

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 19<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 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:

Commissioner Jones 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 resident of San Marcos, Dan Lyon resident of San Marcos, and Rodrigo Amaya resident of San Marcos all made public comment.

**33749A ADOPT A PROCLAMATION COMMEMORATING THE 12TH ANNIVERSARY OF THE DEATH OF U.S. ARMY PRIVATE FIRST CLASS KRISTIAN MENCHACA**

Gary Job Corps Business Community Liaison, Randolph Goodman spoke. US Army Captain, Tyler M. Reid spoke. Gary Job Corps Major Troy Oldbury, Army Recruiting Station Commander Staff Sgt. Robert Stallings, Hays County Emergency Preparedness Coordinator Mike Jones, Gary Job Corps Captain Sean Schultz and Gary Job Corps Captain Preston Smith, as well as the six cadets in front of the dais: Gary Job Corps Corrections Cadets Caleb Burreoo, Joseph Bailey, Micayla Poland and Kevin Viera, and Security Cadets Deonetavon Brooks and Jessina Johnson. Center Director Patty Lankfor, Student Volunteer Coordinator Irma Pardo, Business Community Liaison Randolph Goodman, Director of Marketing Homewood Suites Monica Ybarra, Gary CRC Member Ruben Becerra were all in attendance. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation commemorating the 12th Anniversary of the death of U.S. Army Private First Class Kristian Menchaca. All present voting "Aye". MOTION PASSED**

**33750A PRESENTATION FROM BLANCO RIVER REGIONAL RECOVERY, BR3T, PROVIDING AN UPDATE ON THE RECOVERY EFFORTS FROM THE 2015 FLOODS AND THE FUTURE DIRECTION OF THE ORGANIZATION**

Office of Emergency Management Director, Kharley Smith spoke. Executive Director Tre Bell spoke. Board of Directors President, Earl Bolts spoke. Board Member & Hays County Emergency Preparedness Coordinator, Mike Jones. Hays County Recovery Specialist, Denise Treadwell was in attendance. The Blanco River Regional Recovery Team is the long term recovery organization created to assist the citizens of Bastrop, Caldwell, Guadalupe and Hays Counties after the devastation of the Memorial Weekend Flood in 2015. Trey Bell, the current Executive Director, will speak on the help they have been able to provide to hundreds of citizens over the past three years.

**33751A 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 \$2,060,105.96 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33752A APPROVE PAYMENTS OF JUROR CHECKS**



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A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks invoices in the amount of \$2,313.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33753A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the United Healthcare claims in the amount of \$141,175.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**33754A APPROVE COMMISSIONERS COURT MINUTES OF JUNE 5, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of June 5, 2018. All present voting "Aye". MOTION PASSED

**33755A AUTHORIZE THE EXECUTION OF AMENDMENT 5 TO THE GRANT PROJECT AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) TO EXTEND THE COMPLETION DATE FOR THE DAHLSTROM RANCH TRAILS PROJECT TO JUNE 30, 2019**

On January 25, 2011 the Commissioners Court accepted a grant award from the Texas Parks and Wildlife Department, Texas Recreational Trails Fund for \$100,000 for development of the Dahlstrom Ranch Public Access Area (trail construction and associated amenities). The original Project Agreement was set to expire on August 31, 2014 and Amendment 1 approved by Commissioners Court on April 1, 2014 extended the Agreement termination date to July 15, 2015. Amendment 2 was approved by the Commissioners Court on June 2, 2015 extended the project completion date to July 15, 2016. Amendment 3, approved by the Commissioners Court on May 31, 2016, extended the Agreement completion date to June 30, 2017. Amendment 4, approved by the Commissioners Court on May 16, 2017, extended the Agreement completion date to June 30, 2018. TPWD was contacted to request an extension to the grant agreement. Amendment 5, approved by TPWD on June 6, 2018, will extend the Project Agreement termination date to June 30, 2019. However, we only foresee needing an additional 2 months. All terms and conditions of the original agreement remain the same. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Amendment 5 to the grant project agreement with the Texas Parks and Wildlife Department (TPWD) to extend the completion date for the Dahlstrom Ranch Trails project to June 30, 2019.** All present voting "Aye". MOTION PASSED

**33756A APPROVE OUT OF STATE TRAVEL FOR CAPTAIN JULIE VILLALPANDO TO ATTEND THE FBI NATIONAL ACADEMY IN QUANTICO, VA**

Out of state travel is requested for Captain Julie Villalpando who has been accepted by the National Academy Unit (NAU) to attend the Federal Bureau of Investigation National Academy. Funding for travel, supplies and materials will be utilized from Sheriff's Federal Discretionary funds. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Captain Julie Villalpando to attend the FBI National Academy in Quantico, VA.** All present voting "Aye". MOTION PASSED

**33757A RATIFY THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION AND CONTROL (FEDERAL) FOR FY 2019 IN THE AMOUNT OF \$22,297.00**

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The federal funding is \$22,297, with a 20% match (\$4,459) required of the County for participation in the program, for total project amount of \$26,756. The match will be budgeted within the Health Department for fiscal 2019 from existing salaries, benefits, and operating expenses. The funding period for the program is from January 1, 2019 through December 31, 2019 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the execution of an Interlocal Agreement with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control (Federal) for FY 2019 in the amount of \$22,297.00.** All present voting "Aye". MOTION PASSED



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**33758A RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 61.312 OF THE TEXAS ALCOHOLIC BEVERAGE CODE**

Pursuant to Section 61.312 of the Texas Alcoholic Beverage Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a license under this chapter. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to receive the County Judge's delegation of a county officer pursuant to Section 61.312 of the Texas Alcoholic Beverage Code. All present voting "Aye". MOTION PASSED**

**33759A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 3100 WINDY HILL RD, BUDA, TX 78610**

Buda (Kyle) DTP, LLC is proposing an OSSF to serve a Dollar General retail store. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Jerry Ince, P.E., has designed a system, which consists of a 1000 gallon trash tank, 1000 flow equalization tank, a Clearstream aerobic treatment unit, a 1000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 320 gallons. **A motion was made by Commissioner Jones, seconded by Whisenant to authorize Institutional OSSF Permit at 3100 Windy Hill Rd, Buda, TX 78610. All present voting "Aye". MOTION PASSED**

**33760A AUTHORIZE THE PRECINCT 1 CONSTABLE'S OFFICE TO ADMINISTER A RETIRED PEACE OFFICER'S PROGRAM AS REQUIRED BY SECTION 614.124 OF THE TEXAS GOVERNMENT CODE**

Rodrigo Amaya resident of San Marcos made public comment. General Counsel Mark Kennedy spoke. Section 614.124 of the Texas Government Code requires the head of a law enforcement agency to issue a honorably retired peace officers identification card to those individuals who request and meet the qualifications listed in both the Texas Government Code and the Texas Occupations Code. Section 1701.357(g) of the Texas Occupations Code states, "A county law enforcement agency must obtain approval of the program authorized by this section from the Commissioners Court of the county before issuing a certificate of proficiency under this section." **A motion was made by Commissioner Jones, seconded by Whisenant to authorize the Precinct 1 Constable's Office to administer a Retired Peace Officer's Program as required by Section 614.124 of the Texas Government Code. All present voting "Aye". MOTION PASSED**

**33761A APPROVE OUT OF STATE TRAVEL FOR ERICA CARPENTER AND MEGAN JONES TO ATTEND THE EMERGENCY TELECOMMUNICATOR INSTRUCTOR COURSE IN SALT LAKE CITY, UTAH**

Approval for out of state travel is needed to send Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah beginning August 22-24, 2018. This training will teach Erica and Megan about how to train others to become Emergency Telecommunicators. This training will also allow Erica and Megan to improve personal training skills and abilities, and grow more familiar with Emergency Telecommunicator Course content, and to gain insight into ways to incorporate local policies and procedures. Funding for registration, travel and miscellaneous fees are identified in the Sheriff's Office Continuing Education general ledger. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah. All present voting "Aye". MOTION PASSED**

**33762A APPROVE UTILITY PERMITS**

Permit: 1082 Road Name: Posey Road Utility: Fiber Optic Cable (Centurylink). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit # 1028 on Posey Road for a Fiber Optic Cable (Centurylink). All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #15 RE: RECEIVE AND RECOGNIZE ADOPTION OF A POLICY REGARDING HAYS COUNTY LAW ENFORCEMENT USE OF COUNTY EQUIPMENT AND VEHICLES BY THE FIVE HAYS COUNTY CONSTABLES - was pulled**



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**33763A AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR ADDITIONAL OVERTIME COMPENSATION FOR LAW ENFORCEMENT PERSONNEL**

Rodrigo Amaya resident of San Marcos made a public comment. The Sheriff's Office is experiencing a shortage in law enforcement personnel which has caused an increase in overtime expenses to maintain the level of service needed for public safety. The Sheriff is requesting to utilize the salary savings due to attrition to cover the overtime shortages. Budget Amendment:001-618-00.5021 Staff Salaries (\$200,000), 001-618-00.5031 Overtime \$200,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office operating budget for additional overtime compensation for Law Enforcement personnel. All present voting "Aye". MOTION PASSED**

**33764A AMEND THE SHERIFF'S OFFICE DRUG FORFEITURE FUND FOR SUPPLEMENTAL PAY FOR TWO LAW ENFORCEMENT POSITIONS RELATED TO TEMPORARY SUPERVISORY DUTY ASSIGNMENTS**

The Sheriff is requesting supplemental pay for two positions in the Jail Division; Lieutenant, slot number 0473-006 and Sergeant, slot number 0620-005 due to the existing Captain attending a three and a half month FBI Training Course. Supervisory positions will temporarily be re-assigned to fill this gap effective July 1, 2018 through October 15, 2018. Sheriff Drug Forfeiture Funds are available to fund this request. Budget Amendment: Increase Salaries - \$9,116, Increase Fringe - \$1,897, Decrease Criminal Investigation - (\$11,013). Attachment: Financial Impact for duty reassignment **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office Drug Forfeiture Fund for supplemental pay for two law enforcement positions related to temporary supervisory duty assignments. All present voting "Aye". MOTION PASSED**

**33765A RATIFY THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE COURTHOUSE**

The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Courthouse. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include snack & soda vending available to employees and public. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the execution of an agreement with Mcliff Coffee & Vending for vending services at the Courthouse. All present voting "Aye". MOTION PASSED**

**33766A AMEND THE RECYCLING AND SOLID WASTE DEPARTMENT OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO STAFF CERTIFICATIONS**

Additional funds are needed to cover the cost of the Texas Commission on Environmental Quality (TCEQ) Exam (\$50) and a Compliance Solutions Hazwoper Refresher Course (\$119) in order for staff to maintain their current certifications. Savings within the operating budget are available to fund this request. Budget Amendment: Decrease 001-716-00.5201 General Supplies, Increase 001-716-00.5551 Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Recycling and Solid Waste Department operating budget for continuing education expenses related to staff certifications. All present voting "Aye". MOTION PASSED**

**33767A AUTHORIZE THE EXTENSION OF THE TEXAS WATER DEVELOPMENT BOARD AND HAYS COUNTY CONTRACT FOR THE FLOOD WARNING SYSTEM GRANT TO SEPTEMBER 30, 2018**

The requested amendment is meant to extend the period of performance between the Texas Water Development Board and Hays County to further develop the Hays County Flood Warning System. Hays County -TWDB Contract No. 160012045 Section I, Article I, Item 11 & 13 extension to September 30, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the extension of the Texas Water Development Board and Hays County contract for the Flood Warning System grant to September 30, 2018. All present voting "Aye". MOTION PASSED**

**33768A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT AT TWO LOCATIONS AND AMEND THE BUDGET ACCORDINGLY**



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The master pole at Chapparral Rd was damaged during a vehicular accident on the evening of May 4, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, electronics box, solar panel, ALERT2 encoder board, ALERT2 decoder board, ALERT2 board back plate, and the GPS antenna cable. All of these items must be replaced before the station can be re-installed. The flasher #1 pole at York Creek Rd was damaged during a vehicular accident on the morning of May 17, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, one of the batteries, and the 900Mhz antenna cable. All of these items must be replaced before the station can be re-installed. The Emergency Services Director has received quotes from our current LWC installation vendor to complete both repairs. Hays County will be seeking reimbursement from at fault parties; however it is imperative that these repairs are completed in a timely manner for safety reasons. Funding from County-Wide self-insurance is available to fund this request. Any reimbursements received will be deposited back into that g/l account. Attachments: Water & Earth Technologies Quotes: #A637-205 - \$9,983.07, #A637-206 - \$2,198.83. Budget Amendment: Increase OES Equipment Maint & Repairs Decrease Co-Wide Self Insurance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment at two locations and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33769A AUTHORIZE COMMERCIAL OSSF PERMIT AT 12495 SILVER CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620**

Hospital Housekeeping Services, LLC is proposing an OSSF to serve a business that includes an office building, a cafeteria, and 5 condominiums. This 120.177-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 a grease interceptor, pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 4800 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 12495 Silver Creek Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #23 RE: AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) VACKER NPS CANTILEVER STYLE EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE – was pulled**

**33770A AUTHORIZE THE EXTENSION OF THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD AND HAYS COUNTY CONTRACT TO JULY 31, 2019**

The purpose of this amendment is to extend the period of performance for the Texas State Soil and Water Conservation Board and Hays County Hays County -EWP-ST-50040. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the extension of the Texas State Soil and Water Conservation Board and Hays County contract to July 31, 2019. All present voting "Aye". MOTION PASSED**

**33771A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH RPS INFRASTRUCTURE, INC. FOR ENGINEERING SERVICES AT THE INTERSECTION OF RR12 AND FM3237**

Transportation Director Jerry Borcharding spoke. PSA is for engineering services of a proposed project at the RR 12 and FM 3237 intersection consisting of pavement widening to accommodate a westbound to north bound free right-turn lane; northbound acceleration lane; southbound to eastbound left-turn lane; and southbound to westbound right-turn lane. Pavement widening will require removal and replacement of the existing traffic and pedestrian signals with new traffic signal, safety lighting and related infrastructure. Driveways and drainage culverts will also be updated to accommodate the improvements. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement (PSA) with RPS Infrastructure, Inc. for engineering services at the intersection of RR12 and FM3237. All present voting "Aye". MOTION PASSED**

**33772A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND**



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**#K09568785 IN THE AMOUNT OF \$1,935,419.35, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1848963 IN THE AMOUNT OF \$180,609.38, AND ACCEPT THE 1-YEAR REVEGETATION BOND #1063822 IN THE AMOUNT OF \$12,600.00 FOR SHADOW CREEK SUBD., PHASE 9, SECTION 2**

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the construction bond #K09568785 in the amount of \$1,935,419.35, acceptance of the 2-year maintenance bond #1848963 in the amount of \$180,609.38, and accept the 1-year revegetation bond #1063822 in the amount of \$12,600.00 for Shadow Creek subd., Phase 9, Section 2. All present voting "Aye". MOTION PASSED**

**33773A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE PERFORMANCE BOND #1155049 IN THE AMOUNT OF \$84,080.96, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$76,578.77, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #1048985 IN THE AMOUNT OF \$70,783.20 FOR CALITERRA SUBD., PHASE 2, SECTION 8**

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Transportation Director Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the performance bond #1155049 in the amount of \$84,080.96, acceptance of the 2-year maintenance bond #1048985 in the amount of \$76,578.77, and acceptance of the 2-year revegetation bond #1048985 in the amount of \$70,783.20 for Caliterra subd., Phase 2, Section 8. All present voting "Aye". MOTION PASSED**

**33774A RENAME THE ROAD TULIP GARDEN TRAIL TO SPLIT ROCK PATH IN THE LA CIMA, PH 1, WEST CENTERPOINT ROAD PLAT**

Attached letter describes the road in question. A copy of the original plat has been attached. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to rename the road Tulip Garden Trail to Split Rock Path in the La Cima, PH 1, West Centerpoint Road Plat. All present voting "Aye". MOTION PASSED**

**32775A SUB-1002; ACOSTA ADDITION SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

County Planner Marcus Pacheco spoke and gave staff recommendation. Acosta Addition Subdivision is located off of Mussey Rd in Precinct 3. The proposed prelim will create 1 lot across 4.72 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant approve preliminary plan of SUB-1002; Acosta Addition Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

**33776A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT**

County Planner Caitlyn Strickland spoke and gave staff recommendation. Oneill 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 Shell approve final plat of SUB-1021; O'Neill Ranch Tract 9 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

**33777A SUB-526 BREAKWATER SUBDIVISION (21 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT**



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County Planner Caitlyn Strickland spoke. The proposed Breakwater Subdivision is a 21 lot subdivision located off of Rim Rock Trail in Precinct 4. This proposed subdivision spans across both Hays and Travis County. Only 2.575 acres, which will be 4 lots, will be within Hays County. The subdivision will be served by the West Travis County Public Utility Agency. Wastewater service will be provided by individual on-site sewage facilities. All the roads being constructed in Breakwater Subdivision will be solely within and maintained by Travis County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell approve final plat of SUB-526 Breakwater Subdivision (21 Lots). All present voting "Aye". MOTION PASSED**

**33778A CALL FOR A PUBLIC HEARING ON JULY 17, 2018 TO DISCUSS THE CANCELLATION OF LOT 1 IN THE RIM ROCK RANCH ESTATES SUBDIVISION**

County Planner Marcus Pacheco spoke. The Rim Rock Ranch Estates subdivision is a 4 lot recorded subdivision located off Rim Rock Ranch Rd. in Precinct 3. The subdivision was recorded in 2007. The owner of lot 1 now wishes to cancel the 3 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on July 17, 2018 to discuss the cancellation of lot 1 in the Rim Rock Ranch Estates Subdivision. All present voting "Aye". MOTION PASSED**

**33779A APPROVE THE APPOINTMENT OF BERT BRONAUGH, TO REPLACE TOM DAHLSTROM, ON THE BOARD OF EMERGENCY SERVICES DISTRICT #2, TERM ENDING DECEMBER 31, 2019**

Commissioner Jones spoke. Bert Bronaugh has agreed to serve out the term of Tom Dahlstrom beginning June 21, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Bert Bronaugh, to replace Tom Dahlstrom, on the board of Emergency Services District #2, term ending December 31, 2019. All present voting "Aye". MOTION PASSED**

**33780A AUTHORIZE THE EXECUTION OF A REMOTE BIRTH ACCESS CONTRACT BETWEEN HAYS COUNTY AND DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS UNIT RELATED TO STATE WIDE BIRTH CERTIFICATES**

Contract renewal for the Hays County Clerk's Office to access the Texas Electronic Registration Remote System (TER Remote System) for the purpose of issuing individual birth certificates. The current contract expires on 8/31/2018. This renewal is for a 5 year period beginning 9/1/2018 and ending 8/31/2023. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Remote Birth Access Contract between Hays County and Department of State Health Services (DSHS) Vital Statistics Unit related to state wide birth certificates. All present voting "Aye". MOTION PASSED**

**33781A EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM AND AMEND THE BUDGET ACCORDINGLY**

Transportation Assistant Director Alex Flores spoke. Transportation Director Jerry Borcharding spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide disaster recovery and restoration of infrastructure for communities impacted by the Floods of 2015. The 2015 Floods and Storms overwhelmed Hays County's street and drainage system. Flows exceeding the capacity of drainage channels prohibited storm water from draining effectively, inundating streets and threatening public health, safety, and welfare. As part of the CDBG-DR program, Hays County will conduct street infrastructure improvements to facilitate proper storm water conveyance and provide continued ingress/egress to the area. The project total is \$9,104,085 with a total of \$5,003,006 in CDBG-DR funding and \$4,101,079 matching funds from Hays County General Fund. The contract will become effective on the date signed by the last party and will terminate on September 22, 2020. FY18 fiscal impact is anticipated to be approximately \$20,000. Co-Wide Operations miscellaneous capital improvements are available to fund this request. Additionally, the remaining match commitments will be budgeted during the 2019 & 2020 fiscal years as appropriate per the anticipated project timeline. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$150,000, Increase Professional & Admin Fees .5303 - \$170,000, Decrease Co-Wide Operations Misc Capital Imprv 001-712-00.5741 - (\$20,000). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



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**33782A APPOINT COMMISSIONER DEBBIE GONZALES INGALSBE AND COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE JOINT COMMUNITY PARTNERSHIP COMMITTEE WITH THE CITY OF SAN MARCOS AND THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT**

Commissioner Shell spoke. Commissioner Ingalsbe spoke. Hays County has 2 positions on the newly formed Joint Community Partnership Committee with the City of San Marcos and San Marcos Independent School District. Each entity will appoint 2 members to the Committee which will focus on common partnership opportunities and public interest. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe and Commissioner Lon Shell to represent Hays County, on the Joint Community Partnership Committee with the City of San Marcos and the San Marcos Consolidated Independent School District. All present voting "Aye". MOTION PASSED**

**33783A AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY TO BE PERFORMED BY THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT RELATED TO THE 2018 HAYS COUNTY FERAL HOG PROGRAM**

Commissioner Jones spoke. Texas State University - The Meadows Center for Water and the Environment will provide services associated with Texas A&M AgriLife Extension Feral Hog Abatement Grant program as follows: General Project Management, Website Development/Social Media Campaign, 4 Landowner Outreach Events, Hays County Feral Hog Removal Tracking including a County Level Damage Assessment, Hays County Feral Hog Bounty Program, Remote-Operated Feral Hog Trap Sharing Cooperative, Development of Final Report: Central Texas Feral Hog Action and Sustainability Plan. The Feral Hog Abatement Grant Program will provide \$7,850 in funding assistance for this program of which \$6,000 will be utilized for the services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the 2018 Hays County Feral Hog Program. All present voting "Aye". MOTION PASSED**

**33784A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HANNAH RIFKIN FOR PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY**

Historical Commission Chairman, Kate Johnson spoke. General Counsel, Mark Kennedy spoke. The Historical Commission Director would like to secure services with the Rifkin to assist with production, editing and delivery of the 2015 Memorial Day Flood Documentary. Mrs. Johnson respectfully requests the court to authorize selection of this vendor without securing additional quotes as required by the purchasing policy. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement with Hannah Rifkin for production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED**

**33785A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE DEVELOPMENT SERVICES/TRANSPORTATION FACILITY**

Assistant Director of Countywide Operations, Tammy Crumley spoke. The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Development Services/Transportation facility. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include the following: 1. Snack & Soda vending machines in lobby, available to employees and the public. 2. Coffee services for employees in the Development Services breakroom. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of an agreement with Mcliff Coffee & Vending for vending services at the Development Services/Transportation facility. All present voting "Aye". MOTION PASSED**

**33786A AUTHORIZE THE HAYS COUNTY CHILD PROTECTIVE BOARD TO SUBMIT A PARTICIPATE APPLICATION TO THE VILLAGE OF SAN MARCOS FOR FUTURE INFRASTRUCTURE NEEDS RELATED TO A "RAINBOW ROOM" DISTRIBUTION CENTER**

Hays County Child Protective Board Member, Karen Brown spoke. The Hays County Child Protective Board is seeking the Court's authorization to submit an application to the Village of San Marcos for consideration for future infrastructure needs. CPS, with funding from the Board, maintains what is called a Rainbow Room, where items children in custody need are stored. Currently, the Rainbow Room consists of two small rooms





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in CPS offices. Because the number of children served by the Board has increased dramatically in the last eight years—from 32,948 in 2010 to 53,169 in 2017—we have had to rent storage space for items that children need, which makes access to the items in emergencies difficult, time-consuming, and sometimes impossible. Further, even with rented storage space we have too little room to allow the acceptance of many donations, or to buy in bulk to reduce costs. The Board's vision is to build a free-standing building at the Village to serve as a Rainbow Room that provides ample space for storage, distribution, record-keeping and immediate needs of children, and that provides safe access for the children and for the CPS workers. This application process is a first step toward improving the current Rainbow Room and the services it provides. Submitting the application to the Village does not obligate the Board to join, but it will allow a path forward with project planning, identifying cost, and seeking potential funding sources. Attachment: Participate Application. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Hays County Child Protective Board to submit a Participate Application to the Village of San Marcos for future infrastructure needs related to a "Rainbow Room" distribution center. All present voting "Aye". MOTION PASSED**

**33787A APPOINT COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE GREATER SAN MARCOS PARTNERSHIP BOARD ("GSMP") OF DIRECTORS, TO REPLACE WILL CONLEY**

Dan Lyon resident of San Marcos made public comment. Harvey Jenkins resident of San Marcos made public comment, Rodrigo Amaya resident of San Marcos made public comment. Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Mr. Conley's seat needs to be filled by a current court member. Pursuant to Section 5.9 of the Second Amended and Restated Bylaws of the Greater San Marcos Economic Development Corporation, Commissioner Shell has been nominated as a replacement Director to the GSMP Board of Directors contingent on the County's approval. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Lon Shell to represent Hays County, on the Greater San Marcos Partnership Board ("GSMP") of Directors, to replace Will Conley. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #42 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING APPLICATION OF THE HAYS COUNTY REINVESTMENT ZONE POLICY TO SELECT PROJECTS WITHIN HAYS COUNTY**

Court convened into Executive session at 10:18 a.m. and reconvened into open court at 10:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

**Clerk's Note Agenda Item #44 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. POSSIBLE ACTION MAY FOLLOW – was pulled**

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

Commissioner Ingalsbe gave the update of the Burn Ban. The Burn Ban will remain in place. No action taken.

**Clerk's Note Agenda Item #46 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled**

**ADJOURNMENT**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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A motion was made by Commissioner Jones to adjourn court at 10:55a.m.

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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 19, 2018 .

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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

