

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 13TH DAY OF NOVEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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. AND COMMISSIONER, PCT. 1, DEBBIE GONZALEZ INGALSBE, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

SMPD Chaplin, Vernon Cooper gave the invocation. Commissioner Shell led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Shell 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, all made public comment.

33244 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2018 AS NATIONAL ALZHEIMER'S AWARENESS MONTH

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring the month of November 2018 as National Alzheimer's Disease Awareness Month. All present voting "Aye". MOTION PASSED

33245 ADOPT A PROCLAMATION DECLARING THE MONTH OF NOVEMBER 2018 AS NATIONAL CAREGIVER AWARENESS MONTH

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring the month of November 2018 as National Caregiver Awareness Month. All present voting "Aye". MOTION PASSED

33246 ADOPT A PROCLAMATION DECLARING NOVEMBER 11-17, 2018 AS NURSE PRACTITIONER WEEK IN HAYS COUNTY

Anna White, retired Nurse Practitioner and employee of Live Oak Healthcare Partners spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring November 11-17, 2018 as Nurse Practitioner Week in Hays County. All present voting "Aye". MOTION PASSED

PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO THE HAYS COUNTY AUDITOR'S OFFICE AND THE AWARD OF FINANCIAL REPORTING ACHIEVEMENT TO THE HAYS COUNTY AUDITOR FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

County Auditor, Marisol Villarreal – Alonzo spoke. The Auditor's Office has achieved this award for the last four years. The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal. This Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

33247 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$2,620,807.16, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



33248 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$1,302.00, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33249 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment United Healthcare claims in the amount of \$575,568.42, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33250 APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 30, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of October 30, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33251 APPROVE THE PAYMENT OF THE NOVEMBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,000.00 EFFECTIVE NOVEMBER 15, 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 Jones to approve the payment of the November 15, 2018 payroll disbursements in an amount not to exceed \$2,650,000.00 effective November 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33252 AUTHORIZE COMMERCIAL OSSF PERMIT AT 2400 W MT GAINOR ROAD, DRIPPING SPRINGS, TEXAS 78620

Jason and Dottie Crow are proposing a new OSSF for the property located at 2400 W. Mt. Gainor Road. This system will serve eight small short-term rental cabins. Only four cabins will be constructed at this time, and the other four will be built in the future. This 25.010-acre tract of land will be served by a private water supply. 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 800 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 2400 W Mt Gainor Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33253 AUTHORIZE COMMERCIAL OSSF PERMIT AT 246 AMERICAN WAY, DRIPPING SPRINGS, TEXAS 78620

Joseph Lednicky is proposing an OSSF to serve a retail art gallery. The system is designed to accommodate one employee and up to 10 customers per day. This 2.01-acre property is Lot 1E in Section 1 of the Caliche Hill Subdivision. This lot will be served by a rainwater collection system. The system designer, Jim Bettridge, R.S., has designed an aerobic treatment system, which consists of pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed drip irrigation tubing for a maximum daily rate of 320 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 246 American Way, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33254 APPROVE OUT OF STATE TRAVEL FOR DETECTIVE MIKE ANDREWS TO ATTEND THE INTERNET CRIMES AGAINST CHILDREN CONFERENCE IN ORLANDO, FLORIDA

Out of state travel is needed to send Detective Mike Andrews to attend the Internet Crimes Against Children (ICAC) Conference in Orlando, Florida beginning December 10-12, 2018. This conference will expand Detective Andrews's knowledge, and efforts by providing highly specialized training focused on investigating and



prosecuting technology-facilitated crimes against children. With the recent trend in child pornography cases that the Hays

County Criminal Investigations Division has received, since being a member of the ICAC Task Force, this training will be helpful in assisting Detective Andrews with investigative techniques and resources. Registration for this conference is free. Funding for travel, hotel, and miscellaneous fees are identified in the Sheriff's Office Continuing Education General Ledger and will not exceed \$2,200.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Detective Mike Andrews to attend the Internet Crimes Against Children Conference in Orlando, Florida. All present voting "Aye". MOTION PASSED**

33255 AUTHORIZE PAYMENT TO OLYMPIA LANDSCAPE DEVELOPMENT, INC. FOR LANDSCAPING AT THE GOVERNMENT CENTER WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY

The Building Maintenance Department received landscaping services for the Government Center in October 2018 without obtaining a purchase order per County purchasing policy. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Olympia Landscape Development, Inc. for landscaping at the Government Center where no purchase order was issued per County purchasing policy. All present voting "Aye". MOTION PASSED**

33256 AUTHORIZE THE EXECUTION OF A SOLAR REBATE APPLICATION TO THE CITY OF SAN MARCOS AS PART OF THE COUNTYWIDE ENERGY EFFICIENCY PROJECT AND AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO SUBMIT APPLICATIONS AND SUPPORTING DOCUMENTATION

Requesting the authorization of a Solar Rebate Application. This rebate will be paid to the County as a result of the solar panels that have been installed at the Government Center as part of the Countywide Energy Efficiency Project. Rebates from this program are estimated to be up to \$5,000.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Solar Rebate Application to the City of San Marcos as part of the Countywide Energy Efficiency Project and authorize the Director of Countywide Operations to submit applications and supporting documentation. All present voting "Aye". MOTION PASSED**

33257 AUTHORIZE THE EXECUTION OF A MUTUAL TERMINATION AGREEMENT BETWEEN HAYS COUNTY AND TRAVIS COUNTY FOR STREET MAINTENANCE IN WEST CAVE ESTATES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a mutual termination agreement between Hays County and Travis County for street maintenance in West Cave Estates. All present voting "Aye". MOTION PASSED

33258 APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit # 1113, located on High Road issued to WaterLine(Goforth SUD) and Permit # 1114 located on Sycamore Valley Dr. issued to Electic (Pedernales Electric), as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED

33259 AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE DATA PROCESSING SERVICES AGREEMENT BETWEEN HAYS COUNTY AND INDIGENT HEALTHCARE SOLUTIONS "IHS" FOR THE ADDITION OF IMAGING SOFTWARE

This Addendum shall modify the Data Processing Agreement related to the Indigent Healthcare application software currently utilized by the Hays County Health Department. This addendum will allow the integration of imaging software into the existing indigent healthcare software. The funds for this additional software were approved in the FY19 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Addendum to the Data Processing Services Agreement between Hays County and Indigent Healthcare Solutions "IHS" for the addition of imaging software. All present voting "Aye". MOTION PASSED**



33260 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS VETERANS COMMISSION FOR FUNDING OF THE HAYS COUNTY VETERANS TREATMENT COURT IN THE AMOUNT OF \$250,000.

The proposed grant application is requesting funding in the amount of \$250,000 for the addition of a Court Coordinator position and the continuation of the Veterans Treatment Court program. The Veterans Treatment Court provides the opportunity of voluntary participation for defendants whose criminal cases are attributed to physical and/or mental injuries sustained during their tenure in military services. The application is due on Friday November 16, 2018 and will be submitted electronically. The grant funding period will begin July 1, 2019 and will end July 30, 2020. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Texas Veterans Commission for funding of the Hays County Veterans Treatment Court in the amount of \$250,000. All present voting "Aye". MOTION PASSED**

33261 APPROVE THE JULY 2018 AND AUGUST 2018 TREASURER'S AND INVESTMENT REPORTS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the July 2018 and August 2018 Treasurer's and Investment Reports. All present voting "Aye". **MOTION PASSED**

33262 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES OFFICE TO ACCEPT A DONATION FROM THE CITY OF SAN MARCOS FOR A 2005 WELLS CARGO TRAILER FOR USE WITH THE HAZMAT VEHICLE AND AMEND THE BUDGET ACCORDINGLY

The 2005 Wells Cargo Trailer will allow Hays County to carry bulky equipment, like over pack drums that do not fit on the Hazmat response vehicle but are necessary equipment needed to respond to hazmat incidents. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of Emergency Services Office to accept a donation from the City of San Marcos for a 2005 Wells Cargo Trailer for use with the Hazmat vehicle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33263 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS VETERANS COMMISSION, GENERAL ASSISTANCE GRANT PROGRAM FOR THE EXPANSION OF VETERAN TRANSPORTATION SERVICES AND EMERGENCY FINANCIAL ASSISTANCE IN THE AMOUNT OF \$87,573

Hays County Veterans Service office is requesting funding for the expansion of veteran transportation services and emergency financial assistance. Currently, veteran services officer Hays County veterans a mode of transportation to take individuals to and from appointments in the surrounding areas. Grants funds will be utilized to hire an additional assistance veteran service officer to provide transportation services to the veterans of Hays County, fuel costs, and vehicle maintenance. The grant application is due online on November 16, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Texas Veterans Commission, General Assistance Grant program for the expansion of veteran transportation services and emergency financial assistance in the amount of \$87,573. All present voting "Aye". MOTION PASSED**

33264 AUTHORIZE THE CONSTABLE PCT. 2 OFFICE TO PURCHASE LAW ENFORCEMENT EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

The Constable would like to purchase new weapons for himself and all deputy constables. Funds were requested during the budget process in an incorrect line item, therefore funds are available for this purchase in their operating budget. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Constable Pct. 2 Office to purchase law enforcement equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33265 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICE (DSHS) FOR THE FY 2019 TUBERCULOSIS PREVENTION AND CONTROL (TB) FEDERAL PROGRAM IN THE AMOUNT OF \$22,297.00



On June 19, 2018 the Commissioners Court authorized the submission of a grant application to the Department of State Health Services FY 2019 TB Prevention and Control Federal Fund. This fund provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The federal funding is \$22,297, with a 20% match (\$4,459) required of the County for participation in the program, for total project amount of \$26,756. The match was budgeted during the FY19 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Amendment No. 1 to a contract with the Department of State Health Service (DSHS) for the FY 2019 Tuberculosis Prevention and Control (TB) Federal Program in the amount of \$22,297.00. All present voting "Aye". MOTION PASSED**

33266 APPROVE PAYMENT TO AVATT SERVICES, INC. FOR THE JUVENILE DETENTION CENTER RELATED TO H-VAC REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Juvenile Detention Center had a/c 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 Avatt Services, Inc. for the Juvenile Detention Center related to H-VAC repairs in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33267 AUTHORIZE THE EXECUTION OF A RENEWAL LEASE AGREEMENT WITH PITNEY BOWES, INC. FOR A RELAY FOLDER/INSERTER MACHINE FOR THE TAX OFFICE

The Tax Office requested an upgrade to their current folding machine that is used for tax statements. Funds were budgeted during the FY19 budget process for this new lease. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a renewal lease agreement with Pitney Bowes, Inc. for a Relay Folder/Inserter Machine for the Tax Office. All present voting "Aye". MOTION PASSED**

33268 ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY. COBB

The Hays County Child Protective Board has received grant funding from the City of San Marcos utilizing the county federal tax identification number as authorized. The total award received are as follows; City of San Marcos - \$15,000 (to be disbursed in four quarterly payments of \$3,750). The HCCPB will deposit these funds with the county as their pass through agency. The funds will be allocated back to the agency to be utilized for the following expenses; >Basic clothing >Participation in extracurricular school activities and scholastic achievements >Equipment and services to encourage and assist academic success and improve graduation rates >Recognition of significant milestones >Provide for physical and mental health services not covered by governmental programs >Provide support for CPS case workers participation in professional training >Increase public awareness of child abuse Funds will be released to HCCPB in incremental payments once the granting municipality has deposited their funds with the county. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a grant contribution on behalf of the Hays County Child Protective Board and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33269 ACCEPT A DONATION FROM THE HARRY L. WILLETT FOUNDATION FOR THE MEMORIAL DAY FLOOD 2015 DOCUMENTARY AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission has received a donation for expenses related to the Memorial Day Flood 2015 Documentary. Funds will be utilized to cover professional services expenses related to the research and development of the documentary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation from The Harry L. Willett Foundation for the Memorial Day Flood 2015 Documentary and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33270 APPROVE A RESOLUTION REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION INITIATE DEVELOPMENT OF A MULTI-JURISDICTIONAL AGREEMENT WITH HAYS COUNTY, THE CITY OF BUDA AND THE CITY OF NIEDERWALD TO OUTLINE THE PROCESS FOR REMOVING CERTAIN PORTIONS OF EXISTING FM 2001 BETWEEN EAST



OF I-35 AND EAST OF SH 21 FROM THE STATE HIGHWAY SYSTEM AND ADDING CERTAIN PORTIONS OF THE PROPOSED REALIGNED FM 2001 BETWEEN EAST OF I-35 AND EAST OF SH 21 TO THE STATE HIGHWAY SYSTEM

Commissioner Jones spoke. Transportation Director, Jerry Borcharding spoke. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenat to approve a Resolution requesting that the Texas Department of Transportation initiate development of a Multi-Jurisdictional Agreement with Hays County, the City of Buda and the City of Niederwald to outline the process for removing certain portions of existing FM 2001 between east of I-35 and east of SH 21 from the State Highway System and adding certain portions of the proposed realigned FM 2001 between east of I-35 and east of SH 21 to the State Highway System. All present voting "Aye". MOTION PASSED**

33271 RELEASE OF THE CASH BOND IN THE AMOUNT OF \$102,090.60, AND THE ACCEPTANCE OF THE ASPHALT PAVEMENT FOR CALITERRA PARKWAY WITHIN CALITERRA SUBDIVISION, PHASE 1, SECTION 1

Commissioner Whisenant spoke. Transportation Director, Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of the asphalt pavement surface of Caliterra Parkway within this section. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to release of the cash bond in the amount of \$102,090.60, and the acceptance of the asphalt pavement for Caliterra Parkway within Caliterra subdivision, Phase 1, Section 1. All present voting "Aye". MOTION PASSED**

33272 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION/CONSTRUCTION BOND #024230974 IN THE AMOUNT OF \$2,353,965.90, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #714904P IN THE AMOUNT OF \$155,244.00 FOR PARTEN RANCH SUBDIVISION, PHASE 1

Commissioner Whisenant spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the subdivision/construction bond #024230974 in the amount of \$2,353,965.90, and acceptance of the 2-year maintenance bond #714904P in the amount of \$155,244.00 for Parten Ranch subdivision, Phase 1. All present voting "Aye". MOTION PASSED**

33273 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION/CONSTRUCTION BOND #1854955 IN THE AMOUNT OF \$871,581.23, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #CA2721467 IN THE AMOUNT OF \$57,872.74 FOR WINDY HILL 11AC SUBDIVISION

Commissioner Jones spoke. Transportation Director, Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the subdivision/construction bond #1854955 in the amount of \$871,581.23, and acceptance of the 2-year maintenance bond #CA2721467 in the amount of \$57,872.74 for Windy Hill 11AC subdivision. All present voting "Aye". MOTION PASSED**

33274 SUB-1199 VACATE LOT W-1 IN THE RADIANCE COLONY

Interim Director of Development Services, Caitlyn Strickland spoke. Radiance Colony is a platted subdivision located off Crystal Hills Drive in PCT 4. The owners of lot W-1 applied for an OSSF permit but are not able to receive one as septic systems are unable to cross lot lines. They are wanting to vacate W-1 and put it back into raw acreage, so they can obtain an OSSF permit. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to vacate SUB- 119; Lot W-1 in the Radiance Colony. All present voting "Aye". MOTION PASSED**

33275 SUB-1112; APPROVE FINAL PLAT OF THE REPLAT OF LOT 118, SPRINGLAKE SUBDIVISION; HOLD A PUBLIC HEARING



Commissioner Shell open public hearing. Interim Director of Development Services, Caitlyn Strickland spoke. Commissioner Shell closed public hearing. 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 Shell to approve final plat of the Replat of SUB- 1112; Lot 118, Springlake Subdivision. All present voting "Aye". MOTION PASSED**

33276 AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY AND CARSON SELECT INVESTMENTS, LP REGARDING HAYS COUNTY PUBLIC SAFETY BUILDING AND ACCOMMODATION OF STORMWATER FLOWS

General Counsel, Mark Kennedy spoke. Codi Newsome spoke and presented the court a PowerPoint presentation. The purpose of this Memorandum of Understanding MOU is to meet the permitting requirement in the building code set by the City of San Marcos during the construction of the Hays County Public Safety building in regard to the drainage facilities design for future water runoff. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of the Replat of Lot 118, Springlake Subdivision. All present voting "Aye". MOTION PASSED**

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 12:13 p.m. and reconvened into open court at 12:19 p.m. In Executive Session were Commissioner Jones, Commissioner Shell, Commissioner Whisenant, and General Counsel, Mark Kennedy. No action taken.

Clerk's Note Agenda Item #36 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL NON-EXEMPT CIVILIAN POSITIONS WITHIN THE SHERIFF'S OFFICE. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT. – was pulled

33277 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 IN OPEN COURT

Court convened into Executive session at 10:55 a.m. and reconvened into open court at 11:58 a.m. In Executive Session were Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, H.R. Director, Shari Miller, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize final payment to SEMA Construction, Inc. in accordance with the Rule 11 Agreement dated November 12, 2018 and presented in Executive Session. Monies to be paid out of the Pass- Through Road Bond Program. All present voting "Aye". MOTION PASSED**

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a Joint Litigation Agreement between Hays County and other Protestant Parties in SOAH Docket No. 957-18-4985, as negotiated by General Counsel. 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 KING, PROJECT SHAMROCK, PROJECT BIG HAT AND PROJECT MAGIC MINT. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 11:59 a.m. and reconvened into open court at 12:12 p.m. In Executive Session were Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, and Legal Support Services Specialist, Janice Jones. No action taken.



33278 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY SERVICES DIRECTOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, DIRECTOR OF COUNTYWIDE OPERATIONS AND INTERIM DEVELOPMENT SERVICES DIRECTOR. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:38 a.m. and reconvened into open court at 10:54 a.m. In Executive Session were Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, H.R. Director, Shari Miller, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Department Head raises as previously communicated to the Treasurer's Office, effective October 1st and to be processed as soon as possible, with written evaluations to be delivered at a later date on December 15, 2018. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE COUNTY COURTS AT LAW. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 9:50 a.m. and reconvened into open court at 10:37 a.m. In Executive Session were Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, H.R. Director, Shari Miller, Sheriff Cutler, Constable Peterson, Captain, Cumberland, Captain, Davenport, Deputy Constable, Varela, Court Administrator, Rene Garner, and Legal Support Services Specialist, Janice Jones. No action taken.

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*

Clerk's Note Agenda Item #42 RE: *ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION - was pulled*

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 12:23 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 November 13, 2018.



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

