

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2ND 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:

Commissioner Jones 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, and Rodrigo Amaya – San Marcos resident, made public comments.

33211 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$3,534.91 (ratify) and \$2,308,686.57 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33212 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of Juror Checks in the amount of \$2,286.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33213 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 \$161,442.80 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33214 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 19, 2017

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of December 19, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33215 APPROVE THE RE-APPOINTMENT OF STEVE JANDA AND MARILYN MILLER TO THE BOARD OF COMMISSIONERS FOR ESD #6, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the re-appointment of Steve Janda and Marilyn Miller to the Board of Commissioners for ESD #6, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED

33216 APPROVE THE RE-APPOINTMENT OF WALTER KRUDOP, DANIEL O'BRIEN AND GEOFFREY TAHUAHUA TO THE BOARD OF COMMISSIONERS FOR ESD #1, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the re-appointment of Walter Krudop, Daniel O'Brien and Geoffrey Tahuahua to the Board of Commissioners for ESD #1, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED



33217 APPROVE AND CONFIRM THE APPOINTMENT OF CHARLES "CHICK" WILLIAMS AS DEPUTY CONSTABLE FOR HAYS COUNTY CONSTABLE PRECINCT 4 OFFICE

Deputy Constable Charles "Chick" Williams will fill the budgetary approved position in Constable Hood's 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 to approve and confirm the appointment of Charles "Chick" Williams as Deputy Constable for Hays County Constable Precinct 4 Office. All present voting "Aye". MOTION PASSED**

33218 APPROVE AND CONFIRM THE APPOINTMENT OF ALLEN BRIDGES AS A REGULAR FULL-TIME 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 to approve and confirm the appointment of Allen Bridges as a Regular Full-Time Deputy Constable in the Hays County Constable Precinct 5 Office. All present voting "Aye". MOTION PASSED**

33219 APPROVE THE REAPPOINTMENT OF PAUL TERRY TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the re-appointment of Paul Terry to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33220 AUTHORIZE AN INTERGOVERNMENTAL TRANSFER FOR THE DELIVERY SYSTEM REFORM INCENTIVE PROGRAM (DSRIP) IN THE AMOUNT OF \$1,883,966.70 FOR CENTRAL TEXAS MEDICAL CENTER AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

The 1st opportunity to transfer funds for DSRIP funding during FY 2018 will occur on Jan 3, 2018. At this time Central Texas Medical Center (CTMC) is authorized for a transfer of \$1,883,966.70 for DY6 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 \$1,883,966.70 for Central Texas Medical Center as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**



33221 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A RENEWAL GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2019 IMMUNIZATION GRANT PROGRAM IN THE AMOUNT OF \$192,341

Funding is requested annually from DSHS to support the immunization program in Hays County. Funds will be utilized to provide support of the salary and benefits of the staff involved in this program. This is a renewal application for funding for the period of September 1, 2018 to August 31, 2019. The application is submitted electronically and is due on January 5, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to submit a Renewal Grant Application to the Texas Department of State Health Services (DSHS) for the FY2019 Immunization Grant Program in the amount of \$192,341. All present voting "Aye". MOTION PASSED**

33222 AUTHORIZE THE TREASURER'S OFFICE TO HIRE ADDITIONAL TEMPORARY PERSONNEL (NOT TO EXCEED 60 HOURS) UTILIZING DEPARTMENTAL SALARY SAVINGS TO CONTINUE WITH YEAR-END PROCESSING, SCANNING AND FILING

On 12/5/17 the Commissioner's Court authorized the County Treasurer to hire temporary personnel (NTE 120 hours @ \$11.20 per hr) which will end on 1/3/2018. This position has assisted the office personnel with many of the year end and daily processes and has been very beneficial during their busy season. The Treasurer would like to continue this temporary position for an additional 60 hours at the same rate of pay (\$11.20 per hr). 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 additional temporary personnel (not to exceed 60 hours) utilizing Departmental Salary Savings to continue with year-end processing, scanning and filing. All present voting "Aye". MOTION PASSED**

33223 CALL FOR A PUBLIC HEARING ON JANUARY 16, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION

Ranches at Hamilton Pool Subdivision is a recorded subdivision located off of Hamilton Pool Road in Precinct 4. The proposed re-plat will establish Lot 23A, 26.5 acres, and Lot 23B, 26 acres, as complaint lots with the Hays County Development Regulations. Lot 23 was subdivided by metes and bounds in 2013, as a result, Lots 23A and 23B became non-compliant parcels. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to call for a public hearing on January 16, 2018 to discuss final plat approval of the Replat of Lot 23, Ranches at Hamilton Pool Subdivision. All present voting "Aye". MOTION PASSED**

33224 APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TREEFOLKS, INC., CONTINUING THE ASSESSMENT AND IMPLEMENTATION PROGRAM FOR RIPARIAN REVEGETATION AND RESTORATION ALONG THE BLANCO RIVER

Dan Lyon, San Marcos resident, Clint Garza, Director of Community and Development Services, Matt Miers, of TreeFolks, Commissioner Pct. 3, Lon Shell, Commissioner Pct. 4, Ray Whisenant, and Rodrigo Amaya, San Marcos resident, all made public comments. In September of 2015, Hays County entered into an agreement with TreeFolks, Inc. to begin restoration programs for areas along the Blanco River affected by the Memorial Day 2015 Flood. Over the past three years the program has seen great deal of success and has continued to have significant local and regional support. A proposed agreement is attached that would allow TreeFolks to: - Consult with and assess the interest of landowners and determine site conditions of land in Hays County along the Blanco River that was damaged by the Memorial Day Flood of 2015 -Determine program characteristics required to provide continued comprehensive reforestation services to landowners -Perform reforestation task on private properties during the 2018 planting season and continue performing test methods that will help to refine characteristics for effective implementation across Hays County. The contract cost exceeds \$50,000, the Court, in authorizing execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024(a)(3). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve a Professional Services Agreement with TreeFolks, Inc., continuing the Assessment and Implementation Program for Riparian Revegetation and Restoration along the Blanco River. All present voting "Aye". MOTION PASSED**



33225 APPOINT DENNIS LANE TO THE BOARD OF COMMISSIONERS FOR ESD #1, TERM ENDING DECEMBER 31, 2018

Mr. Lane will serve the remainder of the term previously held by Roger Thormahlen. This term will end December 31, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to appoint Dennis Lane to the Board of Commissioners for ESD #1, term ending December 31, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #16 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 #17 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

The Burn Ban will remain lifted per our Hays County Fire Marshall.

Clerk's Note Agenda Item #19 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 9:55 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 2, 2018.




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

