

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH 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:

Harvey Weingarten 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, San Marcos resident spoke.

Clerk's Note Agenda Item #1 RE: *ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH – was pulled*

33252A 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 \$1,665,831.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33253A 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 \$2,840.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33254A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana and United Healthcare claims in the amount of \$2,235.69 (United Healthcare) and \$88,026.24 (Humana) as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33255A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 9, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 9, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33256A APPROVE FINAL AMENDMENT FOR VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final amendment for various departmental operating budgets in preparation for the County's FY 2017 year-end process. All present voting "Aye". MOTION PASSED



33257A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 850 FM 2001, BUDA, TX, 78610

Guard Dog Storage is proposing an OSSF to serve a storage facility with one restroom. This 4.994 acre property is Lot 1 of the Guard Dog Storage Subdivision and lies outside the City of Buda. 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 50 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 850 FM 2001, Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33258A APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Permit #1060 on Ledge Stone Drive (Bush Ranch Subd.) issued to West Travis County PUA; Permit #1061 on Belterra Drive (Belterra Subd.) issued to West Travis County PUA; Permit #1062 on Centerpoint Road issued to Paso Robles Development as presented by the Transportation Director. All present voting "Aye". MOTION PASSED

33259A AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, BG RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM (BAGP) FOR LAW ENFORCEMENT OFFICERS IN THE AMOUNT OF \$108,976 AND AMEND THE BUDGET ACCORDINGLY

On September 5, 2017 the Commissioners Court authorized submission of a grant application along with a Resolution to the Office of Governor, Criminal Justice Division, (BAGP) for funding 139 rifle-resistant vests at \$784.00 per vest for a total of \$108,976. The rifle-resistant vests will be for the Hays County Sheriff's Office law enforcement officers. Notice of award has been received and is done electronically for grant number 3450101. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to accept a grant award from the Office of the Governor, Criminal Justice Division, BG Rifle-Resistant Body Armor Grant Program (BAGP) for law enforcement officers in the amount of \$108,976 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33260A THE SHERIFF'S OFFICE JAIL DIVISION TO UTILIZE EQUIPMENT SAVINGS TO PURCHASE A REPLACEMENT REFRIGERATOR FOR THE KITCHEN AND AMEND THE BUDGET ACCORDINGLY

The jail is requesting court approval to utilize savings to purchase a replacement refrigerator for the Kitchen. The existing refrigerator is 20 years old and has been experiencing compressor issues. At this time, it has become more cost effective to replace. Three quotes were received with Globe Equipment Company providing the lowest price. The total amount needed is \$2,140; funds have been identified from equipment savings. Budget Amendment Decrease 001-618-03.5715_400 Communication Equipment Operating (\$743) Increase 001-618-03.5719_400 Miscellaneous Operating Equipment \$743. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize the Sheriff's Office Jail Division to utilize equipment savings to purchase a replacement refrigerator for the Kitchen and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33261A APPROVE THE JUNE - SEPTEMBER 2017 TREASURER'S REPORTS AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the June - September 2017 Treasurer's Reports and Investment Reports. All present voting "Aye". MOTION PASSED

33262A AMEND THE JUSTICE COURT BUILDING SECURITY FUND FOR PRECINCT 3 COURTROOM SECURITY TRAINING

Judge Andy Cable is requesting continuing education funds to allow a Pct. 3 Deputy Constable to attend the Court Security Training seminar to be held in Georgetown, Tx. Funds are available in the Justice Court Building Security Fund to fund this request. Budget Amendment: Decrease .5201. Increase .5551. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Amend the Justice Court Building Security Fund for Precinct 3 courtroom security training. All present voting "Aye". MOTION PASSED**



33263A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting court approval to utilize countywide funds for vehicle repairs of two patrol vehicles that were involved in the November 24th, 2017 shooting. Three Quotes were received, with All Makes Collision offering the lowest repair prices. Unit #1410 is in need of a front door and a windshield totaling \$2,586. Unit #1630 is also in need of a windshield, as well as a front and rear door, new headrest and a dashboard panel totaling \$7,620. The total cost of repairs for both units is \$10,206. Due to this unfortunate and unforeseen incident, the Sheriff does not have maintenance funds to cover these repairs and maintain the existing fleet for the remainder of the fiscal year. The Sheriff is requesting the Court to transfer funds from the County Wide Self Insurance budget to his maintenance budget. Budget Amendment: Increase SO Vehicle Maint.: 001-618-00.5413 Possible Funding Source-Decrease CW Self Insurance: 001-645-00.5342 Attachments: All Makes Collision Quotes for Unit #1410 & # 1630. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33264A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 3

Annual Racial Profiling Report for 2017 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 Whisenant, seconded by Commissioner Jones to accept and approve the 2017 Racial Profiling Report from Hays County Constable Office, Pct. 3. All present voting "Aye". MOTION PASSED**

33265A AUTHORIZE THE PURCHASE OF A LOCKABLE GUN CABINET FOR THE PRECINCT 1 CONSTABLES OFFICE AND AMEND THE BUDGET ACCORDINGLY

The Precinct 1 Constable is requesting a lockable gun cabinet for the sub-station located at the Courthouse. This is needed for security purposes in order to have full staffing coverage at the facility during business hours. The Building Maintenance Department has identified savings within their operating budget to fund this purchase. Budget Amendment: Decrease: Bldg Maint: 001-695-00.5209 Increase: Constable 1: 001-635-00.5717_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of a lockable gun cabinet for the Precinct 1 Constables Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33266A APPROVE THE RE-APPOINTMENTS OF CHUCK WARE AND JOE PENDLETON TO THE BOARD OF COMMISSIONERS OF HAYS COUNTY ESD #4, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointments of Chuck Ware and Joe Pendleton to the Board of Commissioners of Hays County ESD #4, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED

33267A AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 731 ROLAND LANE, KYLE, TX 78640

Ray W. Wolbrecht is proposing one commercial warehouse with a max occupancy of 5 employees and 10 costumers per building located at 731 Roland Lane, Kyle TX, 78640. This property is a 12.81 acre tract out of the James W. Williams Survey. This property is not located within the Edwards Aquifer Recharge Zone. This property is located within the ETJ of the City of Kyle and is currently utilizing a public water supply. The designer, Clifford Conner, R.S., has designed a standard treatment discharging to a low pressure dose drain field. The system is designed to treat 100 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a commercial on-site sewage facility permit at 731 Roland Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

33268A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE JANUARY 2, 2018 FOR THE FACILITY MAINTENANCE MANAGER POSITION, SLOT NUMBER 0191-001 AND AMEND THE BUDGET ACCORDINGLY

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A stipend has been requested for the Facility Maintenance Manager 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. The previous manager had a county issued phone and we would now like to convert that to a monthly telephone allowance. Budget Amendment: Decrease .5489 Increase .5194. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Building Maintenance Department to add a telephone allowance effective January 2, 2018 for the Facility Maintenance Manager position, slot number 0191-001 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33269A CALL FOR A PUBLIC HEARING ON JANUARY 30, 2018 TO ESTABLISH A 3-WAY STOP LOCATION AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

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 Whisenant to call for a public hearing on January 30, 2018 to establish a 3-way stop location at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

33270A AUTHORIZE EXECUTION OF AMENDMENT NUMBER ONE TO ROGERS DESIGN SERVICES, PLLC PROFESSIONAL SERVICE AGREEMENT TO PROVIDE ENVIRONMENTAL DOCUMENTATION AND CONSTRUCTION ENGINEERING SERVICES FOR THE FM 967 SAFETY TURN LANE PROJECTS AT BUDA SPORTSPLEX AND WEST OF FM 1626 AS PART OF THE 2016 ROAD BOND PROGRAM

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of Amendment Number One to Rogers Design Services, PLLC Professional Service Agreement to provide environmental documentation and construction engineering services for the FM 967 safety turn lane projects at Buda Sportsplex and west of FM 1626 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

33271A ACCEPT BOND NO. 0722765 FOR STREET AND DRAINAGE IMPROVEMENTS FOR STONEFIELD SECTION 12 IN THE AMOUNT OF \$709,843.20

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept Bond No. 0722765 for street and drainage improvements for Stonefield Section 12 in the amount of \$709,843.20. All present voting "Aye". MOTION PASSED

33272A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR PHASE 2 ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS OF VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement with Garver, LLC for Phase 2 engineering services for the design of improvements of various low water crossings throughout Precincts 1 & 2. All present voting "Aye". MOTION PASSED

33273A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BINKLEY & BARFIELD FOR SERVICES RELATED TO DEVELOPMENT OF A CORRIDOR STUDY AND SCHEMATIC DESIGN FOR IMPROVEMENTS TO WINDY HILL ROAD AS CONTEMPLATED IN THE VOTER APPROVE 2016 BOND ELECTION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Binkley & Barfield for services related to development of a corridor study and schematic design for improvements to Windy Hill Road as contemplated in the voter approve 2016 Bond election. All present voting "Aye". MOTION PASSED



33274A SELECT BROWN AND GAY ENGINEERING FOR CONSTRUCTION PHASE SERVICES (INSPECTION) FOR THE RATTLER ROAD SIDEWALK PROJECT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select Brown and Gay Engineering for construction phase services (inspection) for the Rattler Road sidewalk project. All present voting "Aye". MOTION PASSED

33275A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE PRELIMINARY PLAN

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-878 Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33276A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; HOLD PUBLIC HEARING

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to table this item until next week, January 23, 2018. All present voting "Aye". MOTION PASSED

33277A AUTHORIZE EXECUTION OF AN AGREEMENT REGARDING THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONE NUMBER 1 (TIRZ NO.1) BETWEEN THE CITY OF DRIPPING SPRINGS AND HAYS COUNTY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize execution of an Agreement Regarding the Dripping Springs Tax Increment Reinvestment Zone Number 1 (TIRZ No.1) between the City of Dripping Springs and Hays County. All present voting "Aye". MOTION PASSED

33278A ADOPT BY RESOLUTION THE REVISED HAYS COUNTY HAZARD MITIGATION PLAN

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to action to adopt by Resolution the revised Hays County Hazard Mitigation Plan. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #29 RE: *APPOINT CARLA CASKEY SISK TO REPLACE STEVE CLAY AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-18 – was pulled*

33279A APPOINT A REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD; AND TO APPOINT AN ALTERNATE, IF NECESSARY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to appoint Commissioner Mark Jones as a representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe as an alternate representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. 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 – was pulled*

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 VALUE OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #33 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 AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #34 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY – **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**

33280A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to reinstate the Burn Ban. All present voting

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 9:42 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 16, 2018.



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

