

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH 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
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Michael 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

Dan Lyon, resident of San Marcos and Rodrigo Amaya, resident of San Marcos made public comment.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller presented the Hays County Service Awards. 5 –Years – Roger Nebergall, Stephen Traeger, Thomas McGreevy and Anthony Schafer – Sheriff's Office. 10 Years – Dustin Oliver – Sheriff's Office. 15 Years – Erica Tobias – Juvenile Detention. 20 Years – Debra C. Zoerb –District Attorney's Office. Retirement – Vicki Davis –Sheriff's Office.

34089A ADOPT A PROCLAMATION DECLARING OCTOBER 2, 2018 AS NATIONAL NIGHT OUT

Sheriff, Gary Cutler spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a proclamation declaring October 2, 2018 as National Night Out. All present voting "Aye". MOTION PASSED

34090A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 1,873,539.19 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34091A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$ 6,670.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34092A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$ 363,294.25 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34093A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 18, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 18, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34094A APPROVE THE PAYMENT OF THE SEPTEMBER 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,410,000.00



EFFECTIVE SEPTEMBER 28, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the September 30, 2018 payroll disbursements in an amount not to exceed \$3,410,000.00 effective September 28, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34095A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2381 BEBEE RD, KYLE, TX 78610

Matthew Philip Fleming is proposing an OSSF to serve a daycare. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Karel Zaleski, R.S., has designed a system, which consists of a 1250 gallon two compartment tank, a 750 gallon pump tank, and a low pressure dose drainfield. The maximum daily usage rate is 263 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 2381 Bebee Rd, Kyle, TX 78610. All present voting "Aye". MOTION PASSED**

34096A AUTHORIZE COMMERCIAL OSSF PERMIT AT 12305 FM 967, DRIFTWOOD, TEXAS 78619

Commissioner Whisenant spoke. Interim Director of Development Services, Caitlyn Strickland spoke. Don Curry is proposing an OSSF to serve a private event center for non-profit functions. The system is designed to accommodate up to 250 guests no more than once per week. This 12.21-acre property is Lot 7 of the Grand Cypress at Onion Creek Subdivision. This lot is served by a private well. The system designer, Dan Balboa, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 180 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize Commercial OSSF Permit at 12305 FM 967, Driftwood, Texas 78619. All present voting "Aye". MOTION PASSED**

34097A AUTHORIZE PAYMENT TO VERITIV OPERATING COMPANY FOR JANITORIAL SUPPLIES FOR THE BUILDING MAINTENANCE DEPARTMENT WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY

Dan Lyon, resident of San Marcos, made public comment. The Building Maintenance Department received janitorial supplies in August 2017 without obtaining a purchase order per County Purchasing Policy. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize payment to Veritiv Operating Company for janitorial supplies for the Building Maintenance Department where no purchase order was issued per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

34098A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-421-000-B130 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM HOUSING PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION

Amendment No. 1 to the GLO Contract No. 18-421-000-B130. Attachments A-F were revised to include contractual language that was more clarifying for the purposes of the contract. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to Authorize the execution of Amendment No. 1 to the General Land Office (GLO) Contract No. 18-421-000-B130 Community Development Block Grant Disaster Recovery Program Housing Projects Non-Research & Development 2015 Flood Allocation. All present voting "Aye". MOTION PASSED**

34099A AUTHORIZE THE EXECUTION OF THE RESOLUTION AUTHORIZING SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER PROGRAM (CDBG-DR) THROUGH THE GENERAL LAND OFFICE (GLO) TO PROVIDE INFRASTRUCTURE IMPROVEMENTS



A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of the Resolution Authorizing Signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant Disaster Program (CDBG-DR) through the General Land Office (GLO) to provide infrastructure improvements. All present voting "Aye". MOTION PASSED

34100A AUTHORIZE THE EXECUTION OF THE RESOLUTION AUTHORIZING SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER PROGRAM (CDBG-DR) THROUGH THE GENERAL LAND OFFICE (GLO) PROVIDING HOUSING IMPROVEMENTS

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of the Resolution Authorizing Signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant Disaster Program (CDBG-DR) through the General Land Office (GLO) providing housing improvements. All present voting "Aye". MOTION PASSED

34101A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,069.48

On February 13, 2018 the Commissioners Court approved the submission of a grant application and accompanying Resolution to the Office of the Governor Criminal Justice Division for funding to support the Hays County Veterans Court. This grant award is to continue the support and operations of the Court. Notice of award has been received and acceptance is done electronically for this Grant Number 2775905. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the acceptance of a grant award from the Office of the Governor Criminal Justice Division for the Hays County Veterans Court in the amount of \$77,069.48. All present voting "Aye". MOTION PASSED**

34102A APPROVE UTILITY PERMITS

Permit Road Name Utility; 1104 Crystal Hills Drive Water Line (Goldenwood West WSC), 1105 High Road Water Line (Goforth SUD), 1106 Pioneer Trail Electric Line (PEC), 1107 Martin Road Electric Line (PEC), 1108 Fitzhugh Road Electric Line (PEC), 1109 Mathias Lane Water line (Goforth SUD) **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Utility Permit # 1104 on Crystal Hills issued to Water Line (Goldenwood West WSC), Permit # 1105 on High Road issued to Water Line (Goforth SUD), Permit # 1106 on Pioneer Trail issued to Electric Line (PEC), Permit # 1107 on Martin Road issued Electric Line (PEC), Permit # 1108 on Fitzhugh Road issued to Electric Line (PEC), and Permit # 1109 on Mathias Lane issued to Water Line (Goforth SUD) as presented by the Transportation Director. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #16 RE: AUTHORIZE RESOLUTION OF COURT REGARDING THE WAIVER OF SHERIFF & CONSTABLE FEES IN CERTAIN CIRCUMSTANCES – was pulled

34103A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 201 MOUNTAIN CITY, MOUNTAIN CITY, TX, 78610

Hays County Emergency Services District No. 5/Kyle Fire Department is proposing an OSSF to serve a fire station with three employees. The fire house will be occupied as a residence for the fire fighters who are on duty. This is on Lot 7 and part of Lot 8 in Mountain City Oaks subdivision and lies inside Mountain City. Water will be supplied by a public water supply. The system designer, Dave McGhee, R.S., has designed a system, which consists of an aerobic treatment unit with dispersal by drip irrigation. The maximum daily usage rate is 360 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 201 Mountain City, Mountain City, TX, 78610. All present voting "Aye". MOTION PASSED**

34104A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RESOLUTION CERTIFYING THAT THE COUNTY HAS APPROVED A \$13,000 GRANT FOR FY 2019 TO COMBINED COMMUNITY ACTION, AN ORGANIZATION THAT PROVIDES HOME DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY THAT ARE ELDERLY OR HAVE A DISABILITY



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute a resolution certifying that the County has approved a \$13,000 grant for FY 2019 to Combined Community Action, an organization that provides home delivered meals to homebound persons in the county that are elderly or have a disability. All present voting "Aye". MOTION PASSED

34105A AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2018 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend various departmental operating budgets in preparation for the County's FY 2018 year-end process. All present voting "Aye". MOTION PASSED

34106A APPROVE ACCEPTANCE OF QUALIFIED RESPONDENTS PURSUANT TO RFQ 2018-P17 INDEPENDENT THIRD-PARTY REVIEWER FOR THE HAYS COUNTY PACE PROGRAM AND AUTHORIZE EXECUTION OF CONTRACTS BETWEEN HAYS COUNTY AND LISTED FIRMS, ONCE FINALIZED BY GENERAL COUNSEL

Rodrigo Amaya, resident of San Marcos, made public comment. General Counsel Mark Kennedy spoke. Purchasing received Statements of Qualifications from the following firms in response to RFQ 2018-P17 Independent Third-Party Reviewer for the Hays County PACE Program: Green Living, LLC, EEA Consulting Engineers, Simple Payback, LLC, Harrison, French & Associates, Ltd., EMC Engineers, KCI Technologies, Inc., Edwards Energy Environmental & Waste Management, DBR Engineering Consultants, Inc., Precision Building Controls, LLC, Vision Building Energy Efficiency, LLC (dba Bee), The evaluating committee has reviewed the respondents' qualifications and will provide a list of qualified applicants in court. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve acceptance of qualified respondents pursuant to RFQ 2018-P17 Independent Third-Party Reviewer for the Hays County PACE Program and authorize execution of contracts between Hays County and listed firms, once finalized by General Counsel. All present voting "Aye". MOTION PASSED

34107A AUTHORIZE THE EXECUTION OF A RENEWAL SERVICE AGREEMENT WITH GRANICUS FOR THE COUNTY CLERK'S OFFICE RELATED TO SOFTWARE AND HARDWARE SUPPORT FOR THE LIVE STREAMING, TRANSPARENCY AND MEETING SOLUTIONS FOR COMMISSIONERS COURT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Renewal Service Agreement with Granicus for the County Clerk's Office related to software and hardware support for the live streaming, transparency and meeting solutions for Commissioners Court. All present voting "Aye". MOTION PASSED

34108A AUTHORIZE THE EXECUTION OF A "KEEP IT" PROGRAM AGREEMENT WITH DELL MARKETING, LP AND TO ALLOW THE INFORMATION TECHNOLOGY DEPARTMENT TO ACCEPT DONATED HARDWARE FOR A WYSE 5070 THIN CLIENT (VDI) SOLUTION AND AMEND THE BUDGET ACCORDINGLY

Dell Marketing has provided the County with a new Virtual Desktop Thin Client to be utilized for testing purposes within the IT Department. Attachments: Dell VDI Solution Quote 30000025863589.1 (for value of donated hardware) Dell "Keep It" Program Agreement Budget Amendment: Increase Contributions - .4610 Increase Computer Equipment Operating - .5712_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a "Keep It" Program Agreement with Dell Marketing, LP and to allow the Information Technology Department to accept donated hardware for a Wyse 5070 Thin Client (VDI) Solution and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34109A AUTHORIZE THE ACCEPTANCE OF COMPUTER RELATED EQUIPMENT DONATIONS AND AMEND THE BUDGET ACCORDINGLY

Two departments have received computer related equipment from vendors to utilize within their respective offices as needed. >The Jail Division received a computer from 4Inmates Email Commission service vendor, value \$150. >The County Clerk received 14 monitors from Xerox/ACS, value @ \$50 each total value \$700 Attachments: 4 Inmates Donation Letter ACS Donation Letter Budget Amendment: Jail: Increase Contributions - 001-618-03.4610 Increase Data Supplies - 001-618-03..5202 County Clerk: Increase Contributions - 001-617-00.4610 Increase Data Supplies - 001-617-00.5202. A motion was made by Commissioner Ingalsbe,



seconded by Commissioner Shell to Authorize the acceptance of computer related equipment donations and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34110A AUTHORIZE THE COUNTY AUDITOR'S OFFICE TO WRITE OFF PRIOR YEAR ACCOUNTS RECEIVABLES RELATED TO THE TAX OFFICE AND THE FAMILY HEALTH SERVICES CLINIC AND AMEND THE BUDGET ACCORDINGLY

The County Auditor would like the Courts permission to write off prior year receivables that are currently on the balance sheet related to the Tax Office Motor Vehicle Division NSF Checks and the Family Health Services Clinic billings. Funds are available in the department's budgets to allow for this action. Budget Amendments: \$ 1,126.18 - Tax Assessor Collector NSF Checks - decrease longevity \$12,492.56 - Family Health Clinic Billings - decrease salary adjustments. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Auditor's Office to write off prior year accounts receivables related to the Tax Office and the Family Health Services Clinic and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34111A ABANDONMENT OF COMMERCE COURT, A COUNTY-MAINTAINED ROAD ABUTTING ROBERT S. LIGHT BLVD. AND RELINQUISHING ALL RIGHTS AND RESPONSIBILITIES OF THE ROAD AND ROW FOR THE PURPOSE OF A NEWLY PLANNED DEVELOPMENT

Dan Lyons, resident of San Marcos, made public comment. Commissioner Jones spoke. General Counsel Mark Kennedy Spoke. Assistant Transportation Director, Alex Flores spoke and gave full staff recommendation. Staff recommends abandonment of the county-maintained road Commerce Court for the purpose of allowing a new development to be constructed called Harvest Meadows. All surrounding property along Commerce Court is owned by the same entity. The road is approximately 700 ft. in length. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the abandonment of Commerce Court, a county-maintained road abutting Robert S. Light Blvd. and relinquishing all rights and responsibilities of the road and ROW for the purpose of a newly planned development. All present voting "Aye". MOTION PASSED**

34112A RELEASE OF THE MAINTENANCE BOND #PB10553700073 IN THE AMOUNT OF \$64,585.59, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR REUNION RANCH SUBDIVISION, PHASE 2, SECTION 1

Assistant Transportation Director, Alex Flores spoke and gave full staff recommendation. Staff recommends acceptance of the roads into the county road maintenance system. The roads include: a segment of Reunion Boulevard (1,524 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to release of the maintenance bond #PB10553700073 in the amount of \$64,585.59, and the acceptance of roads into the county road maintenance system for Reunion Ranch subdivision, Phase 2, Section 1. All present voting "Aye". MOTION PASSED**

34113A RELEASE OF THE MAINTENANCE BOND #K08774973 IN THE AMOUNT OF \$130,575.04, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 8

Staff recommends acceptance of the roads into the county road maintenance system. The roads include: Shale Circle (1,303 ft.), Adoquin Trail (836 ft.), Red Morganite (1,369 ft.), Coral Stone Trail (181 ft.), Sandstone Trial (160ft.), and Marlstone Trail (875 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release of the maintenance bond #K08774973 in the amount of \$130,575.04, and the acceptance of roads into the county road maintenance system for Stonefield subdivision, Section 8. All present voting "Aye". MOTION PASSED**

34114A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND BROWN AND GAY ENGINEERS, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE RATTLER ROAD SHARED USE PATH

Commissioners Ingalsbe spoke. Assistant Transportation Director, Alex Flores spoke. Contract change is to cover the cost of services including utility replacements and an inspection by a Americans with Disabilities Act qualified Registered Accessibility Specialist. Change is for an additional \$6,059.24 to the original contract amount of \$50,000. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 between Hays County and Brown and Gay Engineers,**



Inc. on the Professional Services Agreement for the Rattler Road Shared Use Path. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #29 RE: SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS). DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY, AND APPROVE FINAL PLAT- was pulled

34115A SUB-1064; CALL FOR A PUBLIC HEARING ON OCTOBER 16, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 4-5, ROLLING OAKS SECTION 3

Rolling Oaks Section 3 is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 12.0382 acre lots 4-5 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A variance from Chapter 721.5.05.B of the Hays County Development Regulations will be requested at the time of the public hearing. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on October 16, 2018 to discuss final plat approval of SUB-1054; replat of lot 4-5, Rolling Oaks Section 3. All present voting "Aye". MOTION PASSED**

Clerk's Note: Court took break at 9:59 a.m. and reconvened back into open court at 10:07 a.m.

34116A AUTHORIZE THE EXECUTION OF A LETTER OF AGREEMENT BETWEEN HAYS COUNTY AND CENTRAL TEXAS MEDICAL CENTER (CTMC) AND AUTHORIZE THE PAYMENT OF \$1,500,000 ON OR BEFORE 9/28/18 RELATED TO INDIGENT HEALTH CARE COSTS

Central Texas Medical Center (CTMC), Chief Executive Officer, Anthony Stahl spoke. Commissioner Ingalsbe spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. The \$2,000,000 that is budget each year for indigent care and also the LPPF which is Hospital Funds from CTMC and 2 private hospitals. Dedicated funds are budgeted each year to be used for payments to CTMC associated with providing indigent health care through the 1115 waiver and the Indigent Program at the Live Oak Community Clinic. There is approximately \$2,000,000 remaining for FY18 budgeted payments. The Letter of Agreement only authorizes the payment of funds currently budgeted for FY 2018. Additional funding remaining in FY18 has been rolled to the FY19 budget as well as the standard \$2M commitment to address future payments. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Letter of Agreement between Hays County and Central Texas Medical Center (CTMC) and authorize the payment of \$1,500,000 on or before 9/28/18 related to Indigent health care costs. All present voting "Aye". MOTION PASSED**

34117A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND CALDWELL COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES

Rodrigo Amaya, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos of San Marcos made public comment. General Counsel, Mark Kennedy spoke. Commissioner Shell spoke. Sheriff's Office, Captain Julie Villapando spoke. Sheriff, Gary Cutler spoke. Commissioner Whisenant spoke. This Agreement will be utilized if and when the Hays County corrections inmate population exceeds capacity, as it will be a closer facility to receive transfer of inmates. Beginning January 1, 2019, Caldwell County will guarantee 40 medium-security custody beds for use exclusively by Hays County inmates. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute an Interlocal Cooperation Agreement between Hays County and Caldwell County for housing and care of Hays County corrections inmates. All present voting "Aye". MOTION PASSED**

34118A ADOPT THE FY 2019 COUNTY HOLIDAY CALENDAR

Dan Lyon, resident of San Marcos made public comment. Commissioner Ingalsbe spoke. In order to schedule court dockets, we have been requested to consider approving our FY 2019 County Holiday Calendar. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the FY 2019 County Holiday Calendar. All present voting "Aye". MOTION PASSED**

34119A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO A STANDARD SOFTWARE LICENSE AND SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TYLER TECHNOLOGIES, INC., RELATED TO INFORMATION TECHNOLOGY HARDWARE, SOFTWARE, AND SERVICES

HAYS COUNTY COMMISSIONERS' COURT MINUTES



I.T. Director, Jeff McGill spoke. Sheriff's Office Director of Communications, Erica Carpenter spoke. Sheriff, Gary Cutler spoke. Constable, John Ellen spoke. North Hays County Fire Rescue Chief, Scott Collard spoke. San Marcos Hays County EMS and President of Hays County Fire Chief's Association, David Smith spoke. Kyle Police Department, Chief of Police, Jeff Barnett spoke. Buda Police Department Captain, Brandon Hale spoke. Commissioner Shell spoke. Commissioner Ingalsbe spoke. Commissioner Jones spoke. Commissioner Whisenant spoke. I.T. Director, Jeff McGill will be present in open court to provide a summary of the scope of this Amendment, which makes the requisite modifications to prepare Hays County for a more integrated criminal justice system. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the execution of an amendment to a Standard Software License and Services Agreement between Hays County and Tyler Technologies, Inc., related to information technology hardware, software, and services. All present voting "Aye". MOTION PASSED**

34120A AUTHORIZE THE EXECUTION OF CHANGE ORDER 001 OF THE AGREEMENT BETWEEN HAYS COUNTY AND SI MECHANICAL FOR WORK RELATED TO THE WATER TREATMENT SYSTEM LOCATED IN THE GOVERNMENT CENTER

Tammy Crumley, Director of Countywide Operations spoke. On April 10, 2018, Commissioners Court approved a contract for SI Mechanical in response to IFB 2018-B04. Additional time will be needed in order to complete the work outlined in the original contract and a request to extend then contract deadline has been submitted. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order 001 of the agreement between Hays County and SI Mechanical for work related to the Water Treatment System located in the Government Center. All present voting "Aye". MOTION PASSED**

34121A APPOINT A REPLACEMENT ALTERNATE FOR COMMISSIONER JONES ON THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO)

Commissioner Jones spoke. Commissioner Whisenant spoke. Interim Director of Development Services, Caitlyn Strickland spoke. A new representative for Commissioner Jones will need to be appointed to replace Roxie McInnis, former Assistant Director of Planning and Public Health. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to appoint Caitlyn Strickland as a replacement alternate for Commissioner Jones on the Capital Area Regional Transportation Planning Organization (CARTPO). All present voting "Aye". MOTION PASSED**

34122A APPROVE THE AMENDED SERVICE AND ASSESSMENT PLAN FOR THE LA CIMA PUBLIC IMPROVEMENT DISTRICT

Interim Director of Development Services, Caitlyn Strickland spoke. La Cima Public Improvement District was approved on September 23, 2014 in accordance with the PID Act to finance certain public improvements projects for the benefit of certain property within the PID. The service and assessment plan (SAP) must be reviewed and updated annually by the commissioner's court for the purpose of determining the annual budget for the Public Improvements. This 2018 Annual Service Plan Update serves to combine the SAP and Neighborhood Improvement Area #1 SAP Update into one document and is the annual update to both the SAP and the NIA # 1 SAP Update for 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the amended service and assessment plan for the La Cima Public Improvement District. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #38 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 REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW.

Court convened into Executive session at 11:41 a.m. and reconvened into open court at 11:55 a.m.. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. No action taken.



34123A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL APPLICANTS FOR APPOINTMENT AS JUDGE OF THE HAYS COUNTY COURT AT LAW #3. POSSIBLE ACTION MAY FOLLOW.

Court convened into Executive session at 10:45 a.m. and reconvened into open court at 11:41a.m.. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize staff to arrange interviews with the top 3 or 4 common applicants for appointment to County Court at Law, as independently recommended by each member of Court, outside of executive session. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #41 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

Burn Ban will remain lifted. No action taken.

Clerk's Note Agenda Item #43 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 #44 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 11:58 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 September 25, 2018.




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

