

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 23<sup>rd</sup> 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:

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

**SWEARING-IN AND CONFIRMATION OF GINA ROGERS TO THE HAYS COUNTY HISTORICAL COMMISSION**

The confirmation of all members for the current Hays County Historical Commission is required. Ms. Rogers will be a volunteer for a one year period. Kate Johnson, Chairman of the Hays County Historical Commission spoke. Commissioner Ingalsbe did the swearing-in of Gina Rogers to the Hays County Historical Commission.

**33281A ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH**

Don Arnold, Executive Director of Hays County Crime Stoppers and Rowe Ray, Hays Crime Stoppers Chairman of Board of Directors spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring January 2018 as Crime Stoppers Month. All present voting "Aye". MOTION PASSED

**33282A 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 \$170,274.87 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33283A 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 \$2,780.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33284A APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$173,518.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33285A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 16, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 16, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



\*\*\*\*\*

**33286A APPROVE THE PAYMENT OF THE JANUARY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JANUARY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the January 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective January 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**33287A APPROVAL TO REJECT ALL COMPETITIVE BIDS SUBMITTED FOR IFB 2018-B04 DOMESTIC WATER TREATMENT SYSTEM AND REISSUE THE IFB AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.02**

Purchasing received one bid for IFB 2018-B04 from Copperra Company. Staff recommends rejecting bids received per LGC Sec 262.027 and reissuing the IFB, after making some changes to the specifications and bid sheet of the IFB. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to reject all competitive bids submitted for IFB 2018-B04 Domestic Water Treatment System and reissue the IFB as authorized by Local Government Code Sec. 262.02. All present voting "Aye". MOTION PASSED

**33288A AUTHORIZE COMMERCIAL OSSF PERMIT AT 13351 FM 150, DRIFTWOOD, TEXAS 78619**

Vista Brewing Assets, LLC is proposing an OSSF to serve a brewery and restaurant. A separate OSSF was approved by the Commissioners Court on 8/22/17, but that system was not installed and will be replaced by this OSSF. This 23.44-acre tract of land will be served by a public water well. The system designer, Jon Maass, 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 1112 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 13351 FM 150, Driftwood, Texas 78619. All present voting "Aye". MOTION PASSED

**33289A APPROVE HOLDING 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 Shell to approve holding 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

**33290A 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 \$122,477.80**

The grant application request is to acquire night vision binoculars for 14 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 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell 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 \$122,477.80. All present voting "Aye". MOTION PASSED

**33291A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$20,000 FOR THE 'HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE' PROJECT**



This grant application is to provide maintenance of our HazMat Team monitors which will increase the life of the specialized equipment and allow the team to respond with sustained equipment. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$20,000 for the 'Hays County HazMat Team Monitor Maintenance' project. All present voting "Aye". MOTION PASSED**

**33292A      AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$75,000 FOR THE 'HAYS COUNTY HAZMAT TEAM AIR PACKS AND BOTTLE REPLACEMENTS' PROJECT**

This grant application is for the purchase of air packs and bottle replacements for the Hays County HazMat Team. Currently, the air packs are out of date for chemical, biological, radiological, nuclear and explosive response (CBRNE) and are in need of being replaced. The grant application is due in egrants by January 26, 2018 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 Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$75,000 for the 'Hays County HazMat Team Air packs and Bottle Replacements' project. All present voting "Aye". MOTION PASSED**

**33293A      AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$200,000 FOR THE 'HAYS COUNTY COMMAND VEHICLE' PROJECT**

The grant application request is to acquire a Command Vehicle for Hays County to be deployed during emergency incidents in order to reestablish communication and coordination during such events. The grant application is due in egrants by January 26, 2018 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 Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$200,000 for the 'Hays County Command Vehicle' project. All present voting "Aye". MOTION PASSED**

**33294A      APPROVAL TO AWARD IFB 2018-B03 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENTS TO PARTNERS REMODELING, RESTORATION AND WATERPROOFING, AFTER EXECUTION OF SPECIAL TERMS AND CONDITIONS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SAME**

Purchasing received two bids for IFB 2018-B03 from Myers Concrete Construction, LP and Partners Remodeling, Restoration and Waterproofing. Staff recommends award of a contract to Partners Remodeling, Restoration and Waterproofing. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to award IFB 2018-B03 Dahlstrom Ranch Public Access Developments to Partners Remodeling, Restoration and Waterproofing, after execution of Special Terms and Conditions and authorize the County Judge to execute the same. All present voting "Aye". MOTION PASSED**

**33295A      AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARIAH REHMET AND ARIANA REHMET FOR THE PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY**

As provided in the Professional Services Agreement, the Rehmet's have requested a time extension until May 31, 2019, to complete the production, editing and delivery of the 2015 Memorial Day Flood Documentary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a First Amendment to the Professional Services Agreement with Mariah Rehmet and Ariana Rehmet for the production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED**

**33296A      SELECT BROWN AND GAY ENGINEERING FOR ENGINEERING DESIGN SERVICES (P S & E) FOR IMPROVEMENTS TO HILLSIDE TERRACE AS ANTICIPATED IN THE 2016 BOND PROGRAM**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



As anticipated by the voter approved 2016 Bond program, Hillside Terrace will be redesigned to provide better mobility. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Brown and Gay Engineering for engineering design services (P S & E) for improvements to Hillside Terrace as anticipated in the 2016 Bond Program. All present voting "Aye". MOTION PASSED**

**33297A RENAME THE PRIVATE ROAD OBAR RANCH ROAD TO LIBERTY RANCH ROAD**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to rename the private road OBar Ranch Road to Liberty Ranch Road. All present voting "Aye". MOTION PASSED

**33298A AUTHORIZE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT AND HAYS COUNTY RELATED TO THE CONSTRUCTION OF TURN LANES ON HIGH ROAD AND OLD SAN ANTONIO ROAD IN PRECINCT 2**

HCISD has agreed to pay \$250K toward the construction of turn lanes on roadways adjacent to 2 newly-constructed schools in Precinct 2. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of an Interlocal Funding Agreement between Hays Consolidated Independent School District and Hays County related to the construction of turn lanes on High Road and Old San Antonio Road in Precinct 2. All present voting "Aye". MOTION PASSED**

**33299A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; CONTINUATION OF PUBLIC HEARING HELD ON JANUARY 16, 2018**

Public Hearing was continued from last Tuesday, January 16, 2018. No public input was received. Commissioner Ingalsbe closed the Public Hearing. 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 approve final plat of replat of Lot 23, Ranches at Hamilton Pool Subdivision; continuation of public hearing held on January 16, 2018. All present voting "Aye". MOTION PASSED**

**33300A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE THE FINAL PLAT**

Johnson-Knight is a proposed 2 lot subdivision located along Caliche Rd in Precinct 3. 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 Jones to approve the final plat of Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

**33301A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND TEXAS PRISONER TRANSPORTATION SERVICES FOR SERVICES RELATED TO THE HAYS COUNTY JAIL**

Lt. Julie Villalpando spoke. The Hays County Sheriff's Office is requesting the execution of an agreement with Texas Prisoner Transportation Services. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an agreement between Hays County and Texas Prisoner Transportation Services for services related to the Hays County Jail. All present voting "Aye". MOTION PASSED**

**33302A APPOINTMENT OF 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**

Carla Caskey Sisk spoke. Creation of the ESD#9 was authorized during the November 2016 election. Pursuant to 775.034 of the Texas Health and Safety Code, the Commissioner's Court is authorized to appoint the 5-person board. Caskey will fill the unexpired term of Steve Clay. The expiration date of this term is 12-31-18. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appointment of 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. 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 9:59 a.m. and reconvened into open court at 10:09 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, Director of Transportation, Jerry Borcharding, and Samantha Jones. 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 OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive session at 10:09 a.m. and reconvened into open court at 10:22 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, Director of Transportation, Jerry Borcharding, and Samantha Jones. 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 OR VALUE OF RIGHT OF WAY AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive session at 10:23 a.m. and reconvened into open court at 10:31 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, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW**

Court convened into Executive session at 10:31 a.m. and reconvened into open court at 11:11 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Tammy Crumley. No action taken.

**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**

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

Per advice of Hays County Fire Marshall 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 Shell to adjourn court at 11:15 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



\*\*\*\*\*

---

---

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 23, 2018.

*Liz Q Gonzalez*

---

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

