

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30TH 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
LIZ Q. GONZALEZ	COUNTY CLERK

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

Murray Kast, CTMC Hospital, Chaplain 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, San Marcos resident, David Crowell, Kyle resident, Rodrigo Amaya, San Marcos resident and Dorothy Knight, League of Women Voter of Hays County spoke.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

HR Director Shari Miller presented the Hays County Service Awards. 5 – Years, Gary Bottoms, Sheriff’s office, and Jennifer Feldman, District Attorney’s office. 10 –Years, Matthew Farris, Constable Pct. 3’s office and Jose Luna, Juvenile Probation. 15 –Years, Debra Seiler, Elections office, Laura Wills, Juvenile Detention Center, Jenny Acosta, Sheriff’s office, and William Henry, District Judge. 20 –Years, Barbara Thompson-Key, and Ronald Strain, Sheriff’s office, and Linda Duran, County Clerk’s office. 25 – Years, Liz Gonzalez, County Clerk.

34212A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$4,359,888.95 as submitted by the County Auditor. All present voting “Aye”. MOTION PASSED

34213A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,011.00 as submitted by the County Auditor. All present voting “Aye”. MOTION PASSED

34214A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant and United Healthcare claims in the amount of \$253,770.37 as submitted by the County Auditor. All present voting “Aye”. MOTION PASSED

34215A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 23 & 26, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of October 23 & 26, 2018 as presented by the County Clerk. All present voting “Aye”. MOTION PASSED

34216A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO UTILIZE HOT CHECK FEE FUNDS TO IMPLEMENT A TEMPORARY SALARY SUPPLEMENT FOR POSITION CODE 0787, SLOT 006 EFFECTIVE 10/1/18 AND AMEND THE BUDGET ACCORDINGLY

The District Attorney has approved a salary supplement for a staff member effective 10/1/18 and to end on 1/31/19. The supplement will be \$200 per month (base salary) for four months, with the first month's stipend

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being processed on the October 31 payroll. Funds are available within the District Attorney's discretionary Hot Check Fee Fund to implement this supplement. Budget Amendment: Increase - \$800 salary Increase - \$166 fringe Decrease - (\$966) misc. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the District Attorney's Office to utilize Hot Check Fee funds to implement a temporary salary supplement for position code 0787, slot 006 effective 10/1/18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34217A AUTHORIZE COMMERCIAL OSSF PERMIT AT 231 FROG POND LANE, DRIPPING SPRINGS, TEXAS 78620

Cmerek Investments, LLC is proposing an OSSF to serve a new office/warehouse building. The system is designed to accommodate up to 6 employees and 6 customers per day. This 1.916-acre property is Lot 4 of the Frog Pond Subdivision. The lot will be served by a rain water collection system. The system designer, Jon Maass, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed via low pressure pipe for a maximum daily rate of 500 gallons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 231 Frog Pond Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34218A APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permit #1112 at W. Centerpoint Road and Central Park Loop issued to Centerpoint Energy Resources Corporation as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

34219A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY COMMAND VEHICLE IN THE AMOUNT OF \$200,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to purchase a command vehicle to be deployed during emergency incidents in order to reestablish communication and coordination during such events. Grant Number 3552501. Grant Period: 09/01/2018 – 08/31/2020. There is no match requirement for this grant. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County Command Vehicle in the amount of \$200,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34220A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY HAZMAT TEAM AIR PACKS AND REPLACEMENT BOTTLES IN THE AMOUNT OF \$75,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to purchase air packs and replacement bottles for the Hays County HazMat Team. The current air packs are out of date for chemical, biological, radiological, nuclear and explosive response (CBRNE). There is no match requirement for this grant. Grant Number 3551701 Grant Period: 09/01/2018 – 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$75,000 - Increase .4301 Intergovernmental Revenue \$75,000 - Increase .5719_700 Misc Equipment_Capital. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County HazMat Team Air Packs and Replacement Bottles in the amount of \$75,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34221A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE IN THE AMOUNT OF \$20,000 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 3018. These funds will be utilized to provide maintenance to the Hays County HazMat Team monitors to increase the life of the specialized equipment and allow the team to respond with sustained equipment. There is no match requirement for this grant. Grant Number 3529701 Grant Period: 09/01/2018 – 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$20,000 - Increase .4301 Intergovernmental Revenue \$20,000 - Increase .5411 Equipment Maintenance. **A motion was made by Commissioner Shell, seconded by Commissioner Jones**

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to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County HazMat Team Monitor Maintenance in the amount of \$20,000 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34222A ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANT PROGRAM FOR THE HAYS COUNTY SWAT NIGHT VISION IN THE AMOUNT OF \$122,477.80 AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the submittal of this grant application on January 23, 2018. These funds will be utilized to purchase night vision binoculars for 14 members of the Hays County SWAT Team. There is no match requirement for this grant. Grant Number 3268602 Grant Period: 09/01/2018 – 08/31/2019 Attachment: Statement of Grant Award Budget Amendment: \$122,478 - Increase .4301 Intergovernmental Revenue \$116,233 - Increase .5719_700 Misc Equipment_Capital \$ 6,245 - Increase .5206 Law Enforcement Supplies. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a grant award from the Office of the Governor, Homeland Security Grant Program for the Hays County SWAT Night Vision in the amount of \$122,477.80 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34223A APPROVE THE RE-APPOINTMENT OF FRED ROTHERT TO THE PLUM CREEK CONSERVATION DISTRICT FOR A FOUR YEAR TERM ENDING DECEMBER 31, 2022

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the re-appointment of Fred Rothert to the Plum Creek Conservation District for a four year term ending December 31, 2022. All present voting "Aye". MOTION PASSED

34224A AUTHORIZE COMMERCIAL OSSF PERMIT AT 130 W CONCORD CIRCLE, DRIFTWOOD, TEXAS 78737

Black Market Investments, LLC is proposing an OSSF to serve an office, a future restaurant, and two wedding venues. This 63.74-acre tract of land will be served by a public water well. The system designer, Erin Banks, P.E., has designed a non-standard treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 2000 gallons. An older permit (2017-32583) has expired; No changes have been made to the design or plans. Caitlyn Strickland, Interim Director of Development Services, Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 130 W Concord Circle, Driftwood, Texas 78737. All present voting "Aye". MOTION PASSED**

34225A APPROVE CHANGE ORDER #4 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIR PROJECT

On May 8th the Court approved a contract with HD Cooks Rock Solid, Inc. for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Additionally, change order #1 was approved on 7/10/18 for required work at Site 4, change order #2 on 8/14/18 for decrease in shotcrete materials, change order #3 for additional top soil at Site 3 and time delays on Site 4; Change Order No. 4 - (\$ 6,500) decrease in vegetation/seeding quantity for Site 1 - (\$ 4,290) decrease in vegetation/seeding quantity for Site 5 - (\$10,790) total decrease - due to weather constraints a performance time change is needed, increase term by 20 calendar days. All change orders to date are 24.92% of the original contract award. Funding for this project is provided by NRCS (75%), TSSWCB (23.75%) and Hays County (1.25%). Attachment: Change Order No. 4. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Change Order #4 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repair project. All present voting "Aye". MOTION PASSED**

34226A APPROVE PAYMENT TO LABATT FOOD SERVICE, LLC FOR THE JUVENILE DETENTION CENTER RELATED TO FOOD PURCHASES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The JDC kitchen personnel ordered food supplies and did not secure a purchase order as required per County Purchasing Policy. Funds are available within the TDA National School Lunch Program grant budget to cover these expenses. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Labatt Food Service, LLC for the Juvenile Detention Center related to food purchases in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



34227A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO ACCEPT DONATED COMPUTER EQUIPMENT FROM THE SAN MARCOS FIRE DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The San Marcos Fire Department is transferring the HazMat Truck (county owned) back to Hays County. The San Marcos Fire Department is donating a Dell Latitude 5580 laptop which has been installed in the unit for the HazMat/Special Operations Teams use. Budget Amendment: Increase Contributions .4610 Increase Computer Eqpt_Ops .5712_400 Attachment: Donation Letter & Invoice (for value determination). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to accept donated computer equipment from the San Marcos Fire Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34228A RATIFY THE SUBMISSION OF THE GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ASSISTANCE TO FIREFIGHTERS GRANT FOR PORTABLE CHEMICAL AND RADIATION DETECTORS FOR FIRST RESPONDERS IN THE AMOUNT OF \$46,648

The Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant program will be used in the assistance of purchasing 28 new portable chemical (MultiRAE) and radiation (RadEye SPRD-GN) detectors for local response agencies and replace irreparable and out dated equipment. Funds for a required 10% cash match (\$4,240) will be identified if grant is awarded through a court grant acceptance agenda item.. The grant application was due on Friday, October 26, 2018 and was submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the submission of the grant application to the Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant for portable chemical and radiation detectors for first responders in the amount of \$46,648. All present voting "Aye". MOTION PASSED**

34229A AUTHORIZE COMMERCIAL OSSF PERMIT AT 315 MYSTIC CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620

Darin Duvall is proposing an OSSF to serve an event center/wedding venue. The system is designed to accommodate up to 100 guests and employees for only 2 days per week. This 18.384-acre tract is Lot 23 in the Mystic Creek Subdivision. The property will be served by the Henley House public water supply. The system designer, Jim Conner, 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 115 gallons. Commissioner Whisenant and Caitlyn Strickland, Interim Director of Development Services spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 315 Mystic Creek Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34230A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) IN THE AMOUNT OF \$43,728.56

On February 6, 2018 the Commissioners Court authorized the submission of the FY18 Emergency Management Performance Grant for funding to support the salary of benefits of five positions in the Emergency Management Department. Funding in the amount of \$43,728.56 has been awarded and will cover cost incurred from October 1, 2017 - September 30, 2018. The Notice of Sub recipient Grant Award reflects a six month programmatic extension only to complete and close out the FY18 EMPG grant year. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the Texas Department of Public Safety, Emergency Management Performance Grant (EMPG) in the amount of \$43,728.56. All present voting "Aye". MOTION PASSED**

34231A AUTHORIZE THE EXECUTION OF AN EQUIPMENT REMOVAL FORM WITH RICOH FOR THE GENERAL COUNSEL OFFICE

On October 2nd the Court authorized a new copier lease contract for the General Counsel office. This agreement allows for the removal of the equipment presently in place. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Equipment Removal form with RICOH for the General Counsel office. All present voting "Aye". MOTION PASSED**

34232A APPROVE PAYMENT TO GRIFFITH FORD FOR THE VETERAN'S ADMINISTRATION OFFICE RELATED TO VEHICLE REPAIRS IN WHICH



NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Veteran's Administration Officer had vehicle repairs completed in Fiscal Year 2018 and did not secure a purchase order as required per County Purchasing Policy. Funds are available within their operating budget to cover these expenses. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Griffith Ford for the Veteran's Administration Office related to vehicle repairs in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

34233A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR THE UNIFORM HOSPITAL RATE INCREASE PROGRAM (UHRIP) PGY2 PAYMENT ON BEHALF OF THE TRAVIS SDA TO THE STATE OF TEXAS THROUGH THE TEXNET ELECTRONIC PAYMENT SYSTEM PURSUANT TO CHAPTER 353 OF THE TEXAS ADMINISTRATIVE CODE

A date for transfer of the PGY2 UHRIP payment was announced on October 24, 2018. All LPPF funds are collected from Hays County Hospitals and are budgeted. Though the IGT of these funds do not require specific Court approval, having them approved (if sufficient notice is given by the State) or ratified (if sufficient notice is not provided by the State) ensures the Court and the public are informed of the process. IGT amount (settlement date of 11-7-18): The IGT amount is not to exceed the LPPF account balance. Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for the Uniform Hospital Rate Increase Program (UHRIP) PGY2 payment on behalf of the Travis SDA to the State of Texas through the TexNet electronic payment system pursuant to Chapter 353 of the Texas Administrative Code, Settlement date is 11/13/2018 and in an amount not to exceed the LPPF account balance. All present voting "Aye". MOTION PASSED**

34234A APPROVE THE TRANSFER OF 2006 CROWN VICTORIA FROM HAYS COUNTY CONSTABLE PRECINCT 3 OFFICE TO HAYS COUNTY JUVENILE PROBATION OFFICE

The following asset is being requested for transfer from the Precinct 3 Constable's Inventory to be utilized by the Juvenile Probation office: 2006 Crown Victoria, VIN: 2FAFP71W76X12, Hays County Tag 015296, Asset ID 10208. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the transfer of 2006 Crown Victoria from Hays County Constable Precinct 3 Office to Hays County Juvenile Probation Office. All present voting "Aye". MOTION PASSED**

34235A APPROVE THE SELECTION OF DOUCET AND ASSOCIATES TO PERFORM SURVEYING, ASSOCIATED SCHEMATICS, EASEMENT AND PROPERTY DESCRIPTIONS AS NEEDED ALONG CR 158 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

CR 158 is in need of reconstruction and widening. Approval of this item will allow the preliminary surveying work to be accomplished. Today's action will allow Doucet to present a scope and fee for consideration by and negotiation with the Transportation Department and the Pct. 1 Commissioner. The negotiated contract will be brought back to Court for approval after negotiations are completed. Dan Lyon, Commissioner Ingalsbe, and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the selection of Doucet and Associates to perform surveying, associated schematics, easement and property descriptions as needed along CR 158 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

34236A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND CHAPARRAL PROFESSIONAL LAND SURVEYING, INC. REGARDING SURVEYING AND PREPARATION OF PERTINENT DOCUMENTS FOR EASEMENT AND RIGHT-OF-WAY PARCELS ALONG DACY LANE IN PCT. 1 AND PCT. 2

The 2016 Bond project for design of Dacy Lane is being finalized. Because of adjustments to alignments, several parcels along the route require resurvey and associated revision of easement and parcel descriptions. The cost of this work is being taken from the Transportation's operating budget. Jerry Borcharding, County Engineer, Commissioner Ingalsbe and Commissioner Jones spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement (PSA) between Hays County and Chaparral Professional Land Surveying, Inc. regarding surveying and preparation of pertinent documents for easement and right-of-way parcels along Dacy Lane in Pct. 1 and Pct. 2. All present voting "Aye". MOTION PASSED**



34237A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC FOR ENGINEERING SERVICES ON DARDEN HILL ROAD FROM RM1826 TO SAWYER RANCH RD

PSA is for engineering services of a proposed project on Darden Hill Road from Rm 1826 to Sawyer Ranch Road consisting of pavement widening to accommodate center turn lanes, widened shoulders and right turn lanes and related infrastructure. Driveways and drainage culverts will also be updated to accommodate the improvements. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement (PSA) between Hays County and Doucet & Associates, Inc. for engineering services on Darden Hill Road from RM1826 to Sawyer Ranch Rd. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #28 RE: APPROVE THE SELECTION OF FREESE & NICHOLS TO MANAGE TCEQ'S MUNICIPAL SEPARATE STORMWATER SYSTEM PROGRAM (MS4) FOR HAYS COUNTY AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT – was pulled

34238A SUB-886 SUNFIELD AMENITY CENTER (32 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$4,525,775.00 (BOND # PB03016800210 & DUAL OBLIGEE RIDER)

This section includes 32 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. Caitlyn Strickland, Interim Director of Development Services, Commissioner Jones and Jerry Borcharding, County Engineer spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept fiscal surety for the construction of street and drainage improvements in the amount of \$4,525,775.00 (Bond # PB03016800210 & Dual Obligee Rider) for SUB-886 Sunfield Amenity Center (32 lots). All present voting "Aye". MOTION PASSED**

34239A SUB-922 SUNFIELD PHASE 3, SECTION 2 (148 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$2,874,752.00 (BOND # PB03016800273 & DUAL OBLIGEE RIDER)

This section includes 148 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. Caitlyn Strickland, Interim Director of Development Services gave staff recommendation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept fiscal surety for the construction of street and drainage improvements in the amount of \$2,874,752.00 (Bond # PB03016800273 & Dual Obligee Rider) for SUB-922 Sunfield Phase 3, Section 2 (148 lots). All present voting "Aye". MOTION PASSED**

34240A SUB-887 SUNFIELD PHASE 3, SECTION 3 (217 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$3,707,280.00 (BOND # PB03016800239 & DUAL OBLIGEE RIDER)

This section includes 217 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept fiscal surety for the construction of street and drainage improvements in the amount of \$3,707,280.00 (Bond # PB03016800239 & Dual Obligee Rider) for SUB-887 Sunfield Phase 3, Section 3 (217 lots). All present voting "Aye". MOTION PASSED**

34241A SUB-885 SUNFIELD PHASE 3, SECTION 4 (103 LOTS) ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$2,341,813.00 (BOND # PB03016800240 & DUAL OBLIGEE RIDER)

This section includes 103 single family residential lots. All lots will be served by the GoForth WSC for water and wastewater service will be accomplished by Sunfield MUD No. 3. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept fiscal surety for the construction of street and drainage improvements in the amount of \$2,341,813.00 (Bond # PB03016800240 & Dual Obligee Rider) for SUB-885 Sunfield Phase 3, Section 4 (103 lots). All present voting "Aye". MOTION PASSED**



34242A SUB-1112; CALL FOR A PUBLIC HEARING ON NOVEMBER 13, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 118, SPRINGLAKE SUBDIVISION

Springlake is a recorded subdivision located off of Springlake Drive in Precinct 4. The proposed re-plat will divide the 4.38 acre lot 118 into 2 lots. Water service will be provided by Dripping Springs WSC and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant , seconded by Commissioner Jones to call for a public hearing on November 13, 2018 to discuss final plat and approval of SUB-1112; Replat of Lot 118, Springlake Subdivision. All present voting "Aye". MOTION PASSED**

34243A APPOINT TACIE MARIE ZELHART TO FILL THE OFFICE OF HAYS COUNTY COURT AT LAW #3, PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 25.0009

A motion was made by Commissioner Whisenant to appoint Dan O'Brien as County Court at Law Judge #3. Motion died for lack of a second. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to appoint Tacie Marie Zelhart to the office of Hays County Court at Law #3, pursuant to Section 25.0009 of the Texas Government Code, effective January 1, 2019, who shall hold such office until the next succeeding general election or until her successor is duly qualified. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item 35 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 10:05 a.m. and reconvened into open court at 11:33 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Interim Director of Development Services, Caitlyn Strickland, Legal Support Services Specialist, Janice Jones, Jeri Scrocki, Mariah Luca, Shanna O'Brien, Gary Cutler, Sheriff, and Jordan Powell. No action taken.

Clerk's Note Agenda Item #37 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index – 16. 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 #39 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 #40 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 11:37 a.m.

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I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 30, 2018.

A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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

