

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 28<sup>TH</sup> 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:

Mike Myers 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**

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

**PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Human Resources Director, Shari Miller presented the Hays County Service Awards. 5 Years – Christina Briggs, Mindi Duckworth, and Juan Zesati – Sheriff's Office, Erika Price – District Attorney's Office. 10 Years – Amelia Flores – Health Department, Dustin Speckles – Sheriff's Office. 20 Years – Stanley Schulz, Timothy Vandevorde, and Mario Garcia – Transportation Department. 25 Years – Michael Davenport – Sheriff's Department. 35 Years – Maryann Deleon – Juvenile Probation. Special Presentation – Clint Garza – County Wide Operations.

**33979A ADOPT A PROCLAMATION DECLARING SEPTEMBER 2018 AS EMERGENCY PREPAREDNESS MONTH**

Clint Browning, Hays County Fire Marshall spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring September 2018 as Emergency Preparedness Month. All present voting "Aye". MOTION PASSED

**33980A 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 \$644,129.13 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33981A 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 \$888.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33982A APPROVE THE PAYMENT OF 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 \$230,882.04 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**33983A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 21, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 21, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



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**33984A APPROVE THE PAYMENT OF THE AUGUST 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,610,000.00 EFFECTIVE AUGUST 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the August 31, 2018 payroll disbursements in an amount not to exceed \$3,610,000.00 effective August 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**33985A AUTHORIZE PAYMENT TO THOMSON REUTERS FOR BOOK SUBSCRIPTION FOR THE DISTRICT ATTORNEY'S OFFICE WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY**

The District Attorney's Office received four [4] TX FAMILY CODE ANNOTATED 2018 books for 26 attorneys. The books have been on subscription since 2001. No purchase Order was obtained per County Purchasing Policy. Dan Lyon spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Thomson Reuters for book subscription for the District Attorney's office where no purchase order was issued per County Purchasing Policy. All present voting "Aye". MOTION PASSED

**33986A APPROVE UTILITY PERMITS**

#1094 Spoke Hollow Road Water Service Line/Main (Wimberley Water Supply). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1094 on Spoke Hollo Road issued to Wimberley Water Supply as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

**33987A AUTHORIZE COMMERCIAL OSSF PERMIT AT 14001 W HWY 290, DRIPPING SPRINGS, TEXAS 78620**

14101 W 290, LLC is proposing an OSSF to serve an 110,000 square foot storage building with a small office. The system will accommodate up to 60 daily customers including employees. This 14.51-acre property will be served by a public water supply. The system designer, John Fox, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 240 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 14001 W Hwy 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

**33988A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 612 OAKWOOD LOOP SAN MARCOS, TX**

Pasternak Ranch Roughhouse Brewery is proposing an OSSF to serve a beer brewery with a maximum of 250 people per day including employees. This site is located outside Wimberley ETJ. The owners are currently working with the TCEQ to certify the water well for public use. There will be no food preparation, and process waste from the brewery will not flow into the OSSF. The system designer, Stephen Jetton, has designed a system consisting of a 1000 gallon trash tank, a 3000 gallon flow equalization tank, a 1500 GPD aerobic treatment unit, a 2000 gallon pump tank, and 5000 feet of drip tubing. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 612 Oakwood Loop San Marcos, TX. All present voting "Aye". MOTION PASSED

**33989A AUTHORIZE COMMERCIAL OSSF PERMIT AT 2965 RANCH ROAD 165, DRIPPING SPRINGS, TEXAS 78620**

The Public for Animal Welfare, Inc. is proposing an animal shelter facility. The system is designed to accommodate up to 80 animals and 7 employees. This 10.651-acre property will be served by a private well. The system designer, Doug Dowlearn, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 1371 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2965 Ranch Road 165, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED



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**33990A AMEND THE JUVENILE DETENTION CENTER'S OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE FOUNDATION SKILLS FOR TRAINERS CONFERENCE**

Additional funds are needed for two JDC staff members to attend the Foundation Skills for Trainers Conference in September in Huntsville, Tx. This conference is sponsored by the Correctional Management Institute of Texas and is designed to benefit agencies that are regulated by the Texas Juvenile Justice Department (TJJD). This training will help participants develop the preparation, presentation and platform delivery skills needed to conduct training using curricula developed by the National Institute of Corrections. Focus areas include the needs and characteristics of adult learners, learning styles, the role of the correctional trainer, managing a learner centered training environment, asking and responding to questions, facilitating lesson plans, teaching to performance objectives, and basic teaching methods. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease .5211 - Office Supplies Increase .5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend the Juvenile Detention Center's operating budget for additional Continuing Education expenses related to the Foundation Skills for Trainers Conference. All present voting "Aye". MOTION PASSED**

**33991A AUTHORIZE THE EXECUTION OF THE FY19 GRANT AGREEMENT WITH THE UNITED STATES SECRET SERVICE (USSS) FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE CENTRAL TEXAS FINANCIAL CRIME TASK FORCE**

The Sheriff's Office receives funding annually from the Secret Service to offset overtime costs for a detective assigned to the Central Texas Financial Crime Task Force. Funding has been budgeted in the FY19 budget process for this grant award. Rodrigo Amaya spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of the FY19 Grant Agreement with The United States Secret Service (USSS) for overtime reimbursements related to the Sheriff's Office Central Texas Financial Crime Task Force. All present voting "Aye". MOTION PASSED**

**33992A RATIFY THE ADDITION OF THE 2018 FORD FUSION TO THE LOCAL HEALTH DEPARTMENT THROUGH THE ENTERPRISE MASTER EQUITY LEASE AGREEMENT**

On April 3, 2018, Commissioners Court authorized the order of a Dodge Caravan for the Juvenile Probation Department and transfer of a 2018 Ford Fusion to another department. For clarification purposes, the 2018 Ford Fusion, VIN 3FA6P0G7XJR170558 was transferred to the Local Health Department and added to the FY18 vehicle lease program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the addition of the 2018 Ford Fusion to the Local Health Department through the Enterprise Master Equity Lease Agreement. All present voting "Aye". MOTION PASSED**

**33993A AMEND THE ELECTION'S CONTRACT FEE FUND BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE NEW VOTER REGISTRATION EQUIPMENT**

The Elections Administrator, elections staff, poll workers and IT Director will receive onsite training at the end of September for the new ePoll pads and voter registration equipment. Funding within the Election Contract Fee Fund is available to cover all training needs. Budget Amendment: Decrease .5712\_400 – Computer Equipment\_Ops Increase .5551 - Continuing Education. Commissioner Ingalsbe gave a Congratulations to Elections Administrator, Jennifer Anderson. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Election's Contract Fee Fund budget for additional Continuing Education expenses related to the new Voter Registration equipment. All present voting "Aye". MOTION PASSED**

**33994A APPROVE PAYMENT TO METRO FIRE APPARATUS SPECIALISTS, INC. FOR THE OFFICE OF EMERGENCY SERVICES DEPARTMENT RELATED TO EQUIPMENT REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED, OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY**

Repairs were made to the Hays County Hazmat Vehicle camera system which did not follow the County procurement policies. Funds are available within the operating budget for these repairs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Metro Fire Apparatus Specialists, Inc. for the Office of Emergency Services department related to equipment repairs in which no purchase order was issued, or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



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**33995A REVISE THE HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2019**

On August 21st the Commissioners Court voted on a proposed "effective" tax rate. Due to this action, the two tax rate public hearings are not required and are being removed from the calendar. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to revise the Hays County budget calendar for Fiscal Year 2019. All present voting "Aye". MOTION PASSED**

**33996A AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO PURCHASE AN ID BADGE PRINTER AND AMEND THE BUDGET ACCORDINGLY**

The Human Resources Department is responsible for printing and issuing ID badges to all Hays County employees, as well as visiting attorneys. The current usable machine was discontinued over 5 years ago and is no longer supported for maintenance or parts by the manufacturer. The purchase of a new, warranty-maintained printer will provide continued ID badge printing services to the county. Budget Amendment: Decrease .5213 - \$1,000 Decrease .5429 - \$ 333 Decrease .5302 - \$ 350 Decrease .5332 - \$ 725. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Human Resources Department to purchase an ID badge printer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33997A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #46BCSHY1378 IN THE AMOUNT OF \$188,835.86 FOR BURBA RANCH SUBDIVISION**

Jerry Borcharding, Transportation Director gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. There was neither a construction bond nor a performance bond issued for this project for release. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept of road construction and drainage improvements, acceptance of the 2-year maintenance bond #46BCSHY1378 in the amount of \$188,835.86 for Burba Ranch subdivision. All present voting "Aye". MOTION PASSED**

**33998A RELEASE OF THE MAINTENANCE BOND #K09232941 FOR \$120,000.00 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 3, RELEASE OF THE MAINTENANCE BOND #K08774237 FOR \$3,393,456.08 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 4, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM**

Jerry Borcharding, Transportation Director gave staff recommendation Staff recommends acceptance of the roads into the county maintenance system. The roads from both sections include: Capstone Court (408 ft.), Waters View Court (847 ft.), Waters Edge Cove (1,698 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the maintenance bond #K09232941 for \$120,000.00 for Caliterra subdivision, Ph. 1, Sec. 3, release of the maintenance bond #K08774237 for \$3,393,456.08 for Caliterra subdivision, Ph. 1, Sec. 4, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

**33999A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LOC #5132 IN THE AMOUNT OF \$1,488,723.10, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70164635 IN THE AMOUNT OF \$493,366.37, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #70164641 IN THE AMOUNT OF \$92,391.00 FOR LA CIMA SUBDIVISION., PHASE 1, SECTION 1, ROADWAY IMPROVEMENTS TO CENTERPOINT ROAD AND CENTRAL PARK LOOP**

Jerry Borcharding, Transportation Director gave staff recommendation Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the LOC #5132 in the amount of \$1,488,723.10, acceptance of the 2-year maintenance bond #70164635 in the amount of \$493,366.37, and acceptance of the 2-year revegetation bond #70164641 in the amount of \$92,391.00 for La Cima subdivision., Phase 1, Section 1, Roadway Improvements to Centerpoint Road and Central Park Loop. All present voting "Aye". MOTION PASSED**

**34000A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PHASE 1**



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Jerry Borcharding, Transportation Director gave staff recommendation La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is complete. There is a letter of credit of \$65,860.00 recorded at the Treasurer's Office for release back to the contractor. The Transportation Department has inspected and approved the improvements. These roads will be maintained by the City of San Marcos. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, and release Letter of Credit No 5132 for street and drainage improvements for La Cima Phase 1. All present voting "Aye". MOTION PASSED**

**34001A CREATE THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE FOR THE REMAINDER OF THE FISCAL YEAR**

This item includes the selection of members for the committee. Additional information to be provided in court. Rodrigo Amaya, Mark Kennedy, General Counsel and Liz Q. Gonzalez, County Clerk spoke. 20 names were selected from the Grand Jurors List. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to create the Hays County Salary Grievance Committee for the remainder of the fiscal year. All present voting "Aye". MOTION PASSED**

**34002A AUTHORIZE THE EXECUTION OF A SERVICE AGREEMENT WITH BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE CRESTRON DIGITAL MEDIA UPGRADE IN DISTRICT COURTROOM #10 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY**

Director of County Wide Operations, Clint Garza spoke. The original equipment was installed 2010-2011 and will need to be updated as media needs have evolved. Work will include the replacement of Extron switching and control equipment to Crestron Digital Media as well as the replacement of cable connectivity components in both council tables. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Service Agreement with Beckwith Electronic Systems, LLC for the Crestron Digital Media upgrade in District Courtroom #10 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34003A AUTHORIZE THE PURCHASE OF ELECTRICAL SERVICES AND EQUIPMENT NEEDED FOR UPGRADES TO COUNTY COURT AT LAW COURTROOMS 1 & 2 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY**

Director of County Wide Operations, Clint Garza spoke. Authorize the purchase of patch cords, switches, data lines, and a variety of other equipment needed to complete upgrades in County Court at Law courtrooms 1 & 2. Service labor is included in the attached quotes. Vendors: Beckwith Electronic Systems, LLC: \$46,948.80 Shi Government Solutions: \$280.00 CT Electric: \$10,190.00 Dell: \$8,206.74. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of electrical services and equipment needed for upgrades to County Court at Law courtrooms 1 & 2 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34004A AUTHORIZE THE EXECUTION OF A CHANGE ORDER 001 OF THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

Director of County Wide Operations, Clint Garza and Cody Newsom spoke. Change Order 001 of the Agreement between Hays County and Turner Construction Company for unforeseen conditions related to the site conditions at the Jail Addition. Change Order 001 will address the following issues: A. Soil conditions associated with failed under-ream bell shape piers due to the soils caving in and unable to hold the under-ream bell shape requiring a revised straight-shaft drilled pier foundation. B. Water infiltration into the drilled pier shafts requiring the use of steel casing in order to complete the foundation work. C. Discovered underground utilities that vary from and/or were not identified on as-built plans requiring adjustments to pier locations and relocation of existing pipes. D. Discovered building debris in Jail Addition Area D requiring removal, additional excavation to native soil and additional fill. The following documents are attached for further detail: Change Order 001, Turner Notice of Change - PCO 181, and Turner Notice of Change - PCO 147. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of**



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a Change Order 001 of the Agreement between Hays County and Turner Construction Company for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**34005A AUTHORIZE THE EXECUTION OF A CONTRACT BETWEEN IRIS BARRERA, RN AND THE HAYS COUNTY LOCAL HEALTH DEPARTMENT, FOR THE PURPOSES OF TRAINING THE NEW TB NURSE**

Director of County Wide Operations, Tammy Crumley, General Counsel, Mark Kennedy and Commissioner Ingalsbe spoke. The Local Health Department would like to contract with Iris Barrera, RN to finish the training process of the newly hired TB nurse. Ms. Barrera will be leaving the county effective August 31, 2018. The newly hired RN started on August 24, 2018. This will only provide for one week of training for the new hire. Ms. Barrera has agreed to make herself available for additional hours of training. Schedule adjustments will be made and no overtime will be paid to the new hire for additional training time. A Contract will be provided in open court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a contract between Iris Barrera, RN and the Hays County Local Health Department, for the purposes of training the new TB nurse in an amount not to exceed \$1,400 and to amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**AMEND THE 2018 SHERIFF & CONSTABLE FEES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 118.131**

The Constable's Offices would like the Courts consideration to grant a waiver of vehicle usage fees for certain public services performed within the community. Rodrigo Amaya spoke. General Counsel, Mark Kennedy, Director of County Wide Operations, Clint Garza, and the Court discussed the fees and fees that can be waived. This item will be brought back next week for Court approval.

**Clerk's Note: Court took break at 10:45 a.m. and reconvened into open session at 11:00 a.m.**

**34006A HOLD A PUBLIC HEARING AT 11:00 AM IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE, INCLUDING BUT NOT LIMITED TO DISCUSSION AND POSSIBLE ACTION TO ESTABLISH THE ASSESSMENT RATE AND STATE FISCAL YEAR 2018 MANDATORY PAYMENTS, AND AUTHORIZE THE INTERGOVERNMENTAL TRANSFER OF THE FUNDS DERIVED FROM THOSE MANDATORY PAYMENTS TO PROVIDE THE NONFEDERAL SHARE OF THE SUPPLEMENTAL PAYMENT PROGRAM AUTHORIZED UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM ("SEC 1115") WAIVER**

Commissioner Ingalsbe opened the public hearing. Commissioner Shell, Jason Garet, Allied Healthcare Adventist, Eric Weatherford, CTMC, and Geronimo Rodriguez, Seaton Health spoke. Commissioner Ingalsbe closed the public hearing. Hays County's participation in a County Health Care Provider Participation Program is authorized by HB 3175 passed during the 84th Texas Legislature. A County Health Care Provider Participation Program authorizes a county to collect a mandatory payment from each institutional health care provider located in the county to be deposited in a local provider participation fund established by the county. Money in the fund may be used by the county to fund certain intergovernmental transfers and indigent care programs as provided by Chapter 293 of the Texas Health and Safety Code. Central Texas Medical Center of San Marcos and Seton Medical Center Hays supported passage of HB 3175 and the creation of the program in Hays County. The Hays County Commissioners Court adopted and Order authorizing the County's participation in the LPPF program on 9-15-15. On 9-29-15 a public hearing was held to establish the LPPF. Notice of the Public Hearing has been posted in accordance with 293.101 of the Texas Health and Safety Code. During the hearing, the Court will set the state fiscal year 2018 assessment rate, consider the approval of the amount of payments for each hospital as determined by 293.151 THSC and consider other issues related to the program. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to establish the assessment rate of 1.5% and state fiscal year 2018 mandatory payments, and authorize the Intergovernmental Transfer of the funds derived from those mandatory payments to provide the nonfederal share of the supplemental payment program authorize under the Texas Healthcare Transformation and Quality Improvement Program ("sec 1115") waiver. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #31 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**



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**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 12:27 p.m. and reconvened into open court at 12:57 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, and General Counsel, Mark Kennedy. No action taken.

**34007A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE DEVELOPMENT SERVICES DEPARTMENT**

Court convened into Executive session at 11:13 a.m. and reconvened into open court at 11:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Director of Countywide Operations, Tammy Crumley, and Janice Jones, Legal Support Services Specialist. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to appoint Caitlyn Strickland as the Interim Director of Development Services, effective September 1, 2018, compensating for the Interim position with an annualized stipend of \$12,000.00 in addition to current salary. All present voting "Aye". MOTION PASSED**

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

Court convened into Executive session at 11:56 a.m. and reconvened into open court at 12:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Janice Jones, Legal Support Services Specialist, and Assistant General Counsel, Jordan Powell. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to engage counsel related TCEQ Permit Application WQ0010549002, related to wastewater discharge by the City of Blanco, Texas. All present voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #35 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**

Today's Drought Index – 703. Per Clint Browning, Hays County Fire Marshal Burn Ban will remain lifted. 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 #37 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 #38 RE:** *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 1:07 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on AUGUST 28, 2018.

*Liz Q Gonzalez*

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

