

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 10<sup>TH</sup> DAY OF JULY 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:

Chaplain 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, and Rodrigo Amaya, San Marcos resident, made public comments.

**PRESENTATION OF THE DISTINGUISHED SERVICE AWARD FROM TEXAS HISTORICAL COMMISSION TO THE HAYS COUNTY HISTORICAL COMMISSION**

Kate Johnson, Chairman of the Hays County Historical Commission accepted the award on behalf of the Hays County Historical Commission and spoke.

**32821 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices for the week of 7/3/2018 in the amount of \$39,248.13 and invoices for the week of 7/10/2018 in the amount of \$3,391,132.51 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32822 APPROVE PAYMENT OF JUROR CHECKS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks invoices in the amount of \$3,578.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32823 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the United Healthcare claims in the amount of \$550,154.46 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**32824 APPROVE COMMISSIONER COURT MINUTES OF JUNE 26, 2018**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of June 26, 2018. All present voting "Aye". MOTION PASSED

**32825 APPROVE THE PAYMENT OF THE JULY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JULY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the July mid-month payroll disbursements not to exceed \$2,655,00.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the July



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15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective July 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**32826 APPROVE UTILITY PERMITS**

Permit, Roadname, Utility. 1086, 2181 Mathias Lane, Water Service Line (Goforth SUD). 1087, 355 Graef Road, Water Service Line (Goforth SUD). 1088, 2311 Mathias Lane, Water Service Line (Goforth SUD). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve permit #1086 on Mathias Lane to Goforth SUD; permit #1087 on Graef Road to Goforth SUD; permit #1088 on Mathias Lane to Goforth SUD, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**32827 AUTHORIZE THE EXECUTION OF GRANT AWARD FOR THE HAYS COUNTY VETERANS TREATMENT COURT FROM THE TEXAS VETERANS COMMISSION FUND FOR VETERANS IN THE AMOUNT OF \$200,000.00**

On October 31, 2017, the Commissioners Court authorized the submission of a grant application to the Texas Veterans Commission for funding in the amount of \$200,000.00 for the Hays County Veterans Treatment Court. The grant will provide funding for a probation officer, part-time mentor coordinator, program manager, treatment services, and supplies/travel expenses for the Veterans Treatment Court Program. The Veterans Treatment Court provides for voluntary participation of defendants whose criminal cases are attributed to physical and mental injuries sustained during their tenure in military services. The grant period is July 1, 2018 - June 30, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of grant award for the Hays County Veterans Treatment Court from the Texas Veterans Commission Fund for Veterans in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED

**32828 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 17 LOCAL SOLICITATION IN THE AMOUNT OF \$13,580 FOR HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya, Assistant County Auditor, Vickie Dorsett, and Director of Countywide Operations, Clint Garza, spoke. On August 31, 2017, the Commissioners Court authorized submission of a grant with the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY17 Local Solicitation. Hays County will receive a funding allocation that will be used to purchase 18 Rifle-Resistant Vests in the amount of \$14,112 for the Constables, an additional \$532.00 of local county funds are necessary to complete the purchase. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$13,580, Increase Law Enforcement Equipment .5717\_400 - \$14,112, Decrease Contingencies .5399 - (\$532). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY 17 Local Solicitation in the amount of \$13,580 for Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**32829 ACCEPT THE 2017 NORTHEAST HAYS COUNTY EMERGENCY SERVICES DISTRICT #2 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 Northeast Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

**32830 AUTHORIZE THE EXECUTION OF MULTI-SERVICE AND EQUIPMENT RESALE AGREEMENTS WITH AT&T CORP. RELATED TO FIRSTNET FOR THE OFFICE OF EMERGENCY SERVICES COMMAND TRAILER AND AMEND THE BUDGET ACCORDINGLY**

The Office of Emergency Services Director is requesting equipment needed to allow FirstNet capabilities for First Responders utilizing the Command Trailer. FirstNet is a reliable, highly secure, interoperable, and



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innovative public safety communications platform for public safety agencies and first responders. The broadband LTE network allows first responders and other public safety personnel to send and receive voice, data, video, images, and text without concerns about network congestion. The FirstNet network offers guaranteed priority and preemption when they're needed. Additionally, FirstNet provides interoperable communications for the public safety community, enabling information sharing across jurisdictions, and improved situational awareness. The Cradlepoint equipment needed is a branch router with antennas that provides an all-inclusive branch networking solution for the Command Trailer during any type of emergency. AT&T will provide the equipment through the resale agreement, which will require an on-going cloud storage and maintenance fee. Savings within the OES operating budget are available to fund this request. Budget Amendment: Decrease Contract Services .5448, Increase Software Maintenance .5429. Attachments: AT&T Multi-Service Agreement, AT&T Equipment Resale Agreement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Multi-Service and Equipment Resale agreements with AT&T Corp. related to FirstNet for the Office of Emergency Services Command Trailer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32831 APPROVE OUT OF STATE TRAVEL FOR THE DISTRICT CLERK TO ATTEND THE EIGHTH ANNUAL COURTS & JUSTICE EXECUTIVE FORUM IN BOULDER, COLORADO SEPTEMBER 4TH-6TH, 2018**

The District Clerk has been invited to attend the Eighth Annual Courts & Justice Executive Forum, which is by invitation only. This Forum connects leaders and innovators in the justice community who are Odyssey users. Key topics include Modra implementation progress, Empowering Legal Professionals' access to case information and documents through redaction and cross-jurisdictional searches, Tyler's acquisition of Socrata, and Evolving the Odyssey Foundation. There is no registration fee associated with the conference, just travel costs and associated per diems (approximately \$800 total, depending on airfare). Funds are available in the District Clerk's operating budget to cover these expenses. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the District Clerk to attend the Eighth Annual Courts & Justice Executive Forum in Boulder, Colorado September 4th-6th, 2018. All present voting "Aye". MOTION PASSED**

**32832 AUTHORIZE PAYMENT TO DIVERSE PLANNING & DEVELOPMENT FOR EXPENSES RELATED TO THE DAHLSTROM NATURE PRESERVE GROUNDBREAKING IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

A purchase order was not obtained prior to acquiring services for the Dahlstrom Nature Preserve Groundbreaking event. A total of \$5,539.88 was spent on the planning and coordination of this event. Potential Funding Source: County Wide Contingencies. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to Diverse Planning & Development for expenses related to the Dahlstrom Nature Preserve Groundbreaking in which no purchase order was obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED**

**32833 APPROVE CHANGE ORDER #2 FOR PARTNERS REMODELING, RESTORATION AND WATERPROOFING FOR THE DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT PROJECT**

On January 23, 2018, Commissioners Court approved a contract for Partner's Remodeling in response to IFB 2018-B03. Additional funds are needed due to design issues for asphalt in the parking lot area. Additionally, the contact term will be extended to July 13, 2018, due to delays and unforeseen circumstances. Attachment: Change Order # 2. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #2 for Partners Remodeling, Restoration and Waterproofing for the Dahlstrom Ranch Public Access Development project. All present voting "Aye". MOTION PASSED**

**32834 AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) KVO NPS STYLE CANTILEVERED EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE AND AMEND THE BUDGET ACCORDINGLY**

The Natural Resources Parks Department would like to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve. The benches



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will provide resting areas for park visitors. The signs will display information such as park rules/maps, Dahlstrom family history, and geology of the Gay Ruby Dahlstrom Nature Preserve. Budget Amendment: Decrease .5611\_700, Increase .5719\_400. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Natural Resources Parks Department to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32835 APPROVE CHANGE ORDER #1 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS AND AMEND THE BUDGET ACCORDINGLY**

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Change Order No. 1 is needed to complete the required work at Site 4. Attachment: Change Order No. 1. Funding for this project is being provided through approved grants from NRCS (75%); with matching funds provided by the TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$187,329 Increase Construction: .5611\_400 - \$189,700. Decrease Co-Wide Contingencies: .5399 - (\$2,371.00). **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #1 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32836 AUTHORIZE THE EXECUTION OF A RESOLUTION SUPPORTING CALDWELL COUNTY'S SUBMISSION OF A UNITED STATES DEPARTMENT OF TRANSPORTATION BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) TRANSPORTATION DISCRETIONARY GRANTS PROGRAM FOR THE SAN MARCOS, AIR, RAIL, AND TRUCK (SMART) TERMINAL**

The owner of approximately 1000 acres in Caldwell County, fully within the City of San Marcos ETJ, has begun planning an intermodal industrial park called the San Marcos Air, Rail, and Truck Terminal (SMART). The industrial park will have rail connections to lines served by Union Pacific and BNSF. Future planning should result in connection to the San Marcos Regional Airport concentrating freight traffic into a single location where shipping into and out of the region is made more efficient. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution supporting Caldwell County's Submission of a United States Department of Transportation Better Utilizing Investments To Leverage Development (BUILD) Transportation Discretionary Grants Program for the San Marcos, Air, Rail, and Truck (SMART) Terminal. All present voting "Aye". MOTION PASSED**

**32837 AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO TEXAS WATER DEVELOPMENT BOARD FOR THE FLOOD PROTECTION GRANT IN THE AMOUNT OF \$285,370**

The Texas Water Development Board (TWDB) has recently issued a call for applications for Flood Protection Assistance grants, with a relatively short deadline for submission of July 11, 2018. The purpose of these grants is to provide assistance to political subdivisions to implement preventive and/or corrective measures for reducing loss of life and property, such as early warning systems and the development of response plans to protect life and property from floodwaters. As a result of the 2015 Flood Disasters, Hays County has determined a need to enhance our warning system capabilities and has placed a high priority on deploying such systems. Specifically, this would include technology upgrades for existing, and the installation of new, road low water crossing warning systems, possible stream/rainfall gaging sites at select locations, and dam water level monitoring systems. This grant application is for funding to installation of water level monitoring stations at dam sites, camera monitoring, and rain gauges to the existing Flood Monitoring System that TWDB funded previously. The total project cost is \$285,370. Texas Water Development Board will fund up to fifty percent of the total project cost. The anticipated award date is September 2018 and the grant application is due July 11, 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to Texas Water Development Board for the Flood Protection Grant in the amount of \$285,370. All present voting "Aye". MOTION PASSED**

**32838 RELEASE MAINTENANCE BOND #K08639048 IN THE AMOUNT OF \$37,774.80 FOR SHADOW CREEK SUBD., PH. 7, SEC. 2, RELEASE OF THE MAINTENANCE BOND #K08639061 IN THE AMOUNT OF \$39,673.20 FOR SHADOW CREEK SUBD., PH. 11, SEC. 1, AND**





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**ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD  
MAINTENANCE SYSTEM**

Director of Transportation, Jerry Borcharding, gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed for both sections of the subdivision. The roads include: Wildfire Cove (368 ft.), Pebble Creek Lane (492 ft.), Albatross Cove (504 ft.) and Eagle Brook Lane (596 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release of the maintenance bond #K08639048 in the amount of \$37,774.80 for Shadow Creek subd., Ph. 7, Sec. 2, release of the maintenance bond #K08639061 in the amount of \$39,673.20 for Shadow Creek subd., Ph. 11, Sec. 1, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

**32839 HOLD A PUBLIC HEARING TO ESTABLISH A SPEED LIMIT OF 35 MPH FOR MADRONE RANCH TRAIL IN MADRONE RANCH SUBDIVISION**

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would establish a speed limit of 35 MPH for Madrone Ranch Trail, after conducting a speed study last month. This subdivision has large acre lots and is in a rural part of the county. Speed limits were not established after construction. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to establish a speed limit of 35 MPH for Madrone Ranch Trail in Madrone Ranch subdivision. All present voting "Aye". MOTION PASSED**

**32840 HOLD A PUBLIC HEARING TO REDUCE THE EXISTING SPEED LIMIT OF 30 MPH TO 20 MPH ON HAZY HILLS LOOP AND ON DAYRIDGE DRIVE IN THE HEADWATERS AT BARTON SPRINGS SUBDIVISION**

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would reduce the existing speed limit of 30 MPH on both Hazy Hills Loop and Dayridge Drive within the Headwaters at Barton Springs subdivision to 20 MPH. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to reduce the existing speed limit of 30 MPH to 20 MPH on Hazy Hills Loop and on Dayridge Drive in the Headwaters at Barton Springs subdivision. All present voting "Aye". MOTION PASSED**

**32841 NAME A PRIVATE DRIVEWAY IN PRECINCT 4, BROKEN BIT TRAIL**

The owners of two properties located off Prochnow Road in Precinct 4, would like to name their private driveway, Broken Bit Trail. Each property owner has signed the request and has communicated with the Hays County GIS Analyst to coordinate 911 address assignment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to name a private driveway in Precinct 4, Broken Bit Trail. All present voting "Aye". MOTION PASSED**

**32842 EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM**

Director of Countywide Operations, Clint Garza, spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide financial assistance to facilitate disaster recovery, restoration, and economic revitalization and to affirmatively further fair housing in areas affected by DR-4223 and DR-4255. A total of \$2,349,747.24 in CDBG-DR funding will be utilized for this project. The contract will become effective on the date signed by the last party and will terminate on October 8, 2020. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program. All present voting "Aye". MOTION PASSED**

**32843 ADOPT NEW RULES AND REGULATIONS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE, ADOPT FEE SCHEDULE, AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE**



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**OPERATIONS TO AMEND PARK RULES FOR ALL HAYS COUNTY FACILITIES, AS NECESSARY**

Director of Countywide Operations, Clint Garza, spoke. Adopt new rules and regulations for Gay Ruby Dahlstrom Nature Preserve. (Attached). Adopt new fee schedule for Gay Ruby Dahlstrom Nature Preserve. (Attached). Authorize the Executive Director of Countywide Operations to amend park rules as needed in order to establish and maintain reasonable standards for the Hays County owned and/or leased park facilities. Approval of this action would allow the Executive Director of Countywide Operations to make such changes without the need of additional court action. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt new rules and regulations for the Gay Ruby Dahlstrom Nature Preserve, adopt fee schedule, and authorize the Executive Director of Countywide Operations to amend park rules for all Hays County facilities, as necessary. All present voting "Aye". MOTION PASSED**

**32844      RATIFY A REQUEST FOR CONTESTED CASE HEARING MADE BY THE HAYS COUNTY COMMISSIONER FOR PRECINCT 3 ON OR ABOUT JUNE 25, 2018, REGARDING ELECTRO PURIFICATION LLC'S PRODUCTION PERMIT APPLICATION TO THE BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT FOR THE PRODUCTION OF GROUNDWATER FROM THE MIDDLE TRINITY AQUIFER FOR THE PURPOSE OF WHOLESALE PUBLIC WATER SUPPLY**

Dan Lyon, Rodrigo Amaya, Willis Rockel, Will Conley, Chris Elliott, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify a request for contested case hearing made by the Hays County Commissioner for Precinct 3 on or about June 25, 2018, regarding Electro Purification LLC's Production Permit application to the Barton Springs Edwards Aquifer Conservation District for the production of groundwater from the Middle Trinity Aquifer for the purpose of wholesale public water supply. All present voting "Aye". MOTION PASSED**

**32845      AMEND THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009**

Lee McCormick, Lone Star Pace, Jonathan Blackburn, Texas Pace Authority, Mark Kennedy, General Counsel, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. 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 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. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the amendment to the report of the Hays County Property Assessed Clean Energy ("PACE") program and adopt the Resolution as presented by General Counsel. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #27 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled*



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**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY**

Court convened into Executive session at 10:46 a.m. and reconvened into open court at 11:40 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 #29 RE:** *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE POYBKUIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW – was pulled*

**32846 ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Hays County Fire Marshal, Clint Browning spoke of the recent rains and recommended lifting the Burn Ban. He's also consulted with the surrounding Fire Chiefs and they are all in agreement of lifting the Burn Ban. He urged the citizens of Hays County to be cautious and safe while conducting outdoor burning. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to lift the Burn Ban. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #31 RE:** *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, NHTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

**ADJOURNMENT**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 11:45 a.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 July 10, 2018.**



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

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