

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF APRIL 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 made public comment.

33542A 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 \$966,998.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: *APPROVE PAYMENTS OF JUROR CHECKS – was pulled*

33543A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Humana Claims in the amount of \$0.00 and United Healthcare Claims in the amount of \$117,185.33 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33544A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 3, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 3, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33545A APPROVE THE PAYMENT OF THE APRIL 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE APRIL 13, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the April 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective April 13, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33546A AUTHORIZE COMMERCIAL OSSF PERMIT AT 500 VISTA WEST RANCH ROAD, DRIPPING SPRINGS, TEXAS 78620

Paola McKee is proposing an OSSF to serve the McKee Tipi Campground located at 500 Vista West Ranch Road. This system will serve a bath house that will be used by customers renting 10 tipis. This 10.907-acre tract of land will be served by a private water well. The system designer, Kyle DeHart, R.S., has designed a standard treatment system using flow equalization. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 200 gallons. **A motion was made by Commissioner Whisenant,**



seconded by Commissioner Jones to authorize Commercial OSSF Permit at 500 Vista West Ranch Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33547A APPROVE SPECIFICATIONS FOR IFB 2018-B06 AUXILIARY SPILLWAY REPAIRS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

General Counsel, Mark Kennedy spoke of post modification. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Specifications for IFB 2018-B06 Auxiliary Spillway Repairs and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33548A APPROVE THE OCTOBER - DECEMBER 2017 TREASURER'S AND INVESTMENT REPORTS

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

33549A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE AND MAINTAIN A STOCK OF AID AND RELIEF SUPPLIES FOR USE OF FIRST RESPONDERS DURING EMERGENCY INCIDENTS

The Hays County Community Emergency Response Team (CERT) is activated by Public Safety departments throughout the county to respond to emergency scenes and assist in supporting the first responders working the incident. Multiple responses trailers are staged throughout the county for easy deployment. These trailers house supplies for first responders such as bottled water, protein and granola bars, ice packs and cooling stations, and minor medical supplies. The quick deployment of these assets is imperative to the success of the event. No budget request is needed; operating funds will be utilized. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to purchase and maintain a stock of Aid and Relief Supplies for use of First Responders during emergency incidents. All present voting "Aye". MOTION PASSED

33550A AUTHORIZE THE EXECUTION OF AMENDMENT NUMBER 01 WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM

On February 6, 2018 the Commissioners Court authorized the submission of a grant application with the Department of State Health Services, Public Health Emergency Preparedness program. The Contract Amendment reflects a continuation to the current PHEP grant contract. This program will provide support for the salary and benefits for the Emergency Preparedness Coordinator and a portion of an epidemiologist's salary. The grant requirements include a 10% match which will be met through contributions from the health department operating funds. Funding is in the amount of \$122,790 and the grant term is July 1, 2018 - June 30, 2019. The contract will be signed electronically. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment Number 01 with the Texas Department of State Health Services (DSHS) Public Health Emergency Preparedness (PHEP) Program. All present voting "Aye". MOTION PASSED

33551A AUTHORIZE THE CONSTABLE PRECINCT 1 OFFICE TO PURCHASE TWO (2) BULLET PROOF VESTS FOR DEPUTY CONSTABLES AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, San Marcos resident, Vickie Dorsett, Assistant County Auditor, David Peterson, Constable Pct. 1 spoke. The Constable has two new hires filling vacant slots that require 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. Funds have been identified in the Constable's operating budget and will be moved to the Department of Justice (DOJ) grant cost center which may provide 50% of the cost for the vests. Budget Amendment: Increase DOJ Grant 001-618-99-001.5717_400 - \$947 Decrease Constable 1 - 001-635-00.5717_400 - (\$947). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 1 Office to purchase two (2) Bullet Proof Vests for Deputy Constables and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33552A APPROVAL TO AWARD IFB 2018-B04 WATER TREATMENT SYSTEM TO SI MECHANICAL, LLC; AUTHORIZE THE EXECUTION OF CONTRACT DOCUMENTS AND AMEND THE BUDGET ACCORDINGLY



General Counsel, Mark Kennedy spoke of address change for SI. Rodrigo Amaya, San Marcos resident spoke. Purchasing received 2 bids from B.A. Marbach Plumbing Services, Inc. and SI Mechanical, LLC. Staff recommends award of a contract to the lowest bidder SI Mechanical, LLC. Attachment: Bid Tabulation Funds were budgeted (\$175k) during the FY18 budget process for this project in County Wide Operations. Due to the complexity of this job, additional funds are required. Savings within the County Wide Operations capital improvements budget is available to fund the additional costs. Budget Amendment: Increase Building Maintenance Misc. Capital Improvements 001-695-00.5741 Decrease County Wide Operations Misc. Capital Improvements 001-712-00.5741. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approval to award IFB 2018-B04 Water Treatment System to SI Mechanical, LLC; authorize the execution of contract documents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33553A AUTHORIZE PAYMENT TO HART INTERCIVIC FOR THE ELECTION'S OFFICE RELATED TO PREVIOUS ELECTION EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Election's Office secured Hart Intercivic for professional services during the May 2017 election in which no purchase order was obtained per County Purchasing Policy. Funds are budgeted in the Elections operating budget for this expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Hart Intercivic for the Election's Office related to previous election expenses in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33554A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY2017 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

This is a grant that the County has been receiving for a number of years to recover some jail operations expenses associated with incarceration of undocumented criminal aliens. The FY2016 amount received was \$41,386.00 and the FY2017 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before March 13, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY2017 funding under the State Criminal Alien Assistance Program (SCAAP). All present voting "Aye". MOTION PASSED**

33555A AUTHORIZE OUT OF STATE TRAVEL FOR DETECTIVE HERMAN ADAIR TO ATTEND A FREE AUTO THEFT COURSE IN HARVEY, LA

The Sheriff's Office is requesting approval to send Detective Herman Adair to attend an Auto Theft Course in Harvey, LA. Detective Adair will receive training in heavy equipment, motorcycles, ATV's, trailers, boats and watercrafts. The training is being funded by the Sheriff's Combined Auto Theft Task Force and will be free of charge to the agency and investigator. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize out of state travel for Detective Herman Adair to attend a Free Auto Theft Course in Harvey, LA. All present voting "Aye". MOTION PASSED**

33556A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION #2 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. RELATED TO ENGINEERING MANAGEMENT SERVICES AND AMEND THE BUDGET ACCORDINGLY

This Work Authorization will be effective Oct.2, 2017 in order to catch some work that PSI already performed for the Transportation Dept. WA#2 divides the responsibility for projects between PSI and Hays County agents, with Bond funded projects being managed by PSI. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Work Authorization #2 related to an Agreement between Hays County and Prime Strategies, Inc. related to Engineering Management Services and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33557A AUTHORIZE THE DISTRICT ATTORNEY TO USE DRUG FORFEITURE FUNDS TO HIRE TWO (2) TEMPORARY FULL-TIME ADMINISTRATIVE ASSISTANT II POSITIONS EFFECTIVE MAY 1, 2018 THROUGH SEPTEMBER 30, 2018 AND AMEND THE BUDGET ACCORDINGLY

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Hays County District Attorney, Wes Mau spoke. The District Attorney is requesting the Courts authorization to hire two temporary full-time Admin II positions, effective May 1st and ending September 30th to be funded with Drug Forfeiture funds received. These temporary full-time positions are needed to assist the Intake and Civil Division with evidence management and other duties. The Intake Division currently has a 5 month backlog of cases that are in need of processing. The increased case load is due to law enforcement agencies adding a combined total of 16 new officers and almost every officer in each agency utilizes a body worn camera that is then uploaded into Evidence.com. The increased evidence collected has become burdensome to the Intake Division and in order to ensure each case has all of the evidence available to collect, additional manpower is needed. The Civil Division Admin will be responsible for gathering all of the evidence needed immediately from Quetel, Evidence.com, COBAN, Odyssey, CIS and Video Oversight as the CPS cases come in. This evidence will also be shared with the Intake Division to help streamline their intake duties. In addition the new admin will be responsible for organizing all open record request deadlines, communicate with the District Clerk's Office when filing emergency cases, and answering phone calls when attorney-paralegal teams are in court or prepping for trial. Additionally, equipment needed for the temporary staff to function will be purchased and utilized for intern positions as needed. Funds are available within the DA Drug Forfeiture fund to process this request. Budget Amendment: Increase Revenue for Forfeiture Proceeds - (\$30,205) Increase Staff Salaries - \$23,478 Increase FICA - \$1,456 Increase Medicare - \$341 Increase 5712_400 - \$3,268 Increase 5202 - \$882 Increase 5429 - \$780. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Attorney to use Drug Forfeiture Funds to hire two (2) Temporary Full-Time Administrative Assistant II Positions effective May 1, 2018 through September 30, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

HOLD A PUBLIC HEARING TO CONSIDER THE AMENDMENT OF THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO APPROVING A RESOLUTION AMENDING THE HAYS COUNTY PACE PROGRAM, AND ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

Commissioner Ingalsbe opened the public hearing. Public Comments - Lee McCormick, Lone Star PACE, Roger Bordon, David Parker, Dan Lyon, Tim Crocket, Cliff Kellogg, Jonathan Blackburn, George Hittner, William (Dub) Taylor, Charlene Heydinger, David Matiella, Vince Drieling, Joe Edgar, Steve Brown, Michael Kamalander, and Peter Aguirre, spoke. Commissioner Ingalsbe closed the public hearing. Hays County established a PACE program in January 2017. PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more dwelling units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment collected together with their property taxes. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed. PACE financing enables businesses to align the costs of energy and water efficiency improvements with the utility savings provided by the improvements. PACE financings are paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements. Currently Hays County has one PACE administrator. The proposed amended Resolution and Program Report allows additional PACE administrators to accept applications from owners of property within the County's territory for financing of qualified improvements. It also authorizes additional administrators to conduct assessment proceedings to levy assessments against the property of participating owners within the territory of the County. Court took no action.

AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LONE STAR PACE, RELATED TO THE ADMINISTRATION OF THE PACE PROGRAM IN HAYS COUNTY

David Parker, Charlene Heydinger, Dan Lyon, Vince Drieling, Joe Edgar, Mike Kamalander, and Peter Aguirre, spoke. The amended PACE Resolution and Program Report allow for additional PACE administrators. Lone Star PACE has expressed interest in participating in Hays County PACE projects. In order for Lone Star PACE to have the authority to provide PACE financing in the County, it is necessary for the County to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the County executing such agreement. There are no costs to the County associated with participation in the Hays County PACE Program. Court took no action.

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 – **was pulled**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's KDBI – 137. Per Hays County Fire Marshal Burn Ban will remain lifted.

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

Court adjourned at 10:56 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 April 10, 2018.

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

