

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Josh Murrillo 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, resident of San Marcos, Dan Lyon, resident of San Marcos, Rodrigo Amaya, resident of San Marcos, Sharri Boyett resident of San Marcos, all made public comments.

34150A ADOPT A PROCLAMATION DECLARING OCTOBER 15, 2018 AS WHITE CANE SAFETY DAY

Members of the San Marcos Lion's Club were present. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring October 15, 2018 as White Cane Safety Day. All present voting "Aye". MOTION PASSED

34151A ADOPT A PROCLAMATION DECLARING OCTOBER 2018 AS MANUFACTURING MONTH

Members of Hays Consolidated School District and San Marcos Consolidated School District were present. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring October 2018 as Manufacturing Month. All present voting "Aye". MOTION PASSED

34152A 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 \$ 2,755,836.24 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34153A 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 \$ 2,884.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #5 RE: APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS – was pulled

34154A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 2, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of October 2, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34155A AUTHORIZE COMMERCIAL OSSF PERMIT AT 2984 E HWY 290, DRIPPING SPRINGS, TEXAS 78620

3000 HWY290 Parcels B & C, LLC is proposing an OSSF to accommodate two office buildings and a customer



restroom for customer storage units. This 22.68-acre property will be served by a public water supply. The system designer, Derrick Lormand, R.S., has designed a standard treatment system, which includes a 1500 gallon septic tank. After treatment, the effluent will be dispersed via low pressure dose for a maximum daily rate of 250 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2984 E HWY 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34156A AUTHORIZE THE TRANSFER STATION TO ADD A TELEPHONE STIPEND FOR THE RECYCLING AND SOLID WASTE COORDINATOR, SLOT 0170-001 EFFECTIVE OCTOBER 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

The position of Recycling and Solid Waste Coordinator for the Transfer Stations is responsible for managing the Transfer Station staff and overseeing the day to day operations of the sites. It is required that this position be available to staff, vendors, and supervisors to remain productive and perform duties effectively. Partial funds are available in the line item, remaining funds needed will be moved from operating budget savings. Budget Amendment:(\$270) - Decrease Telephone Expense \$270 - Increase Telephone Allowance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Transfer Station to add a telephone stipend for the Recycling and Solid Waste Coordinator, slot 0170-001 effective October 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34157A AUTHORIZE COMMERCIAL OSSF PERMIT AT 601 SANDY POINT RD., WIMBERLEY, TX 78676

David and Elizabeth Livingston are proposing an OSSF for a wedding venue. The property itself is 11.133 acres. The venue does not meet the requirements necessary for a public water supply at this time, but they understand that it may be required in the future. The system designer, Dave McGhee, D.R., S.E., R.S., has designed a treatment system which will utilize an aerobic treatment system. The system will consist of a 2000 gallon pretreatment/trash tank which will flow into (2) 3000 gallon meter dosing tanks. The maximum peak usage limitation is 560 gallons per event (1120 per week). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF Permit at 601 Sandy Point Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**

34158A AUTHORIZE THE EXECUTION OF A RENEWAL WARRANTY, SUPPORT AND LICENSE AGREEMENT WITH HART INTERCIVIC FOR THE ELECTIONS ADMINISTRATION OFFICE RELATED TO ELECTION SOFTWARE SUPPORT AND MAINTENANCE

Rodrigo Amaya, resident of San Marcos, made public comment. Dan Lyon, resident of San Marcos, made public comment. The renewal agreement will extend the term to September 2021 for software support and maintenance for election equipment previously purchased from Hart Intercivic. A discretionary exemption per Local Government Code, Ch. 262.024(a)(7) is requested due to sole source services that can only be provided by the vendor. A statement from the IT Director will be submitted to the County Clerk to enter into the record of minutes to this effect. Funds were budgeted during the budget process for this maintenance agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a renewal Warranty, Support and License Agreement with Hart Intercivic for the Elections Administration Office related to election software support and maintenance. All present voting "Aye". MOTION PASSED**

34159A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM IN THE AMOUNT OF \$13,275 FOR RIFLE RESISTANT VESTS FOR LAW ENFORCEMENT OFFICERS AND AMEND THE BUDGET ACCORDINGLY

On August 21, 2018, the Commissioners' Court authorized submission of a grant with the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation. Hays County will receive a funding allocation that will be used to purchase 15 rifle-resistant vests in the amount of \$13,275 for Law Enforcement Officers. No county matching funds are required. Budget Amendment: Increase Intergovernmental Revenue .4301 Increase Law Enforcement Equipment .5717_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the acceptance of a grant award from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program in the amount of \$13,275 for rifle resistant vests for Law Enforcement Officers and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34160A AUTHORIZE THE RENEWAL OF THE ANNUAL MAINTENANCE CONTRACT WITH AAMS WASTE WATER FOR THE OSSF SERVICES AT THE



PRECINCT 3 BUILDING AND AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO RENEW FUTURE OSSF MAINTENANCE CONTRACTS FOR HAYS COUNTY PROPERTY WITHOUT ADDITIONAL COURT ACTION

The County currently contracts with AAMS Waste Water for the OSSF services provided to the Precinct 3 building located at 200 Stillwater. The contract renewal will begin 11/15/2018 and run through 11/15/2019. Funds were budgeted during the FY19 budget process for this service. Authorize the Director of Countywide Operations to renew future AAMS Waste Water annual contracts for Pct. 3 and Pct. 4 without the need of additional Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the renewal of the annual maintenance contract with AAMS Waste Water for the OSSF services at the Precinct 3 building and authorize the Director of Countywide Operations to renew future OSSF maintenance contracts for Hays County property without additional Court action. All present voting "Aye". MOTION PASSED**

34161A RATIFY THE EXECUTION OF AN AGREEMENT BY THE SHERIFF'S OFFICE WITH STAR ASSET SECURITY, LLC TO SERVICE, MAINTAIN AND MONITOR THE FIRE SYSTEM

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Sheriff's Office with Star Asset Security, LLC to service, maintain and monitor the fire system. All present voting "Aye". **MOTION PASSED**

34162A AUTHORIZE PAYMENT TO BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT (BSEACD) FOR A GROUNDWATER WELL PERMIT FOR COUNTY OWNED PROPERTY LOCATED NEAR THE INTERSECTION OF FM 3237 AND CAMINO DE RANCHO, PRECINCT 3, AND AMEND THE BUDGET ACCORDINGLY

This permit will allow for the drilling of a well on the recently purchased property for an Emergency Water Supply for the County. Budget Amendment: Decrease Contract Services .5448 Increase Permit Fees .5324. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Barton Springs Edwards Aquifer Conservation District (BSEACD) for a groundwater well permit for County owned property located near the intersection of FM 3237 and Camino de Rancho, Precinct 3, and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34163A AUTHORIZE HAYS COUNTY TO BECOME A MEMBER OF PROTECT OUR BLANCO AND APPROVE PAYMENT OF MEMBERSHIP FEE

Membership allows participation in a contested case to legally challenge the proposed discharge into the Blanco River. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize Hays County to become a member of Protect Our Blanco and approve payment of membership fee. All present voting "Aye". MOTION PASSED**

34164A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permit # 1110 at Knox Drive issued to water line (Goforth SUD) and Utility Permit # 1111 at C.R. 211 issued to Main Water Line (Goforth SUD) as submitted by the Transportation Director. All present voting "Aye". **MOTION PASSED**

34165A AUTHORIZE COMMERCIAL OSSF PERMIT AT 23490 RR 12, DRIFTWOOD, TX 78619

The owner Nicholas Dotin is proposing an OSSF to accommodate a dance hall and bar with plans to operate 6 days a week. This 10.97-acre property will be served by a TCEQ approved potable water system and tank (pending approval). The system designer, Kyle DeHart, R.S., has designed an advanced treatment system, which includes a 1500 gallon septic tank followed by a 3000 gallon equalization tank and Nuwater B-800 aerobic treatment unit. After treatment, the effluent will be pumped to a leaching chamber absorption field for a maximum daily rate of 500 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 23490 RR 12, Driftwood, TX 78619. All present voting "Aye". MOTION PASSED**

34166A AUTHORIZE THE JUVENILE DETENTION CENTER TO ACCEPT A GRANT AWARD FROM TEXAS STATE UNIVERSITY RELATED TO THE HISET GED PROGRAM AND AMEND THE BUDGET ACCORDINGLY

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The Juvenile Detention Center has received a two-year grant award for collaborative programs involving STEM (Science, Technology, Engineering and Math). The mission of the program is to develop a sustainable model for increasing the number of historically underrepresented and underserved minorities, with special emphasis on highrisk youth, who will attain undergraduate STEM degrees. The grant will provide funding (two \$1,000 annual installments) for GED study guides and supplies. No county funds are required. Attachment: Tx State STEM grant award notification Budget Amendment: Increase Intergovernmental Revenue .4301 - (\$1,000) Increase Software Maint & Licenses .5429 - \$675 Increase General Supplies .5201 - \$325. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Juvenile Detention Center to accept a grant award from Texas State University related to the HiSET GED Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34167A AUTHORIZE THE ACCEPTANCE OF AN AWARD FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE ASSISTANCE, BULLETPROOF VEST PARTNERSHIP (BVP) IN THE AMOUNT OF \$29,200.89

The grant funds are for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. Funds may be used for both new officers and the replacement of existing bulletproof vests. Vests are replaced based on a five-year usable protective wear cycle. County matching funds were budgeted during the FY 2019 budget process. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the acceptance of an award from the Department of Justice, Office of Justice Assistance, Bulletproof Vest Partnership (BVP) in the amount of \$29,200.89. All present voting "Aye". MOTION PASSED**

34168A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE DISTRICT ATTORNEY'S OFFICE RELATED TO THE VICTIM'S ASSISTANCE PROGRAM AND AMEND THE BUDGET ACCORDINGLY

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, to provide support to the salary, benefits, and supplies for a Victims Assistance Coordinator position for the District Attorney's Office. A Victim Assistance Coordinator will provide direct victim services to victims of crime, and their families within Hays County. The grant period is 10/1/18 to 9/30/19, matching funds were budgeting during the FY19 budget process. Attachment: CJD Notice of award - Grant Number 3607601 (grant award acceptance completed electronically) Budget Amendment: Move Salary/Fringe & Intergovernmental Revenue from DA Operating budget to Grant Cost Center. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for the District Attorney's Office related to the Victim's Assistance Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34169A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS INDIGENT COMMISSION (TIDC) FOR THE FY 2019 HAYS COUNTY FORMULA GRANT PROGRAM

The TIDC Formula Grants are award to eligible counties to help counties meet constitutional and statutory requirements for indigent defense and to promote compliance with standards adopted by the Commission. The funds can be used for investigator expenses, attorney fees, and expert witness expense incurred by the County on criminal indigent cases. The grant application is submitted through an on-line electronic process with the Resolution e-mailed for verification authorization. The grant amount is an estimate at this time based on previous award and will be finalized upon grant award. The grant period if October 1, 2018 through September 30, 2019. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Resolution and the submission of a grant application to the Texas Indigent Commission (TIDC) for the FY 2019 Hays County Formula Grant Program. All present voting "Aye". MOTION PASSED**

34170A APPROVE THE TRANSFER OF 2004 CHEVY SILVERADO FROM HAYS COUNTY TRANSPORTATION DEPARTMENT TO HAYS COUNTY LOCAL HEALTH DEPARTMENT

The following asset is being requested for transfer from the Transportation inventory to be utilized by the Emergency Preparedness Coordinator: 2004 Chevy Silverado, VIN: 1GCHC24U14E316356, Hays County Tag 13383, Asset ID 8997. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the transfer of 2004 Chevy Silverado from Hays County Transportation Department to Hays County Local Health Department. All present voting "Aye". MOTION PASSED**



34171A RATIFY THE EXECUTION OF AN AGREEMENT BY THE JUVENILE DETENTION CENTER WITH STAR ASSET SECURITY, LLC TO SERVICE, MAINTAIN, AND MONITOR THE FIRE SYSTEM

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Juvenile Detention Center with Star Asset Security, LLC to service, maintain, and monitor the fire system. All present voting "Aye". MOTION PASSED

34172A RATIFY THE EXECUTION OF AN AGREEMENT BY THE JUVENILE DETENTION CENTER WITH STERICYCLE FOR MEDICAL WASTE SERVICES AND OSHA COMPLIANCE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the execution of an agreement by the Juvenile Detention Center with Stericycle for medical waste services and OSHA compliance. All present voting "Aye". MOTION PASSED

34173A AUTHORIZE COMMERCIAL OSSF PERMIT AT 177 COACHMAN DR., SAN MARCOS, TX 78666

Ken Jenkines with Kutscher Holdings, LP is proposing an OSSF for a pet resort. The property itself is comprised of lot 1-C and 1-D totaling 2.44 acres in the San Marcos ETJ. The business will be serviced by a public water supply. The system designer, Stephen Jetton, R.S., has designed a system which will utilize drip irrigation. The projected daily waste flow is 732 gallons per day. A 639 gallon pretreatment/trash tank will precede the 1000 gallon per day aerobic treatment tank. Effluent from the aeration tank will then move to a 2000 gallon pump tank. The pump tank serves as a storage tank prior to the effluent being discharged to the drip field. In order to prevent surges, a 1000 gallon two-compartment trash tank along with a 2000 gallon equalization tank will also be utilized. A water meter will also be installed on the line from the pump tank to the drip field to monitor water usage. **Authorization of this system is contingent upon approval from the City of San Marcos development regulations.** A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF permit at 177 Coachman Dr., San Marcos, TX 78666. All present voting "Aye". MOTION PASSED

34174A APPROVE A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY BOND NO. 20BSBSY3529 IN THE AMOUNT OF \$1,119,697.49, AND APPROVE SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS) FINAL PLAT

Interim Director of Development Services, Caitlyn Strickland spoke. Heaton Hollow Subdivision is a proposed 18 lot subdivision located along FM 2325 in PCT 3. Lots range in size from 24 acres to 181 acres. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. The developer is requesting a variance from Chapter 725.3.07 of the Hays County Development Regulations. This section of the regulations state that a drainage area of 64 acres or greater require the identification of a local floodplain. They are requesting that they do not have to identify the local floodplain. Justification for the variance is included in the backup. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Chapter 725.3.07 of the Hays County Development Regulations, accept fiscal surety bond no. 20BSBSY3529 in the amount of \$1,119,697.49, and approve SUB-1054; Heaton Hollow Subdivision (18 Lots) final plat. All present voting "Aye". MOTION PASSED

34175A APPROVE A VARIANCE FROM CHAPTER 721.5.05.B OF THE HAYS COUNTY DEVELOPMENT REGULATIONS AND APPROVE SUB-1064; REPLAT OF LOT 4-5, ROLLING OAKS SECTION 3 SUBDIVISION. A FINAL PLAT; HOLD PUBLIC HEARING

Interim Director of Development Services, Caitlyn Strickland spoke. 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 is being requested from Chapter 721.5.05.B of the Hays County Development Regulations to allow for a flag lot. Justification for the variance is included in the backup. A motion was made by Commissioner Shell, seconded by Commissioner Jones to grant a variance from Chapter 721.5.05.B of the Hays County Development Regulations and approve final plat; hold public hearing. All present voting "Aye". MOTION PASSED

34176A APPROVE PRELIMINARY PLAN OF SUB-1104; RAINBOW RANCH TRACT 1 SUBDIVISION (2 LOTS)

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Interim Director of Development Services, Caitlyn Strickland spoke. Rainbow Ranch is a subdivision located along Lone Man Mountain Road in PCT 3. The proposed division of the unrecorded tract 1 will make two lots (one 2.50 acre lot and one 9.29 acre lot) Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-1104; Rainbow Ranch Tract 1 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

34177A AUTHORIZE THE EXECUTION OF AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY TAX ASSESSOR COLLECTOR AND THE TRACE PUBLIC IMPROVEMENT DISTRICT, RELATED TO THE COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an Assessment and Collection Agreement between Hays County Tax Assessor Collector and the Trace Public Improvement District, related to the collection of assessments within the District. All present voting "Aye". MOTION PASSED**

34178A APPROVE THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE DEPARTMENT OF INFORMATION RESOURCES AND HAYS COUNTY RELATING TO THE USE OF THE DIR SHARED SERVICES MASTER SERVICE AGREEMENTS

Election Administrator, Jennifer Anderson spoke. Anthony Bomba with At&T and Kevin Coffey with Cyber Defenses spoke. There is no charge for the assessment to take place. The process will be six to eight weeks. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the execution of an Interlocal Agreement between The Department of Information Resources and Hays County relating to the use of the DIR Shared Services Master Service Agreements. All present voting "Aye". MOTION PASSED**

34179A CONTRIBUTE ADDITIONAL FUNDING TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) RELATED TO THE FY 2019 AIR QUALITY PROGRAM

Dan Lyon, resident of San Marcos, made public comment. Commissioner Whisenant spoke. As a member of the Clean Air Coalition (CAC), Hays County contributed base funding (\$11,681) for the 2017/2018 membership period. Due to the unavailability of state funding, CAPCOG is requesting additional funding of \$6,105 in addition to the base funding amount for fiscal year 2019. This funding will enable CAPCOG to complete work on a new air quality program, prepare a 2018 air quality report tracking the region's air quality progress, continue providing staff support to the CAC, maintain the www.AirCentralTexas.org website and social media accounts and conduct regional ozone monitoring at 6-8 sites. Funds were budgeted during the FY19 budget process for these membership dues. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to contribute additional funding to the Capital Area Council of Governments (CAPCOG) related to the FY 2019 Air Quality Program. All present voting "Aye". MOTION PASSED**

34180A APPROVE THE EXECUTION OF A DETENTION/WATER QUALITY EASEMENT AGREEMENT BETWEEN THE CITY OF SAN MARCOS AND HAYS COUNTY, REGARDING THE ESTABLISHMENT OF A WATER QUALITY EASEMENT ON HAYS COUNTY'S PROPERTY AT 1307 UHLAND ROAD, SAN MARCOS, TEXAS

Rodrigo Amaya, resident of San Marcos, made public comment. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the execution of a Detention/Water Quality Easement Agreement between the City of San Marcos and Hays County, regarding the establishment of a Water Quality Easement on Hays County's property at 1307 Uhland Road, San Marcos, Texas. All present voting "Aye". MOTION PASSED**

34181A ESTABLISH HEALTH AND DENTAL INSURANCE EMPLOYEE PREMIUM RATES FOR PLAN YEAR 2019

Human Resources Director, Shari Miller spoke. The Insurance Committee has reviewed the 2019 United Health Care renewal rates and are recommending health and dental insurance premium rates as will be provided in Court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish health and dental insurance employee premium rates for Plan Year 2019. All present voting "Aye". MOTION PASSED**



34182A EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF WOODCREEK TO ESTABLISH AN ADDITIONAL PART-TIME DEPUTY PROVIDED BY THE CONSTABLE PRECINCT 3 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Constable Pct. 3, Rey Helm spoke. Commissioner Shell spoke. General Counsel, Mark Kennedy spoke. This Agreement currently provides funding from the City for one part-time deputy from the Constable's Office for Precinct 3 assigned to the City of Woodcreek. The second amendment to the Agreement would provide funding from the City for an additional part-time deputy to be assigned to the City of Woodcreek. This second deputy would begin on November 1, 2018, therefore rates are prorated for fiscal year 2019. The funding is in accordance with the merit-based step plan associated with the Hays County Collective Bargaining Agreement. No County Funds are required. Attachment: City of Woodcreek 2nd Amendment to ILA Budget Amendment: (28,712) - Increase Intergovernmental Revenue .4301 21,641 - Increase Salaries .5021 330 - Increase Uniform Allowance .5192 1,342 - Increase FICA 314 - Increase Medicare 2,794 - Increase Retirement 2,292 - Increase Vehicle Maintenance. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to execute a second amendment to the Interlocal Cooperation Agreement between Hays County and the City of Woodcreek to establish an additional part-time deputy provided by the Constable Precinct 3 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34183A 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 MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 12:06 p.m. and reconvened into open court at 12:11 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, and Assistant General Counsel, Joran Powell. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the purchase of Parcel 22N for \$ 1,228,000.00 from Curby Ohnherser, Deringer, and Carolyn Scurlock, related to the FM 110 project. All present voting "Aye". MOTION PASSED**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize purchase of Parcel 21N for \$556,000.00 from Curby Ohnheiser, related to the FM 110 project. All present voting "Aye". MOTION PASSED

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT SHAMROCK. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:45 a.m. and reconvened into open court at 11:08 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Adriana Cruz, Scott Sellers, Chris Durant and Cara Ryan. No action taken.

34184A 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 11:10 a.m. and reconvened into open court at 12:06 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Transportation Director, Jerry Borcharding. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to clarify the source of funding for the services provided by Erin Banks and Associates related to the well permit on approximately 1 acre of land owned by Hays County in Precinct 3. Authorize Payment as follows: 50 % from tobacco settlement funds and 50 % from the Transportation Department, Pct. 3 Road Budget. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #38 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

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Burn Ban will remain lifted.

Clerk's Note Agenda Item #40 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 #41 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 12:14 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 October 16, 2018.





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

