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STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 5<sup>TH</sup> DAY OF JUNE 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 Whisenant 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**

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident and Rodrigo Amaya, San Marcos resident spoke.

**33729A ADOPT A PROCLAMATION DECLARING JUNE 2018 AS JUNETEENTH MONTH**

Ollie Giles, Rose Brooks, Constable Pct. 1, David Peterson and General Counsel, Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring June 2018 as Juneteenth month. All present voting "Aye". MOTION PASSED

**PRESENTATION OF THE TEXAS PACE AUTHORITY'S 2017 ANNUAL REPORT**

Charlene Heydinger, President of the Texas Pace Authority gave a PowerPoint presentation to the Commissioners Court to summarize the Texas PACE Authority's 2017 annual report.

**33730A APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$1,375,663.21 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33731A APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Juror checks in the amounts of \$1,838.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33732A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$0.00 and payment of United Healthcare claims in the amount of \$195,807.74 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33733A APPROVE COMMISSIONERS COURT MINUTES OF MAY 29, 2018**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of May 29, 2018 as presented by the County Court. All present voting "Aye". MOTION PASSED

**33734A APPROVE THE PAYMENT OF THE JUNE 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JUNE 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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

**33735A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #5 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the 2017 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

**33736A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #8 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2017 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

**33737A APPROVE THE APRIL 2018 TREASURER'S AND INVESTMENT REPORTS**

Approve the April 2018 Treasurer's Report and Investment Report. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the April 2018 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

**33738A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 109 BUNTON LANE, KYLE, TX 78640**

Peggy Jansen is proposing an OSSF to serve a commercial baseball park with four fields and a concession stand. This site is located in Kyle's ETJ and the site plan has been approved. Water will be supplied by a public water supply. The system designer, Keith Schoenfelt, P.E., has designed a system, which consists of a grease trap, 2000 gallon trash tank, 5000 flow equalization tank, a Bio-Microbics 1.5 unit, a 2000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 657 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 109 Bunton Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #12 RE: AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM – was pulled**

**33739A AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO UTILIZE SALARY SAVINGS FOR ADDITIONAL TEMPORARY PERSONNEL RELATED TO THE FY2018 INTERN PROGRAM**

Rodrigo Amaya and General Counsel, Mark Kennedy spoke. During the FY18 budget process, the Commissioner's Court authorized the Office of General Counsel to maintain an intern program and budgeted 1,040 hours for this purpose. The OGC has utilized special project interns as well as placed interns in several departments throughout the county. Due to the success of the program, General Counsel is requesting an additional 420 hours @ \$12 per hour to complete special projects throughout a summer intern program. Funds Requested: \$5,040 - Temp Salary for 420 hours, \$ 385 - FICA/ Medicare, \$5,425 - Total Fiscal Impact. Salary savings within the OGC operating budget are available to fund this request. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of General Counsel to utilize salary savings for additional temporary personnel related to the FY2018 intern program. All present voting "Aye". MOTION PASSED

**33740A AUTHORIZE PAYMENT TO KENT POWERSPORTS OF AUSTIN RELATED TO MAINTENANCE AND REPAIRS TO A 2006 HONDA MOTORCYCLE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY**



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Rodrigo Amaya and Commissioner Whisenant spoke. The Constable had necessary repairs completed on a law enforcement motorcycle in which no purchase order was obtained per County Purchasing Policy. This is a marked police motorcycle unit for traffic enforcement within Pct. 4. Funds are available in their operating budget for this expense. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Kent Powersports of Austin related to maintenance and repairs to a 2006 Honda Motorcycle in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**33741A                    AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH LONGHORN COMMERCIAL ROOFING FOR REPAIRS TO THE GOVERNMENT CENTER ROOF AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Shell and Director of Countywide Operations, Clint Garza spoke. During the last heavy rain event, the Building Maintenance Department discovered multiple areas of the Government Center roof that are in need of repairs. Longhorn Commercial Roofing has identified the source of the damage and has proposed to repair a torn seam to the TPO membrane, repair and replace perimeter flashing with new mastic, remove and replace a section of damaged roof, pressure wash and do a thorough inspect seams for further tears. Funds to cover the repairs are being requested from Countywide Contingencies as a repair of this magnitude would significantly deplete the Building Maintenance operating budget. Budget Amendment: Decrease Countywide Contingency, Increase 001-695-00.5741 (Miscellaneous Capital Improvements). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an agreement with Longhorn Commercial Roofing for repairs to the Government Center roof and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33742A                    AUTHORIZE THE PURCHASE OF A REPLACEMENT 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM FOR THE PRECINCT 5 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

Harvey Jenkins and Director of Countywide Operations, Clint Garza spoke. The PCT 5 Buda Office is in need of a replacement heating and cooling system. The current unit is over 20 years old and is not functioning. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and the high cost of the repair that is needed to get it running again. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease Building Maintenance and Repair 001-695-00.5451. Increase Misc. Equipment Operating 001-695-00.5719\_400. Attachment: SI Mechanical Quote. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement 3.5-Ton Seer Split Heating and Cooling System for the Precinct 5 office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33743A                    ESTABLISH A CHANGE FUND OF \$150 FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS LOCAL GOVERNMENT CODE 130.902 (A)**

Harvey Jenkins and Hays County Auditor, Marisol Villarreal-Alonzo spoke. The Tax Assessor is requesting to establish a new change fund for the Dripping Springs Sub-station. Due to the increased volume at this sub-station it has become necessary to have a change fund available to process cash receipts at the beginning of the day. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to establish a change fund of \$150 for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Local Government Code 130.902 (a). All present voting "Aye". MOTION PASSED**

**33744A                    AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FOR COBB, FENDLEY & ASSOCIATES, INC. ON THE WINTERS MILL INTERSECTION IMPROVEMENTS PROJECT**

A change order requesting additional funds for the Winters Mill at RM 3237 Project to add the cost of TxDOT Coordination and Environmental Investigation (refer to Attachment A for detailed Scope of Services) and for Winters Mill at RM 12 Project add Intersection Planning Meetings (refer to Attachment A). To and additional time to the schedule accordingly. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 for Cobb, Fendley & Associates, Inc. on the Winters Mill Intersection Improvements project. All present voting "Aye". MOTION PASSED**

**33745A                    AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH K FRIESE & ASSOCIATES, INC. FOR ENGINEERING SERVICES ON RM 150 BETWEEN ARROYO RANCH RD AND YARRINGTON RD**



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Commissioner Whisenant spoke. PSA is for preparation of documentation in compliance with TxDOT requirements as delegated by the FHWA through assignment of National Environmental Policy Act (NEPA) responsibility, preparation of a design schematic, right-of-way determination, and right-of-way mapping for the relocation of a portion of Ranch to Market (RM) 150. This work will include participating in a scoping process, agency coordination including their consultant(s), subconsultant coordination, schematic development, a Preliminary Drainage Report, preliminary water quality design, traffic analysis, surveying, right-of-way mapping, and support for public involvement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement (PSA) with K Friese & Associates, Inc. for engineering services on RM 150 between Arroyo Ranch Rd and Yarrington Rd. All present voting "Aye". MOTION PASSED**

**33746A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS)  
APPROVE PRELIMINARY PLAN**

Hays County Planner, Caitlyn Strickland gave staff recommendation. O'Neill Ranch is an unrecorded subdivision located off of Gatlin Creek Rd in Precinct 4. The proposed prelim will create lot 9A and 9B, both being 5.0 acres. The subdivision will be served by private wells, and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan for SUB-1021 O'Neil Ranch Tract 9 Subdivision. All present voting "Aye". MOTION PASSED**

**33747A AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFILE  
TECHNOLOGIES FOR PHASE II OF THE PRESERVATION OF VITAL  
RECORDS PROJECT**

Hays County Clerk, Liz Gonzalez spoke. On 9/5/17 the County Clerk began Phase I to preserve birth records utilizing Kofile Technologies for off sight management and preservation. This project was finished successfully and the Clerk would like to proceed with Phase II which will consist of scanning and indexing 20,392 Death and Marriage records. The proposed preservation services include conservation, deacidification, mending, encapsulation, binding, archival imaging, security backups on microfilm, and indexing. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. Attachment: Kofile Quote (requires Court signature if approved). GSA Schedule 70 Contract No: GS-35F-275AA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Clerk to utilize Kofile Technologies for Phase II of the Preservation of Vital Records project. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #22 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 #23 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*

**33748A IMPOSE THE 90 DAY BURN BAN**

Clint Browning, Hays County Fire Marshal spoke. Today's KDBI is 439. Mr. Browning spoke of the drought forecast and recommended implementing the Burn Ban. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to impose the 90 Day Burn Ban. All present voting "Aye". MOTION PASSED**

**Clerk's Notes Agenda Item #25 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 10:02 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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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 June 5, 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

