$11.6 million, including non-housing project funding of \$7,869,851 and housing project funding of \$3,703,459, to support programs and projects that address an identified priority need and that primarily benefit low-to-moderate-income persons affected by 2015 flooding in the unincorporated areas of Hays County and the cities of Buda, Dripping Springs, Kyle, Umland and Wimberley. The public hearing will be held to consider public comments of the current MOD. Upon consideration of any comments received at the public hearing and those written comments received by the deadline date of February 2, 2018 at 5:00pm, the MOD will be submitted for approval by the GLO Upon approval, applications for funding will be accepted and reviewed by the GLO from the various entities that have been allocated funding through the Hays County MOD. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Method of Distribution for approximately \$11.6 Million in Community Development Block Grant - Disaster Recovery Program Funding available through the Texas General Land Office. All present voting "Aye". MOTION PASSED**

32330 PROMOTE AND FUND HEALTH CHECK 2018 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS. AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT

Human Resources Director, Shari Miller spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to promote and fund Health Check 2018 for Hays County Employees and Eligible Dependents; authorize Payroll Deduction of additional Fees for Optional Services Employees may elect. All present voting "Aye". MOTION PASSED**



32331 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO UPGRADE TWO EXISTING SERGEANT POSITIONS SLOT 0475-011 & 0475-007 TO LIEUTENANTS EFFECTIVE FEBRUARY 1, 2018

Hays County Sheriff, Gary Cutler and Lt. Mark Cumberland spoke. At this time the Sheriff's Office is requesting re-grades of two existing Sergeant positions to Lieutenant positions effective February 1, 2018. Adding two Lieutenants will provide 24-hour coverage due to an increase in calls for service as well as provide assistance due to the growth of eight additional deputies in the FY18 Budget. Funding for this request has been identified with salary savings within the Sheriff's Office operating budget. Financial Impact: Base Salary Increase for Each Position: \$9,041. Fringe: \$1,881. Total: \$10,922 (annualized). \$21,845 (times two positions). \$14,563 (FY18 impact for 8 months). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize Salary Savings to upgrade two existing Sergeant Positions Slot 0475-011 & 0475-007 to Lieutenants effective February 1, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Court took break at 10:36 a.m. and reconvened back into open court at 10:47 a.m.

32332 AUTHORIZE THE EXECUTION OF A CHANGE ORDER 01 TO THE PHASE I GUARANTEED MAXIMUM PRICE PROPOSAL TO EXTEND THE SCHEDULE FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM AND TO AUTHORIZE THE EXECUTION OF THE CHANGE ORDER

Kevin Machcinski of Turner Construction spoke. Change Order #01 will not increase the approved Guaranteed Maximum Price for Phase I. This change order will extend the final completion date for the early package from January 2018 to April 13, 2018, due to delays summarized in the attached Schedule Extension Request from Turner dated January 25, 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order 01 to the Phase I Guaranteed Maximum Price Proposal to extend the schedule for the work related to the Hays County Public Safety Bond Program and to authorize the execution of the Change Order. All present voting "Aye". MOTION PASSED**

32333 ACCEPT THE CONSTRUCTION DOCUMENTS FROM HOK FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND THE EXECUTION OF A NOTICE TO PROCEED WITH THE CONSTRUCTION PHASE FOR THIS WORK

Linda Bernauer, Curt Pardee, and Brenda Jenkins spoke. Acceptance of the Construction Documents for Phase II of the Public Safety Bond Program dated December 15, 2017 for the Public Safety Building and January 15, 2018 for the Jail Addition, Renovation and Training Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the Construction Documents from HOK for the Work related to the Hays County Public Safety Bond Program Phase II and the execution of a Notice to Proceed with the Construction Phase for this work. All present voting "Aye". MOTION PASSED**

32334 ACCEPT OR DECLARE UNACCEPTABLE THE GUARANTEED MAXIMUM PRICE PROPOSAL RECEIVED FROM TURNER CONSTRUCTION COMPANY FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF A NOTICE TO PROCEED FOR THIS WORK

Brenda Jenkins, Cody Newsom, and Commissioner Shell spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Guaranteed Maximum Price Proposal received from Turner Construction Company for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of Notice to Proceed for this work. All present voting "Aye". MOTION PASSED**

32335 APPROVE THE QUOTE RECEIVED BY LCRA FOR THE PSAP TELECOMMUNICATIONS EQUIPMENT (NOT INCLUDING CONSOLES OR RADIO EQUIPMENT) FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF ALL RELATED DOCUMENTS

Cody Newsome spoke. Quote from LCRA for the PSAP/LEC Communications Tower/Transport/Connectivity for the Hays County Public Safety Bond Program. The quote includes the equipment and installation of the Tower, Shelter and Power Systems; console routers and transport; and the base station and tower antenna systems.



The total for this equipment and installation is \$783,411; the program budget included \$795,628 for this scope. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Quote received by LCRA for the PSAP Telecommunications Equipment (not including consoles or radio equipment) for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of all related documents. All present voting "Aye". MOTION PASSED

32336 ADOPT AN ORDER AMENDING THE CONCURRENT ORDINANCE CREATING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY ("WTCPUA") PURSUANT TO CHAPTER 572 OF THE TEXAS LOCAL GOVERNMENT CODE, A REGIONAL PUBLIC UTILITY AGENCY ("PUA") CREATED IN COLLABORATION WITH THE CITY OF BEE CAVE, HAYS COUNTY AND WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Commissioner Whisenant, General Counsel, Mark Kennedy and Randy Wilburn of West Travis MUD, spoke. MUD No.5 may be merging with MUD No.3 in Travis County. This amendment to the Concurrent Ordinance makes the requisite changes that allow that to occur without disruption of the arrangements made by the participant entities to the WTCPUA. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt an Order amending the Concurrent Ordinance creating the West Travis County Public Utility Agency ("WTCPUA") pursuant to Chapter 572 of the Texas Local Government Code, a Regional Public Utility Agency ("PUA") created in collaboration with the City of Bee Cave, Hays County and West Travis County Municipal Utility District No. 5. All present voting "Aye". MOTION PASSED

32337 ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF THE HAYS COUNTY HAZMAT TEAM

Kharley Smith, Director of Office of Emergency Management, spoke. With the population and transportation growth throughout Hays County it has become evident that the need to expand the capabilities and personnel for Hazardous Material incidents. Currently HazMat is conducted out of the San Marcos Fire Department exclusively but with the utilization of Hays County equipment. This resolution is to support the development of a multi-jurisdictional HazMat Team allowing for more trained HazMat technicians, quicker response times, and a shared responsibility throughout all jurisdictions in Hays County. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution in support of the creation of the Hays County Hazmat Team. All present voting "Aye". MOTION PASSED

32338 AUTHORIZE THE CREATION OF A SPECIAL OPERATIONS COORDINATOR POSITION (GRADE 113) WITHIN THE OFFICE OF EMERGENCY SERVICES EFFECTIVE MARCH 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

Kharley Smith, Director of Office of Emergency Management, spoke. The Office of Emergency Services is seeking approval to create a Special Operations Coordinator position to oversee technical teams within Hays County. This position would be responsible for coordinating the training and certification for the Hays Aerial Rescue Team and the Hays County HazMat Team, as well as maintaining county owned equipment. The Office of Emergency Services has funding available for this position and would be of no additional financial impact to the County this fiscal year. Hays County is seeking grant funding to offset this position in future years. Financial Impact: Base Salary: \$45,375 (annualized) Fringe: \$ 9,443 Insurances: \$11,800 Total: \$66,618 FY18 Impact: \$38,860 (7 months) Salary savings of \$20,219 are available within the departments operating budget due to vacancies to fund a portion of this request. The remaining \$18,641 is available within the equipment maintenance budget due to maintenance agreements for low water crossing and weather station equipment not needed until after year 1. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the creation of a Special Operations Coordinator Position (Grade 113) within the Office of Emergency Services effective Marcy 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #40 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 REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 11:54 a.m. and reconvened into open court at 12:24 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Transportation Director, Jerry Borcharding and Hays County Planner, Caitlyn Strickland. No action taken.

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*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's KDBI – 243. Per Hays County Fire Marshall, the Burn Ban will remain in effect.

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 Whisenant, seconded by Commissioner Shell to adjourn court at 12:26 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 January 30, 2018.



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

