

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 31ST 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
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Josh Murrilo 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, Matt Ocker resident of Buda, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos, Ariel Axelrod resident of Driftwood, Ruben Garza resident of Kyle, all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5 – Year Service Awards – IT Department – Robert L. Donald, Transportation Department – Michael Davidson, County Court at Law – Anna Velasquez, Constable Pct. 5 – John H. Ellen, 15 Year Service Awards – Constable Pct. 1 – Frank Cheatham, Auditor's Office – Patricia Wiley, Commissioner Pct. 1. – Sylvia Boasi, 20 Year Service Awards – Transportation – Mario Garcia, Sheriff's Office – Jesse Raymond Hernandez, Sheriff's Office – Kelly Ray Woodard, 30 Year Service Award – District Attorney's Office – Edna M. Chagolla, Retirement – Sheriff's Office Pedro C. Hernandez, and Sheriff's Office – Woodie Leon Hall III.

33885A 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 \$ 1,356,418.50 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33886A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$ 4,862.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33887A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$ 186,706.39 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33888A APPROVE COMMISSIONERS COURT MINUTES OF JULY 24, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 24, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33889A APPROVE OUT OF STATE TRAVEL FOR DEPUTY BLAINE HAMILTON FOR CONTINUING EDUCATION IN SOCORRO, NEW MEXICO FROM SEPTEMBER 23RD - SEPTEMBER 27TH, 2018



Rodrigo Amaya resident of San Marcos made public comment. Out of state travel is requested for Deputy Blaine Hamilton, who has been accepted by New Mexico Tech, to attend the Incident Response to Terrorist Bombing (IRTB) Class "B" Course in Socorro, NM. Funding (Training, Airfare, Hotel Accommodations, and Per-Diem) is provided by the U.S. Department of Home Land Security (DHS / Federal Emergency Management (FEMA)). The IRTB course provides first responders with the knowledge and skills necessary to safely respond to incidents involving explosives. The IRTB course focuses on first responder health and safety by addressing personal protection issues that arise when responding to terror incidents involving commercial and homemade explosive devices. Additionally, the course includes information on the recognition of Improvised Explosive Devices (IEDs). This information better prepares first responders to safely recognize and respond to bombing threats. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Deputy Blaine Hamilton for continuing education in Socorro, New Mexico from September 23rd - September 27th, 2018. All present voting "Aye". MOTION PASSED**

33890A AUTHORIZE COMMERCIAL OSSF PERMIT AT 651 PLANT LADY LANE, DRIPPING SPRINGS, TEXAS 78620

Emmet Boyd is proposing a new OSSF for the property located at 651 Plant Lady Lane. This system will serve four small short-term rental cabins. This 10.201-acre tract of land will be served by rainwater collection. The system designer, Stephen Jetton, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 651 Plant Lady Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33891A APPROVE UTILITY PERMITS

Permit Road Name Utility 1089 C.R. 158 Waste Water Line 1090 C.R. 158 Water Line. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit 1089 located on CR158 to Waste Water Line and Permit 1090 located on CR158 to Water Line as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED**

33892A AUTHORIZE THE SUBMISSION OF THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) GRANT PROGRAM APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) IN THE AMOUNT OF \$11,492

The Texas LEPC Grant Program is an opportunity for LEPCs to establish, maintain, and/or improve their implementation of the Emergency Planning and Community Right- to-Know Act (EPCRA). The funds for this grant program are appropriated to the TCEQ and this grant round is up to \$200,000 total for all awards. Hays County will request a total of \$11,492 of funds for the maintenance of the Remote Automated Weather Stations (RAWS) and public educational/outreach material. The application is due by August 3, 2018 and will be submitted electronically. The grant period is September 1, 2018 - August 31, 2019 and there is not match requirement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of the Local Emergency Planning Committee (LEPC) Grant Program application to the Texas Commission on Environmental Quality (TCEQ) in the amount of \$11,492. All present voting "Aye". MOTION PASSED**

33893A AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT BETWEEN HAYS COUNTY AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

Rodrigo Amaya resident of San Marcos made public comment. The total project cost is \$65,809.77. In the attached agreement, \$49,959.71 is the eligible amount for reimbursement by the Texas Department of Transportation with a Match Amount of \$15,850.06 which will be met through County Funds - partial salaries, fringe, and travel expenses. The acquired funds aim to perform overtime STEP activities including enforcement of Impaired Driving, Occupant Protection, Speed, Intersection Traffic Control, and Distracted Driving. STEP enforcement efforts seek to reduce the number of crashes through data-driven, highvisibility enforcement in areas with chronically high fatal and serious-injury crash rates. The Grant becomes effective 10/01/2018 or on the date of final signatures of both parties, whichever is later, and ends on 09/30/2019 unless terminated or otherwise modified. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a grant agreement between Hays County and the State of Texas, acting by and through the Texas Department of Transportation for the Selective Traffic Enforcement Program (STEP). All present voting "Aye". MOTION PASSED**



33894A APPROVE AWARD OF IFB 2018-B08 ROAD IMPROVEMENTS - HOT MIX OVERLAY TO AUSTIN MATERIALS, LLC AND AUTHORIZE THE EXECUTION OF THE SAME

Purchasing received 4 bids from Austin Materials LLC, Alpha Paving Industries LLC, Lone Star Paving, and Clark Construction Company of Texas, Inc. Staff recommends award of a contract to Austin Materials, LLC. Attachments: Bid Tabulation. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve award of IFB 2018-B08 Road Improvements - Hot Mix Overlay to Austin Materials, LLC and authorize the execution of the same. All present voting "Aye". MOTION PASSED**

33895A APPROVE THE PAYMENT OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND LONGHORN COMMERCIAL ROOFING FOR WORK RELATED TO THE GOVERNMENT CENTER ROOF REPAIRS

Harvey Jenkins resident of San Marcos and Rodrigo Amaya made public comments. Director of Countywide Operations, Clint Garza spoke. During the course of roof repairs at the Government Center, Longhorn Commercial Roofing, identified an additional 30 punctures in the roof and TPO membrane. In an effort to reduce cost and prevent further damage from occurring, Longhorn Commercial Roof proceeded with making the additional repairs. The project has since been completed and the requested payment is for the final invoice. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Change Order No. 1 between Hays County and Longhorn Commercial Roofing for work related to the Government Center roof repairs. All present voting "Aye". MOTION PASSED**

33896A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE VEHICLE LEASE SAVINGS TO RETROFIT A BUS INTO A SECURED INMATE TRANSPORTATION BUS AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon resident of San Marcos, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos made public comments. Commissioner Shell spoke. Sheriff Gary Cutler spoke. Earlier this year, the Jail found a need for larger transportation units due to a steady increase in the inmate population (maximum jail population is 313, an average daily population is 348 @ 96%, the overall total for jail population is 630). Because of the exigent circumstances, the Sheriff authorized utilization of Commissary Funds for the purchase of a 2012 International Integrated RE C Passenger Bus for \$15,000.00. The bus is in need of mechanical repairs as well as a retrofit from a passenger bus to a correctional inmate transportation bus. Mechanical repairs to be completed by Longhorn International Trucks Ltd. include service and repair to the engine, a replacement camshaft, a replacement window as well as other areas requiring maintenance. This service will be paid for by commissary funds. Retrofitting is to be completed by the Texas Correctional Industries - Ellis Bus Repair Facility and includes a replacement floor for the installation of 24 security seats and exterior painting. The cost of retrofitting from a passenger bus to a transportation bus is \$31,093. The Sheriff is requesting to use savings in the Sheriff's Office Vehicle Lease g/l. Budget Amendment 001-618-00.5475 Vehicle Lease (\$31,093.00) 001-618-03.5413 Vehicle Mtc. & Repair \$31,093 Attachments: Quote 14765REV1 - Ellis Bus Repair Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize vehicle lease savings to retrofit a bus into a secured inmate transportation bus and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33897A APPROVE SPECIFICATIONS FOR RFQ 2018-P16 UTILITY COORDINATOR FOR THE 2016 ROAD BOND PROGRAM AND OTHER COUNTY TRANSPORTATION DEPARTMENT PROJECTS; AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE; CLOSE CONSIDERATION OF STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12; AND ALLOW STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12 TO BE RESUBMITTED FOR RFQ 2018-P16

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for RFQ 2018-P16 Utility Coordinator for the 2016 Road Bond Program and other County Transportation Department projects; authorize Purchasing to solicit for qualifications and advertise; close consideration of Statements of Qualification for RFQ 2018-P12; and allow Statements of Qualification for RFQ 2018-P12 to be resubmitted for RFQ 2018-P16. All present voting "Aye". MOTION PASSED

33898A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 6 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT



HOK Additional Services Request #06 for Reimbursable Expenses for the PSB and Uhland Phase II. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 6 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33899A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 9 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #09 for additional grading south of the Government Center to address drainage at the PSB. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 9 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33900A APPROVAL TO MODIFY THE PRE-QUALIFIED LIST OF ENGINEERING & LAND SURVEYING FIRMS TO DEVELOP A POOL OF QUALIFIED FIRMS TO UTILIZE ON AN AS NEEDED BASIS FOR PROJECTS THROUGHOUT HAYS COUNTY

On May 15th Commissioner's Court approved the Pre-Qualified List of Engineers and Land Surveying Firms qualifications for Engineering and Land Surveying Services. This action was in response to RFQ 2018-P08 & P09 and combined the existing lists of pre-qualified vendors (established with RFQ 2016-P03 & 2016-P13). Staff requests the courts approval to include firms that were pre-qualified as a result of RFQ 2016-P02, which was inadvertently left out of the action taken on 5/15/18. Attachment: List of Pre-Qualified Firms. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approval to modify the Pre-Qualified List of Engineering & Land Surveying Firms to develop a pool of qualified firms to utilize on an as needed basis for projects throughout Hays County. All present voting "Aye". MOTION PASSED**

33901A APPROVE THE SELECTION OF BOWMAN CONSULTING GROUP, LTD. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Survey, engineering, and environmental services for preliminary schematic and construction cost estimate for the Cotton Gin Road improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the selection of Bowman Consulting Group, Ltd. for professional engineering services for the Cotton Gin Road rehabilitation project-Phase 2 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33902A SUB-975; EDGAR ORTEGA SUBDIVISION (1 LOT). APPROVE PRELIMINARY PLAN

County Planner Marcus Pacheco spoke and gave staff recommendation. Edgar Ortega Subdivision is located off of East Gatlin Creek Rd in Precinct 4. The proposed prelim will create 1 lot across 5.31 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 Whisenant, seconded by Commissioner Shell to approve preliminary plan SUB-975; Edgar Ortega Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33903A GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF LOT 8, BLOCK P, SECTION 2 GREEN PASTURES SUBDIVISION

County Planner Marcus Pacheco spoke. The owner applied for a development authorization permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of a portion of Lot 8, Block P, Section 2 Green Pastures Subdivision. All present voting "Aye". MOTION PASSED**



33904A APPROVE THE APPOINTMENTS OF KERRI JONES AND KYLE NATIONS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION

The Claiborne Kyle Log House Commission is in need of additional volunteers to serve. The Claiborne Kyle Log House Commission Members are appointed by the Hays County Commissioners Court to oversee the log house trust for its care and act as docents for visitors. Please refer to attached bios. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointments of Kerri Jones and Kyle Nations to the Claiborne Kyle Log House Commission. All present voting "Aye". MOTION PASSED**

33905A AUTHORIZE THE EXECUTION OF AN ADMINISTRATIVE SERVICES AGREEMENT AND STOP LOSS POLICY WITH UNITED HEALTHCARE INSURANCE COMPANY

On January 1, 2018, United Healthcare began providing health and dental insurance to Hays County employees and dependents per Commissioners Court approval on 10/3/2017. These agreements set out the terms of such coverage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Administrative Services Agreement and Stop Loss Policy with United Healthcare Insurance Company. All present voting "Aye". MOTION PASSED**

ACTION REGARDING THE FY 2019 BUDGET INCLUDING A PRESENTATION OF THE JUDGE'S RECOMMENDED BUDGET AND THE SELECTION OF DATES FOR BUDGET WORKSHOPS

Director of Countywide Operations, Clint Garza spoke. Budget Workshop dates are set for August 7, 2018 at 10:00 a.m. and on August 14, 2018 at 10:00 a.m. No action taken.

Clerk's Note Agenda Item #24 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 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:26 a.m. and reconvened into open court at 10:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #26 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

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect.

Clerk's Note Agenda Item #28 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

Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – was pulled

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at

HAYS COUNTY COMMISSIONERS' COURT MINUTES



11:02 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 July 31, 2018.

Liz Q Gonzalez

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

