

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF SEPTEMBER 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:

San Marcos Police Chaplain, Vernon Cooper gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident, Constable Pct. 4, Ron Hood, and Office of Emergency Management Director, Kharley Smith spoke.

34054A ADOPT A PROCLAMATION DECLARING SEPTEMBER 17-23, 2018 AS CONSTITUTION WEEK

Sandy Fontenberry, Daughters of the American Revolution, Jacob's Well Chapter, spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Proclamation declaring September 17-23, 2018 as Constitution Week. All present voting "Aye". MOTION PASSED

34055A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of county invoices in the amount of \$2,907,972.19, Independence Title for Property Purchase (RBG) \$23,635.85 and (TAB) \$23,635.85 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34056A 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 \$440.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34057A 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 \$25,037.23 and for United Imprest Increase \$189,000 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34058A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 11, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of September 11, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34059A APPROVE OUT OF STATE TRAVEL FOR SERGEANT BRAD DORING TO ATTEND THE INTERNATIONAL BREACHERS SYMPOSIUM IN SOUTH HAVEN, MISSISSIPPI

Out of state travel is needed to send Sgt. Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi on October 21-25, 2018. This training will allow for Sgt. Doring, who is on the Hays County SWAT Team, to learn the latest breaching practices and industry standards for current breaching methods used by the Hays County Sheriff's Office. This training will give Sgt. Doring the opportunity to see and evaluate methods that are not currently used by the SWAT team, but could be added as breaching assets in the future.

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Sgt. Doring will be introduced to case studies, after action reviews, and hands on training during this course. Funding for registration, travel, hotel and miscellaneous fees are identified in the Sheriff's Office Continuing Education General Ledger. Harvey Jenkins spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Sergeant Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi. All present voting "Aye". MOTION PASSED**

34060A AUTHORIZE THE PURCHASE OF A REPLACEMENT MINI-SPLIT HEATING AND COOLING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

The Wimberley Road Yard is in need of a replacement heating and cooling system. The current unit is not functioning and unrepairable. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and nature of the unsalvageable damaged parts. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease .5351. Increase 5719_400. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement mini-split heating and cooling system and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34061A AUTHORIZE THE CONSTABLE PRECINCT 4 TO PURCHASE A PATROL RIFLE MOUNT FOR THE 2006 HONDA MOTORCYCLE AND AMEND THE BUDGET ACCORDINGLY

Southern Composites, of Stuart, FL manufactures a patrol rifle mount that enables a motor officer to securely carry a patrol issued rifle inside the saddlebag of a Honda motorcycle. The ability to carry the rifle secured inside the motorcycle's saddlebag ensures the weapon is available to the officer when needed. Funds are available in the Constable's operating budget to cover this request. Budget Amendment: Decrease LE Supplies .5206. Increase LE Equipment .5717_400. Rodrigo Amaya and Constable Pct. 4 spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Constable Precinct 4 to purchase a Patrol Rifle Mount for the 2006 Honda Motorcycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34062A AUTHORIZE THE EXECUTION OF A RENEWAL CONTRACT WITH WEST THOMPSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES IN THE HAYS COUNTY DISTRICT COURTS

Per Section 323.023(b)(3) of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research subscriptions for use by judges in the County. The District Courts office is currently using WestlawNext for their services and the Law Librarian respectfully requests the Courts consideration to renew the contract. The District Courts office Westlaw subscription is a one-year renewable contract. The subscription cost includes access for 4 users and an upgrade in services and features to Westlaw Edge. The current contract expires on September 30, 2018. Funds to cover the subscription cost were budgeted for FY19. 084-690-00.5448: Contract Services \$12,459.72. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Renewal Contract with West Thompson Reuters for Online Legal Research Services in the Hays County District Courts. All present voting "Aye". MOTION PASSED**

34063A AUTHORIZE THE EXECUTION OF CONTRACT RENEWALS WITH WEST THOMSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES AND PRINT RESOURCES IN THE HAYS COUNTY LAW LIBRARY AND DISTRICT COURTS OFFICES

Per Section 323.023 of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research and print materials for use by Judges, patrons and County residents representing themselves in legal matters. The Law Library contracts for WestlawNext and print legal products, provided by Thomson Reuters, expire on September 30, 2018. Both contracts were signed in September 2016. The WestlawNext renewal contract includes the addition of an additional computer terminal and increased services. The print resources contract includes O'Connor's print titles; Thomson Reuters acquired O'Connor's books this year. In addition, the print resource contract includes print titles for the District Courts office. The WestlawNext contract is a one-year renewable contract and the print resource contract is a three-year renewable contract. The Law Library currently uses WestlawNext services and print resources from Thomson Reuters and respectfully requests the Courts consideration to renew the contracts. The required funding was budgeted in the FY 2019 Law Library fund budget. 084-690-00.5213: Books & Periodicals \$18,770.88. 084-690-00.5448: Contract Services \$38,135.88. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of contract renewals with West Thomson Reuters for online legal research services and print resources in the Hays County Law Library and District Courts offices. All present voting "Aye". MOTION PASSED**



34064A AUTHORIZE THE EXECUTION OF A CONTRACT RENEWAL WITH TRANS UNION (TLO) FOR INVESTIGATIVE SERVICES IN THE DISTRICT ATTORNEY'S OFFICE

The District Attorney uses this agency to locate witnesses and victims during investigations for upcoming jury trials and cases. The cost for this service is \$150 per month for one Chief and currently five Investigators to access this database. The required funding has already been approved during the FY2019 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Contract Renewal with Trans Union (TLO) for Investigative Services in the District Attorney's Office. All present voting "Aye". MOTION PASSED**

34065A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve permit #1101 on C.R. 131 issued to CenterPoint Energy for a gas line, permit #1102 on 845-Crest Circle issued to Century Link for a communication line, and permit #1103 on White Wing Trail issued to TGD for a gas line. All present voting "Aye". MOTION PASSED

34066A RESCIND AWARD OF WORK FOR COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 TO BOWMAN CONSULTING GROUP, LTD

Bowman Consulting Ltd. was selected on July 31, 2018 for professional engineering services on Cotton Gin Road rehabilitation project-Phase 2. After discussion between staff and grant consultants, it was determined that a Work Authorization would be sufficient to complete the additional work. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to rescind award of work for Cotton Gin Road Rehabilitation Project Phase 2 to Bowman Consulting Group, Ltd. All present voting "Aye". MOTION PASSED**

34067A AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE HAYS COUNTY FLOOD MONITORING SYSTEM BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC

This Addendum to Contract ("Addendum") shall modify that PROFESSIONAL SERVICES AGREEMENT related to the Hays County Flood Monitoring System ("Contract"), dated April 17, 2018, between Hays County, Texas, a political subdivision of the State of Texas ("Client") and Halff Associates, Inc. ("Engineer"). This addendum includes the addition of specific clauses requirements from the Texas Water Development Board Subcontracting Guidelines. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Addendum to the Contract for Professional Services related to the Hays County Flood Monitoring System between Hays County and Halff Associates, Inc. All present voting "Aye". MOTION PASSED**

34068A RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE HURRICANE RECOVERY CRISIS COOPERATIVE AGREEMENT IN THE AMOUNT OF \$79,389.00

Texas was awarded \$16 million for targeted hurricane recovery and preparedness activities from the Centers for Disease Control and Prevention. Of this total, \$11 million has been dedicated to funding local public health activities with a strong link to hurricane recovery and/or preparedness activities. Funding will be used to purchase immunizations for first responders in addition to equipment necessary for storage and distribution of immunizations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the submission of a grant application to the Texas Department of State Health Services (DSHS) for the Hurricane Recovery Crisis Cooperative Agreement in the amount of \$79,389.00. All present voting "Aye". MOTION PASSED**

34069A AUTHORIZE THE AUDITOR'S OFFICE TO PURCHASE ONE (1) REPLACEMENT DELL LATITUDE 5590 LAPTOP AND AMEND THE BUDGET ACCORDINGLY

The County Auditor's current laptop is not functional and out of warranty. IT has assessed the damages and determined that repairs to the existing machine would be cost prohibitive to the useful life expectancy. Savings are available within the Auditor's operating budget to fund this request. Budget Amendment: Decrease .5551. Increase .5712_400. Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Auditor's Office to purchase one (1) replacement Dell Latitude 5590 Laptop and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



34070A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE ONE (1) DYNAPAC F800W WHEEL ASPHALT PAVER AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department is requesting approval to utilize salary savings to purchase an Asphalt Paver due to the increased number of maintenance projects for hot mix roads. Having this piece of equipment will reduce the need for outsourcing contract work. Savings within the departments operating budget are available due to attrition. Budget Amendment: Increase Heavy Equipment. Decrease Staff Salaries. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Transportation Department to purchase one (1) Dynapac F800W Wheel Asphalt Paver and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34071A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE TEXAS CONVERSION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) IN THE AMOUNT OF \$899,150

On March 27, 2018 the Commissioners Court authorized submission of a grant application to the Office of the Governor, Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System funding. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Funding will be utilized to ensure Hays County stays proactive in meeting the transition to NIBRS goal. Notice of award has been received and acceptance is done electronically for this Grant Number 3642001. Total project costs are anticipated to be over \$1.8M, with matching funds budgeting in the FY19 budget. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Office of Governor Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System (NIBRS) in the amount of \$899,150. All present voting "Aye". MOTION PASSED**

34072A AUTHORIZE THE ACCEPTANCE AND EXECUTION OF A SERVICE AGREEMENT RENEWAL WITH APPRISS SAFETY FOR THE VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE) PROGRAM

The VINE Program is administered by the Office of the Attorney General (OAG), to provide a statewide automated system that will provide relevant offender release information, notification of relevant court settings or events, promote public safety, and support the rights of victims of crime. Appriss Safety is the provider selected by the OAG to support the VINE program and will provide services from September 1, 2018 - August 31, 2019. The renewal agreement is in the amount of \$28,546.78. The OAG SAVNS grant program will cover the expenses for these services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Acceptance and Execution of a Service Agreement Renewal with Appriss Safety for the Victim Information and Notification Everyday (VINE) Program. All present voting "Aye". MOTION PASSED**

34073A AUTHORIZE A SALARY EXCEPTION AT THE 25TH PERCENTILE FOR THE REGISTERED NURSE, SLOT 1135-002 AT THE HAYS COUNTY LOCAL HEALTH DEPARTMENT FOR THE TB PROGRAM

The Director of County Wide Operations is requesting the court to ratify the hiring of the Local Health Department's TB nurse at the 25th percentile, effective August 23, 2018 date of hire. The newly hired RN has over two years of direct nursing experience and satisfies all the required certifications. Financial Impact: Base Salary Increase: \$6,239 Fringe: \$1,283 Total: \$7,522 (annualized) \$ 784 (FY18 impact for 1.25 months) This position is currently budgeted at \$64,547; the 25th percentile of grade 114 is \$56,152 resulting in an overall savings within the Local Health Departments operating budget. Additionally, over 50% of the positions salary and benefits are reimbursed by the Department of State Health Services (DSHS) grant under the Local Public Health Services funds. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize a salary exception at the 25th Percentile for the Registered Nurse, Slot 1135-002 at the Hays County Local Health Department for the TB Program. All present voting "Aye". MOTION PASSED** An amended motion was made by Commissioner Whisenant, seconded by Commissioner Shell to make the effective date August 23, 2018. All present voting "Aye". MOTION PASSED

34074A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION NO. 2 BETWEEN HAYS COUNTY AND BOWMAN CONSULTING GROUP, LTD RELATED TO IMPROVEMENTS ON COTTON GIN ROAD



Hays County has requested that Bowman extend the length of the project to encompass all of Cotton Gin Road, from SH 21 to Goforth Road, an addition of approximately 1-mile. All tasks described in the original scope remain the same for the increased project length, except the environmental services which are done under a different contract. Contract will increase from \$301,500.00 to \$432,949.00 an increase of \$131,449.00. Decrease 020-710-00.5351 Road Materials and Supplies \$131,449.00. Increase 020-710-00.5448_008 Contract Services Consultant \$131,449.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Work Authorization No. 2 between Hays County and Bowman Consulting Group, Ltd. Related to improvements of Cotton Gin Road. All present voting "Aye". MOTION PASSED**

34075A AUTHORIZE THE EXECUTION OF A CONSTRUCTION CONTRACT WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR THE TRANSPORTATION DEPARTMENT RELATED TO ROAD IMPROVEMENTS

The Transportation Department would like to utilize Intermountain Slurry Seal for micro surfacing to extend the life of the road pavement for named projects. Projects to be completed include: High Meadows Subdivision, Pct. 1 Sierra West Subdivision, Pct. 3 Friendship Ranch Subdivision, Pct. 4. These projects will be scheduled during the fall and are budgeted within the FY19 Transportation Departments operating budget. Procurement is allowable through the Bexar County ILA purchasing agreement and in accordance with Bexar County solicitation #564. Alex Flores, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Construction Contract with Intermountain Slurry Seal, Inc. for the Transportation Department related to road improvements. All present voting "Aye". MOTION PASSED**

34076A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 WITH HDR ENGINEERING, INC. RELATED TO THE MOUNTAIN CITY LOOP PROJECT

On December 19, 2017 the Commissioner's Court authorized a contract (\$60k) with HDR Engineering related to the evaluation of environmental constraints and route alternatives for the Mountain City Loop. A supplemental to the original contract is needed due to additional work necessary to determine reasonable and feasible alignment alternatives for the Project. Additionally, the project timeline will be extended to December 31, 2018. Savings within the departments operating budget are available to fund this supplemental. Commissioner Pct. 2, Mark Jones spoke. Alex Flores, Assistant Director Transportation Department, gave staff recommendation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Supplemental No. 1 with HDR Engineering, Inc. related to the Mountain City Loop Project. All present voting "Aye". MOTION PASSED**

34077A SUB-827; BIG VALLEY SUBDIVISION (17 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 715.2.01 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

The proposed Big Valley Subdivision is an 18 lot subdivision across 106.3 acres located off of FM 1626 in Precinct 2. The subdivision crosses two county boundaries: Hays County and Travis County. 17 of the proposed lots are either fully or partially located within the Hays County boundary across 85.19 acres. Water service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Rainwater Harvesting for lots not located within the City of Austin ETJ. Wastewater service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Individual OSSF for lots not located within the City of Austin ETJ. Section 715.2.07 of the Hays County Development Regulations establishes criteria for the submittal of a Water Service Plan at the time of Preliminary Plan approval. Since this development is proposing the use of Rainwater Harvesting for 9 lots, a water availability demonstration utilizing Rainwater Harvesting is required. The owner is requesting that the requirement for water availability be waived at this time of preliminary approval with conditions in place that will require a water availability study to be submitted prior to any issuance of a development authorization on each lot within the County's jurisdiction. Justification for the variance is included in the backup. Marcus Pacheco, Hays County Planner, Commissioner Pct. 2, Mark Jones, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan and grant a variance to Section 715.2.01 of the Hays County Development Regulations for SUB-827 Big Valley Subdivision (17 Lots). All present voting "Aye". MOTION PASSED**

34078A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY

This agreement authorizes Milliman, Inc. to determine whether Hays County's retiree pharmacy plans provide creditable coverage and are actuarially equivalent to the standard Medicare Part D plan as defined by the Centers for Medicare and Medicaid Services (CMS). Shari Miller, Human Resources Director spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution**



of an Agreement between Hays County and Milliman, Inc. for Actuarial Services related to Retiree Drug Subsidy. All present voting "Aye". MOTION PASSED

34079A EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JERRY CASTILLEJA, M.D. RELATED TO PHYSICIAN SERVICES PROVIDED TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT TB PROGRAM

The physician currently providing services to the Hays County Local Health Department TB Program has given notice to terminate the current contract effective September 30, 2018. Dr. Castilleja graduated from the University of Texas Medical School at San Antonio and has over 29 years' experience. Services will be for on-site consultation at an hourly rate not to exceed \$150 per hour as well as a monthly fee of \$150 for on call services. Funds are budgeted in the FY 2019 budget for these services and are reimbursable through the Department of State Health Services (DSHS) grant under the State TB Program funding. Professional Services Agreement will be brought to Court. Tammy Crumley, Director of Countywide Operations spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Professional Services Agreement with Jerry Castilleja, M.D. related to Physician Services provided to the Hays County Local Health Department TB Program. All present voting "Aye". MOTION PASSED**

34080A APPROVE THE 2019 SHERIFF AND CONSTABLE FEES AS FINALIZED IN OPEN COURT AND AUTHORIZE A WAIVER OF THOSE FEES IN THE FOLLOWING CIRCUMSTANCES: FUNERAL PROCESSION ASSISTANCE AND PERFORMING TRAFFIC CONTROL FOR MUNICIPALITIES AND INDEPENDENT SCHOOL DISTRICT EVENTS, SUCH AS PARADES OR MARCHES

The Sheriff and Constable fees must be adopted each year pursuant to Texas Local Government Code Section 118.131. The approved fees are then submitted to the Texas Comptroller's Office. The fees would go into effect on January 1, 2019. The fees need to be approved by the Commissioners Court. Certain fees are desired to be waived by the Sheriff's Office and the Constables' Offices in particular circumstances. General Counsel, Mark Kennedy, Commissioner Pct. 3, Lon Shell, Constable Pct. 4, Ron Hood, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the 2019 Sheriff and Constable Fees as finalized in open court and authorize a waiver of those fees in the following circumstances: funeral procession assistance and performing traffic control for municipalities and Independent School District events, such as parades or marches. All present voting "Aye". MOTION PASSED**

34081A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RENEWAL CONTRACT WITH CORRECT CARE SOLUTIONS (CCS) RELATED TO THE HEALTHCARE PROGRAM AT THE HAYS COUNTY JAIL

The Sheriff's Office, Jail Division, is requesting court approval to extend the medical care services contract with Correct Care Solutions (CCS) for one additional year. CCS is currently providing all medical services for jail inmates and has agreed to renew at the standard 3% increase. Due to the complexity of outsourcing medical services, a discretionary exemption is requested and allowable per Local Government Code, Ch. 262.04(a)(4). Funds were included in the FY 2019 Proposed Budget for the contract renewal. Sheriff, Gary Cutler, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioners Court to execute a Renewal Contract with Correct Care Solutions (CCS) related to the Healthcare Program at the Hays County Jail and to authorize discretionary exemptions per Local Government Code, Ch. 262.04(a). All present voting "Aye". MOTION PASSED**

34082A APPROVE THE DEFEASANCE OF A PORTION OF THE UNLIMITED TAX BONDS TOTALING AN AMOUNT NOT TO EXCEED \$5,000,000 OF PRINCIPAL AND AUTHORIZE STAFF TO TAKE NECESSARY ACTIONS TO ACCOMPLISH THE DEFEASANCE

During FY 2019 planning, \$5,000,000 has been identified for debt reduction. If approved, this item will authorize the County Auditor and the County Bond's Counsel to carry out the necessary actions. County Auditor, Marisol, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and Commissioner Pct. 1, Debbie Ingalsbe spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Defeasance of a portion of the Unlimited Tax Bonds totaling an amount not to exceed \$5,000,000 of Principal and authorize staff to take necessary actions to accomplish the Defeasance. All present voting "Aye". MOTION PASSED**

34083A AUTHORIZE EXECUTION OF AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY TAX ASSESSOR COLLECTOR AND



**THE LA CIMA PUBLIC IMPROVEMENT DISTRICT, RELATED TO THE
COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT**

Commissioner Pct. 3, Lon Shell, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of an Assessment and Collection Agreement between Hays County Tax Assessor Collector and the La Cima Public Improvement District, related to the collection of assessments within the district. All present voting "Aye". MOTION PASSED**

34084A HOLD A PUBLIC HEARING ON THE FY 2019 HAYS COUNTY PROPOSED BUDGET - 1:00 P.M.

Commissioner Ingalsbe opened the public hearing. Dan Lyon, Dave Donnelly, President of Prevent a Litter (PALS), Tricia Schneider, CASA, Shari Miller, Human Resources Director, County Court at Law #2, David Glickler, Clay DeStefano, Price Center, Vickie Dorsett, and Assistant County Auditor spoke. Commissioner Ingalsbe closed the public hearing. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the proposed changes as discussed. All present voting "Aye". MOTION PASSED**

34085A SET THE FY 2019 SALARIES AND ALLOWANCES FOR HAYS COUNTY ELECTED OFFICIALS

Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to set the FY 2019 Salaries and Allowances for Hays County Elected Officials. All present voting "Aye". MOTION PASSED**

34086A ADOPT THE FY 2019 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL CHANGES AS A RESULT OF THE PUBLIC HEARING

A list of final changes to the FY 2019 budget for the Court to consider will be provided. Additional items for consideration may be submitted by the Court members or as a result of the public hearing. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the FY 2019 Hays County Budget after making any final changes as a result of the public hearing. All present voting "Aye". MOTION PASSED**

34087A RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2019 HAYS COUNTY BUDGET

Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the Commissioner's Court to ratify the property tax increase reflected in the budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the property tax increase reflected in the FY 2019 Hays County Budget; this budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. All present voting "Aye". MOTION PASSED**

34088A APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2019 AND LEVY THE TAXES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move that the property tax rate be set by the adoption of a tax rate of 43.37¢; 26.53¢ - General Maintenance & Operations, 12.46¢ - General Debt, 4.38¢ - Road and Bridge Maintenance & Operations, which is the effective tax rate. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #36 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 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 10:52 a.m. and reconvened into open court at 11:29 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Human Resources Director, Shari Miller, General Counsel, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 11:29 a.m. and reconvened into open court at 11:46 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, General Counsel, Jordan Powell, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE OFFICE OF EMERGENCY SERVICES

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:51 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Human Resources Director, Shari Miller, Legal Support Services Specialist, Janice Jones and Director of Office of Emergency Services, Kharley Smith. No action taken.

Clerk's Note Agenda Item #40 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 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 #42 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 #43 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 Whisenant to adjourn court at 2:19 p.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 September 18, 2018.

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

