

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>TH</sup> 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
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Esperanza Baltazar-Ramirez 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 resident of San Marcos, Rodrigo Amaya resident of San Marcos made public comments.

**33558A ADOPT A PROCLAMATION DECLARING APRIL 21-28, 2018 AS NATIONAL INFANT IMMUNIZATION WEEK**

Eric Schneider, Epidemiologist of the Hays County Local Public Health Department spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring April 21-28, 2018 as National Infant Immunization Week. All present voting "Aye". MOTION PASSED

**33559A 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 \$1,974,870.04 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33560A 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 \$3,570.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33561A 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 \$16,012.90 and United Healthcare claims in the amount of \$78,354.29 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33562A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 10, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of April 10, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**33563A RATIFY THE EXECUTION OF THE TEXAS WORKFORCE COMMISSION INFORMATION RELEASE CONTRACT**

The contract term is from March 1, 2018 until February 28, 2019. The total amount of this Contract will not exceed the sum of \$1,500 which covers up to and including 10 online users. Funds are budgeted in the Sheriff Drug Forfeiture Fund. A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the execution of the Texas Workforce Commission Information Release Contract. All present voting "Aye". MOTION PASSED



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**33564A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE THREE REPLACEMENT TICKET WRITERS AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. At this time the Sheriff's Office, with IT's recommendation, is requesting approval to replace three out of warranty ticket writers. The out of warranty ticket writers have current licenses that will be transferred to the new devices. The purchase also includes a replacement printer and wall charger. The Sheriff's Office is requesting an exemption from the County purchasing policy requiring three quotes for the replacement ticket writers and component parts. The total cost for replacements is \$6,858; funds have been identified in the Sheriff's Office Law Enforcement Equipment g/l. Budget amendment Decrease 001-618-00.5717\_400 Law Enforcement Equipment (\$129.00) Increase 001-618-00.5202 Data Processing Supplies \$129.00 Decrease 001-618-00.5717\_400 Law Enforcement Equipment (\$6,729) Increase 001-618-00.5712\_400 Computer Equipment Operating \$6,729 **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase three replacement ticket writers and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33565A APPROVE THE JANUARY AND FEBRUARY 2018 TREASURER'S AND INVESTMENT REPORTS**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the January and February 2018 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED**

**33566A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #6 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED**

**33567A ACCEPT THE 2017 NORTH HAYS COUNTY EMERGENCY SERVICES DISTRICT #1 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 North Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED**

**33568A APPROVE THE TRANSFER OF 1 VEHICLE FROM THE HAYS COUNTY PARKS DEPARTMENT TO THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES**

The following vehicle has been taken out of service from the Parks Department and request is made for it to be transferred to the Hays County Office of Emergency Services: 2004 Chevrolet Silverado, VIN 1GCEC19V34Z248827, Hays County Tag # EH-05, Fixed Asset Tag#13366. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the transfer of 1 vehicle from the Hays County Parks Department to the Hays County Office of Emergency Services. All present voting "Aye". MOTION PASSED**

**33569A APPROVE THE SELECTION OF DOUCET & ASSOCIATES TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE DARDEN HILL ROAD WIDENING AND TURN LANES PROJECT FROM FM 1826 TO SAWYER RANCH ROAD; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT**

The Darden Hill Road Widening and Turn Lanes project is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 4 and in the County. Approval of Doucet & Associates for schematic, environmental documentation and PS&E services would position this important safety project to move quickly to construction and allow the County to program construction funding in the County's Fiscal Year 2019 budget and seek additional construction funding through CAMPO. Doucet & Associates has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by**



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**Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the selection of Doucet & Associates to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Darden Hill Road Widening and Turn Lanes project from FM 1826 to Sawyer Ranch Road; and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**33570A AUTHORIZE PAYMENT TO BECKWITH ELECTRONICS SYSTEMS, LLC FOR REPAIRS TO COURTROOM EQUIPMENT IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY**

Beckwith Electronic Systems, LLC recently underwent an audit and discovered an invoice for work performed in June of 2016 in which no payment had been received. During the processing of the referenced invoice it was discovered that a purchase order had not been obtained. Funds are available within the building maintenance budget to cover the expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Beckwith Electronics Systems, LLC for repairs to courtroom equipment in which no purchase order was obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**33571A APPROVE OUT OF STATE TRAVEL FOR CORPORAL NELSON WRAY TO ATTEND THE MOBILE DEVICE EXAMINER COURSE IN HOOVER, ALABAMA**

The Sheriff's Office is requesting out of state travel for Corporal Nelson Wray to attend a Mobile Examiner Course in Hoover, Alabama beginning July 8 – August 3, 2018. This training will allow for Cpl. Wray to have a hands on experience on mobile devices such as cell phones, GPS units, tablets, and will be able to generate reports for law enforcement. Cpl. Wray will be able to utilize techniques learned at this training while investigating cases involving mobile devices. There is no cost to the Sheriff's Office; all fees will be paid by the U.S. Secret Service. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Corporal Nelson Wray to attend the Mobile Device Examiner Course in Hoover, Alabama. All present voting "Aye". MOTION PASSED**

**33572A APPROVE AN INCREASE OF \$150 IN THE CHANGE FUND FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS GOVERNMENT CODE 130.902 (D)**

A new employee was hired at the San Marcos Tax Assessor-Collector office location and will need a change fund to process cash receipts. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve an increase of \$150 in the change fund for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Government Code 130.902 (d). All present voting "Aye". MOTION PASSED**

**33573A APPROVE OUT OF STATE TRAVEL FOR JUSTIN MCINNIS TO ATTEND THE NATIONAL SECURITY AND PUBLIC SAFETY SUMMIT - ESRI USER CONFERENCE IN SAN DIEGO, CA ON JULY 7-10, 2018 AND AMEND THE BUDGET ACCORDINGLY**

Dan Lyon, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. County Auditor, Marisol Villarreal-Alonzo spoke. Requesting approval for Justin McInnis to attend the National Security and Public Safety Summit at the ESRI User Conference in San Diego, CA on July 7-10, 2018. Travel dates July 6 to July 11, 2018. This conference provides public safety personnel with the unique opportunity to learn and experience new GIS techniques and tools that can be implemented at the local level to help prepare for, respond to and recover from emergencies to include natural and manmade. Registration cost \$475, estimated airfare will be \$300.00, estimated hotel costs will \$800, estimated per diem will be \$216 Budget Amendment: 001-656-00.5448 - Contract Services (\$2,000.00) 001-656-00.5551 - Continuing Education \$2,000.00 **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Justin McInnis to attend the National Security and Public Safety Summit - Esri User Conference in San Diego, CA on July 7-10, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33574A AMEND THE TRANSPORTATION DEPARTMENT'S OPERATING BUDGET FOR CONTRIBUTIONS RECEIVED FROM THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (HCISD) FOR EXPENDITURES RELATED TO THE OLD SAN ANTONIO ROAD & HIGH ROAD PROJECTS**

On 1/23/18 the Commissioner's Court authorized an agreement for road improvements as follows: HCISD Uhland Elementary (ES #14) Proposed Road Improvements: Hays County shall construct left/right turn lanes on



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High Road at or near the construction site of Umland Elementary (ES#14), pursuant to a design approved by the County. Elementary School #15 (ES#15) Proposed Road Improvements: Hays County shall construct left/right turn lanes on Old San Antonio Road at or near the construction site of Elementary School #15 (ES#15), pursuant to a design approved by the County. HCISD committed \$250k for each project and has submitted their payment to the Transportation Department as required per Section II of the contract. The funds received from HCISD need to be budgeted in order for the Transportation to complete the work. Budget Amendment: Increase Intergovernmental Revenue .4301 - (\$500,000) Increase Contract Consulting 5448\_008 - \$385,000 Increase Contract Road Work .5448\_010 - \$115,000 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Transportation Department's operating budget for contributions received from the Hays Consolidated Independent School District (HCISD) for expenditures related to the Old San Antonio Road & High Road projects. All present voting "Aye". MOTION PASSED**

**33575A AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET RELATED TO THE PURCHASE OF A SURFACE PRO I5 TABLET**

Funding for a laptop was allocated during the FY18 budgetary process; however it has been determined that staff could better utilize the Surface Pro for existing and new software. Additional funds are needed to cover the increased equipment costs and are available in the departments operating budget. Budget Amendment: Increase Computer Equipment .5712\_400 - \$528 Increase Data Supplies .5202 - \$87. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Office of Emergency Services operating budget related to the purchase of a Surface Pro i5 Tablet. All present voting "Aye". MOTION PASSED**

**33576A RATIFY A PERMANENT UTILITY EASEMENT AGREEMENT BETWEEN CARSON HAYSCO HOLDINGS, LP AND HAYS COUNTY**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify a Permanent Utility Easement Agreement between Carson Haysco Holdings, LP and Hays County. All present voting "Aye". **MOTION PASSED**

**33577A AUTHORIZE THE EXECUTION OF CHANGE ORDER #2 WITH BOWMAN CONSULTING FOR ADDITIONAL WORK ON THE FM 150 CENTER TURN LANE PROJECT**

Commissioner Ingalsbe spoke. This section of RM150 was excluded from the original project due to environmental concerns. These concerns have been reevaluated thoroughly and the project can now move forward. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order #2 with Bowman Consulting for additional work on the FM 150 Center Turn Lane project. All present voting "Aye". MOTION PASSED**

**33578A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DOUCET & ASSOCIATES, INC. REGARDING ROAD AND DRAINAGE IMPROVEMENTS AT THE INTERSECTION OF OLD SAN ANTONIO ROAD AND MANCHACA SPRINGS ROAD IN PRECINCT 2**

Commissioner Jones spoke. Jerry Borcharding, Director of Transportation gave staff recommendation. The project encompasses widening and improving at Old San Antonio Road and Manchaca Springs Road to provide proper turn lanes at the driveways to the new Hays ISD school site that is under construction west of the Old San Antonio Road intersection with Manchaca Springs Road. The work entailed will improve alterations to the actual intersection of Old San Antonio & Manchaca Springs Road. This project will include survey of the existing road and necessary drainage improvements as well. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Service Agreement (PSA) with Doucet & Associates, Inc. regarding road and drainage improvements at the intersection of Old San Antonio Road and Manchaca Springs Road in Precinct 2. All present voting "Aye". MOTION PASSED**

**33579A ACCEPT SUBDIVISION IMPROVEMENTS PERFORMANCE BOND NO.800016443 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 21-2 IN THE AMOUNT OF \$962,823.75**

Jerry Borcharding, Director of Transportation spoke and gave staff recommendation. Belterra Section 21-2 is a proposed 84 lot portion, across 104.35 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-2 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required



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by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept Subdivision Improvements Performance Bond No.800016443 for street and drainage improvements for Belterra Subdivision Section 21-2 in the amount of \$962,823.75. All present voting "Aye". MOTION PASSED**

**33580A SUB-973; CALL FOR A PUBLIC HEARING ON MAY 1ST, 2018 TO APPROVE FINAL PLAT OF THE REPLAT OF LOT 108, ROLLING OAKS SECTION 4**

Rolling Oaks is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 4.376 acre lot 108 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Call for a public hearing on May 1st, 2018 to approve final plat of SUB-973; Replat of Lot 108, Rolling Oaks Section 4. All present voting "Aye". MOTION PASSED**

**33581A SUB-962; EL DORADO SUBDIVISION (12 LOTS) APPROVE PRELIMINARY PLAN**

County Planner, Caitlyn Strickland spoke and gave staff recommendation. The proposed El Dorado Subdivision is a 52 lot subdivision located off of FM 21 in Precinct 2. The subdivision crossing three county boundaries: Hays, Travis, and Caldwell. Only 12 lots are going to be inside Hays County. The subdivision will be served by GoForth SUD. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan of SUB-962; El Dorado Subdivision (12 Lots). All present voting "Aye". MOTION PASSED**

**33582A EXECUTE AN AMENDED AND RESTATED HAYS COUNTY PROPERTY USE POLICY AND APPLICATION, EFFECTIVE IMMEDIATELY**

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to execute an amended and restated Hays County Property Use Policy and Application, effective immediately. All present voting "Aye". MOTION PASSED**

**33583A AUTHORIZE PAYMENT TO THE CITY OF SAN MARCOS FOR THE IMPACT FEES FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM**

General Counsel, Mark Kennedy spoke. Director of Countywide Operations, Clint Garza spoke. Commissioner Shell spoke. City of San Marcos Impact Fees for the Public Safety Bond Program. The total fee is \$400,486.00 – see breakdown per project below. The TPC included a budget of \$231,147.00 for this fee; therefore, the remaining \$169,339 will be funded from Owner's Contingency. The attached document outlines the calculations used to determine the fees verses the actual costs billed by the city. PSB: Fees are \$110,936; thus, \$1,184 will be funded from contingency. Uhland: Fees are \$289,550; thus, \$168,155 will be funded from contingency. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to the City of San Marcos for the Impact Fees for the Hays County Public Safety Bond Program. All present voting "Aye". MOTION PASSED**

**33584A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH HALFF AND ASSOCIATES FOR ADVANCEMENTS TO THE HAYS COUNTY FLOOD WARNING SYSTEM**

Office of Emergency Management Director, Kharley Smith spoke. Through the partnership with the Texas Water Development Board in a grant allocation, the Office of Emergency Services is requesting to advance the Flood Warning System with the development of stage-discharge rating curves, frequency based flood inundation mapping for the Blanco River and Cypress Creek, and web enhancement tools allowing for better situational awareness during flood events. Funding is available through an existing grant, no additional funds are being requested. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement (PSA) with Halff and Associates for advancements to the Hays County Flood Warning System. All present voting "Aye". MOTION PASSED**

**33585A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH WATER AND EARTH TECHNOLOGIES FOR THE INSTALLATION OF FIVE LOW WATER CROSSING GAGES/WARNING SYSTEMS THROUGHOUT HAYS COUNTY**

Office of Emergency Management Director, Kharley Smith spoke. General Counsel, Mark Kennedy spoke. Requesting the execution of a PSA to move into the next phase of the Hays Flood Warning project through the installation of five new sites providing situational awareness during flood events. These sites are an addition to

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the monitors at 22 low water crossings and 5 dams that currently make up the Hays County Flood Warning System. Project was budgeted in FY18, no additional funds are being requested. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant authorize the execution of a Professional Services Agreement (PSA) with Water and Earth Technologies for the installation of five low water crossing gages/warning systems throughout Hays County. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #29 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 #30 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**

Yesterday's Drought Index – 186. Per Hays County Fire Marshal Burn Ban will remain lifted.

**Clerk's Note Agenda Item #32 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 9:53 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 17, 2018.



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

