

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14TH DAY OF AUGUST 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 Ingalsbe 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

Sasha Edwards, Austin resident, Jack Hugman, Wimberley resident, Dan Lyon, San Marcos resident, Casey Cutler, Driftwood resident, Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Gloria Salazar, San Marcos resident, Esther Garcia, San Marcos resident, Roland Saucedo, San Marcos resident, and County Court-at-Law #2 Judge, David Glickler.

33935A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve county invoices in the amount of \$1,774,933.28 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33936A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the payment of United Healthcare Claims in the amount of \$217,667.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33937A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 7, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 7, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33938A AMEND THE DEVELOPMENT & COMMUNITY SERVICES CAPCOG 911 ADDRESSING GRANT BUDGET FOR ADDITIONAL CONTRACT SERVICES EXPENSES RELATED TO GEOMAPPING

Additional funds are needed for the DC&S CAPCOG 911 Addressing Grant to cover expenses related to GeoMapping. The GeoMaps are an integral part of the GIS 911 system and the mapping of the County was fully updated in 2018. Savings within the CAPCOG Grant's Continuing Education budget have been identified to fund this request. Budget Amendment: Decrease 001-657-99-037.5551 Continuing Education (\$5,831) Increase 001-657-99-037.5448 Contract Services \$5,831. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Development & Community Services CAPCOG 911 Addressing Grant Budget for additional Contract Services expenses related to Geomapping. All present voting "Aye". MOTION PASSED

33939A APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve utility permit #1092 on Mathias Lane for water service line issued to Goforth SUD, utility permit #1093 on

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Windy Hill Road for fire hydrant issued to L Squared LLC, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33940A ACCEPT A DONATION IN THE AMOUNT OF FOUR THOUSAND DOLLARS (\$4,000.00) FROM THE FIRST PRESBYTERIAN CHURCH OF SAN MARCOS TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

The First Presbyterian Church of San Marcos has graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation in the amount of four thousand dollars (\$4,000.00) from the First Presbyterian Church of San Marcos to be used for the Child Protective Board Services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33941A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 31560 RR 12, DRIPPING SPRINGS, TX 78620

Garner Holdings LLC is proposing an addition to the existing OSSF to serve a restaurant and nine offices (no public restrooms). This site is located outside Dripping Springs ETJ. Water will be supplied by a private water well. The system designer, Greg Johnson, P.E., has designed a system, which consists of a new 3000 gallon aeration tank, a new 1000 gallon grease trap and an addition of 600 feet of drip tubing to the existing drainfield. The maximum daily usage rate on average is 768 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 31560 RR 12, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

33942A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE AMMUNITION FOR THE BASIC PEACE OFFICER ACADEMY AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is in need of purchasing ammunition for the upcoming Basic Peace Officer Academy. The ammo will be used to train and qualify cadets in the use of firearms. The total cost of ammunition is \$7,500.00, and the Sheriff's Office has identified a total of \$6,700 of savings from 00.5718_700 and 00.5717_700. Available funds will cover the remaining balance in Law Enforcement Supplies. Budget Amendment: Decrease 001-618-00.5718_700 (\$4,000) Decrease 001-618-00.5717_700 (\$2,700) Increase 001-618-00.5206 \$6,700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase ammunition for the Basic Peace Officer Academy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33943A APPROVE THE MAY 2018 TREASURER'S AND INVESTMENT REPORT

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

33944A RATIFY THE EXECUTION OF THE FY 19 INTERLOCAL CONTRACT FOR THE PUBLIC SAFETY ANSWERING POINT (PSAP) MAINTENANCE, EQUIPMENT AND TRAINING PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT CAECD IN THE AMOUNT OF \$3,000.00

The Capital Area Emergency Communications District (CAECD) is a regional emergency communications district and political subdivision of the State of Texas organized and operating under Chapter 772, subchapter G of the Health & Safety code. This contract is between CAECD and Hays County under chapter 791 of the Health and Safety code so that Hays County can maintain its PSAP(s), upgrade 9-1-1 equipment and train its personnel to participate in the Next Generation 9-1-1 emergency communications service within the District. CAECD will compensate the County a total amount of [\$3,000.00] for its performance of this contract. The contract period is from October 1, 2018 through September 30, 2019. Funds were budgeted during the FY19 budget process for this contract. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the execution of the FY 19 Interlocal Contract for the Public Safety Answering Point (PSAP) Maintenance, Equipment and Training Program with the Capital Area Emergency Communications District CAECD in the Amount of \$3,000.00. All present voting "Aye". MOTION PASSED**



33945A AUTHORIZE THE SHERIFF'S OFFICE TO TEMPORARILY CONVERT TEN DEPUTY SLOTS TO CIVILIAN CADET SLOTS AT CADET PAY; AND AUTHORIZE CONVERSION OF THOSE SLOTS BACK TO DEPUTY SLOTS AFTER COMPLETION OF THE HAYS COUNTY SHERIFF'S OFFICE TRAINING ACADEMY

The Sheriff's Office is requesting to temporarily convert ten Deputy Slots to Cadet Slots for the upcoming Basic Peace Officer Academy. Cadet slots will be filled with existing employees. Cadets are not included in the Collective Bargaining Agreement. Proposed Cadet pay is \$19.50 per hour, the Cadet position will be considered a full-time position with benefits. At the conclusion of the Academy, the Deputy slots will be reinstated, and the Cadet slots will be eliminated. Rodrigo Amaya, Commissioner Shell, Commissioner Whisenant, and Capt. Cumberland spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to temporarily convert ten Deputy Slots to Civilian Slots at Cadet pay; and authorize conversion of those slots back to Deputy Slots after completion of the Hays County Sheriff's Office Training Academy. All present voting "Aye". MOTION PASSED**

33946A AUTHORIZE THE DISTRICT CLERK'S OFFICE TO PURCHASE TWO (2) FUJITSU FI-7180 DOCUMENT SCANNERS AND AMEND THE BUDGET ACCORDINGLY

The District Clerk currently has 2 scanners that are not functioning. These are used to scan in court documents for cases on file in the District Courts. Many of the casefiles are electronic, therefore it is imperative that these are replaced so that the court's record is not delayed being placed in the case management system. Funds are available in the Records Preservation Fund to replace this equipment. Budget Amendment: Decrease .5448 Increase .5712_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Clerk's Office to purchase two (2) Fujitsu Fi-7180 Document Scanners and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33947A AUTHORIZE THE TREASURER TO EXECUTE AN INVESTMENT SELECTION AND DISCLOSURE FORM WITH BOK FINANCIAL (BOKF, NA) RELATED TO THE LA CIMA PUBLIC IMPROVEMENT DISTRICT FINANCING AGREEMENT

BOKF, NA is the financial institute and acting trustee for the La Cima Public Improvement District Financing Agreement. The attached investment selection and disclosure form directs the trustee to invest per County terms and is required to meet the indenture guidelines. Commissioner Ingalsbe spoke.

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Treasurer to execute an Investment Selection and Disclosure Form with BOK Financial (BOKF, NA) related to the La Cima Public Improvement District Financing Agreement.

An amended motion was made by Commissioner Whisenant, and seconded by Commissioner Shell to direct the Treasurer to invest in the Cavanal Hill U.S. Treasury Fund (1) cusip – 14956P802, APGXX and authorize the Treasurer to sign the Investment Selection and Disclosure Form for Short-Term Investment Vehicle. All present voting "Aye". MOTION PASSED

33948A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO.10 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #10 for redesign of the (11) large holding cells from Steel Modular Cell to CMU construction in response to the increasing steel prices. Due to this change, the project will realize \$162,000 credit against the escalation costs. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Additional Services No. 10 from HOK for work related to the Hays County Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

33949A APPROVE CHANGE ORDER #2 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS

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. Additionally, change order #1 was approved on 7/10/18 for required work at Site 4. Change Order No. 2 is a price deduction due to changes in construction specification 33, Shotcrete. The supplier recommended a weight decrease from 100 lbs. to 35 lbs. per cubic yard, which translates into a cost savings for the project. The design engineer has reviewed the change order and approves the decrease as an acceptable strength for the project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Change Order #2 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs. All present voting "Aye". MOTION PASSED**



33950A SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS) APPROVE PRELIMINARY PLAN

Marcus Pacheco, Hays County Planner gave staff recommendation. Heaton Hollow Subdivision is a proposed 18 lot subdivision located along FM 2325 in PCT 3. Lots range in size from 24 acres to 181 acres. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan for SUB-1054 Heaton Hollow Subdivision (18 Lots). All present voting "Aye". MOTION PASSED**

33951A AUTHORIZE PAYMENT OF ALL ACCRUED VACATION HOURS AS OF AUGUST 31, 2018 FOR THE DIRECTOR OF COUNTY WIDE OPERATIONS

Per Section 6.05 of the Personnel Policy, upon termination employees may only be paid for accrued vacation hours capped at 240 hours. The Director of County Wide Operations will terminate employment on 8/31 with a total of 323 accrued vacation hours, 83 hours over the cap. Due to the high volume of county projects and staffing shortages, the Director was unable to take planned vacations this year and respectfully requests the Courts approval to be paid in full for all accrued vacation hours. Financial Impact (83 hours): \$5,188 - Base Salary \$1,080 – Fringe. Commissioner Whisenant, and Rodrigo Amaya, Director of County Wide Operations, Clint Garza, Commissioner Shell and Commissioner Ingalsbe spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment of all accrued vacation hours as of August 31, 2018 for the Director of County Wide Operations. All present voting "Aye". MOTION PASSED**

33952A RE-APPOINT COMMISSIONER LON SHELL AND COMMISSIONER DEBBIE INGALSBE, TO THE GREATER SAN MARCOS PARTNERSHIP (GSMP) BOARD OF DIRECTORS

Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Commissioner Shell and Commissioner Ingalsbe have been nominated to be re-appointed Directors to the GSMP Board of Directors contingent on the County's approval. Dan Lyon, and Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to re-appoint Commissioner Lon Shell and Commissioner Debbie Ingalsbe, to the Greater San Marcos Partnership (GSMP) Board of Directors. All present voting "Aye". MOTION PASSED**

33953A APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TREEFOLKS, INC., CONTINUING THE ASSESSMENT AND IMPLEMENTATION PROGRAM FOR RIPARIAN REVEGETATION AND RESTORATION ALONG THE BLANCO RIVER

In September of 2015, Hays County entered into an agreement with TreeFolks, Inc. to begin restoration programs for areas along the Blanco River affected by the Memorial Day 2015 Flood. Over the past three years the program has seen great deal of success and has continued to have significant local and regional support. A proposed agreement is attached that would allow TreeFolks to: Consult with and assess the interest of landowners and determine site conditions of land in Hays County along the Blanco River that was damaged by the Memorial Day Flood of 2015. Determine program characteristics required to provide continued comprehensive reforestation services to landowners. Perform reforestation task on private properties during the 2018 planting season and continue performing test methods that will help to refine characteristics for effective implementation across Hays County. Work will commence on October 1, 2018. The contract cost exceeds \$50,000, the Court, in authorizing execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024(a)(3). Dan Lyon, Harvey Jenkins, Commissioner Shell, County Wide Director, Clint Garza, Andreina Alexatos, TreeFolks Restoration Manager, Commissioner Ingalsbe, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Shell to approve a Professional Services Agreement with Treefolks, Inc., continuing the assessment and implementation program for riparian revegetation and restoration along the Blanco River, since the contract cost exceeds \$50,000, the Court, in authorizing the execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024 (a)(4). Commissioner Ingalsbe voting "No". Commissioner Shell and Commissioner Whisenant voting "Aye". MOTION PASSED**

Clerk's Note Court took a break at 10:16 a.m. and reconvened into open session at 10:23 a.m.

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET

Dan Lyon, Harvey Jenkins, Rodrigo Amaya, and Roland Saucedo spoke. Sheriff's Office – Sheriff Cutler and Capt. Davenport spoke of needs. 1) Reprioritization – move the Admin. Ill to Evidence Tech (swap), move equipment with reprioritization. 2) Vehicles – they will need more. Office of Emergency Services Director, Kharley Smith – Requesting Level A HazMat Suit, HazMat Gloves, PEAC Station Licenses, SRP Video

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Upgrade, Surface Pro, iPad, replacement Sierra Device to Cradlepoint with cameras/evidence.com, Admin. II (108) convert to Office and Finance Manager (110), and Asst. EMC (115) to Asst. Director OES (116). Constable Pct. 5, John Ellen, is requesting an additional Deputy position. Constable Pct. 4, Ron Hood – requesting a replacement motorcycle for traffic control. Constable's are requesting a salary increase. Constable Pct. 3, Gary Griffin, Deputy Constable – Requesting operational technology, VDI's (2), telephones (3), Field fleet cameras (2), Ticket Writer/Printers and tablets (2), mobile data terminal, and additional Deputy's. Constable Pct. 2, Michael Torres – 1) requesting (2) replacement vehicles, 2) requesting additional Continuing Education, 3) requesting (3) Ticket Writer but will take at least (1). Constable Pct. 1, David Peterson – requesting salary increase for Justice Clerk Salary, FTO Pay, Law Enforcement Supplies (taser cartridges, vehicle markings & window tint, ammo for training), Misc. (unforeseen items for training & equipment), Lease Vehicle (2), Continuing Education, Office Equipment (new chair), Operating Comp. Equip. (1 Surface Pro & 1 Dell Latitude for training & presentations), Operating (Axon Camera System), Law Enforcement Equipment (1 shotgun & 1 taser & taser download kit), Operating Law Enforcement (onetime – lights, cage, rifle locks, 3 radar units, rifle). Human Resources Director, Shari Miller spoke of counties used in salary comparisons for Constables are the same used in the Collective Bargaining. Tax Assessor/Collector, Luanne Caraway, requesting (3) new phones for Sub Stations, Bank Fees for Sub Stations are extremely high. Employee Chairs would like to replace (3). Dripping Springs lobby chairs need to be replaced. Drive-thru problems with the tubing jamming. David Edwards, Chairman of City of Dripping Springs TIRZ, requesting TIRZ #1 & #2, Town Center, Old Fitzhugh Rd., Triangle, Parking, TIRZ PM – Amendment #2, Bojoroquez, Taussig, EPS, and TIRZ Independent Counsel money that will be reimbursed. Human Resources Director, Shari Miller, spoke of Hays County's population and growth. The unemployment statistics, and the vacancies. She is requesting instead of 2% merit if the Court would consider a COLA increase. She is requesting a salary increase for HR Specialist that took on additional duties within this past year. If awarded the position would not be given merit increase. Transportation Department Director, Jerry Borchering, is requesting a re-grade of Road Worker Grade 107 to Admin. II Grade 108. He is also asking for a Salary Analysis for Director of Transportation.

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*

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 12:35 p.m. and reconvened into open court at 1:49 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Shell, Commissioner Whisenant, Human Resources Director, Shari Miller, Office of Emergency Services Director, Kharley Smith, and Director of Countywide Operations, Clint Garza. No action taken.

Clerk's Note Agenda Item #24 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #26 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*

Clerk's Note Agenda Item #27 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adjourn court at 1:51 p.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 August 14, 2018.

Liz Q Gonzalez

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

