

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF DECEMBER 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:

Elder Michael Myers from CTMC 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, Rodrigo Amaya, San Marcos resident

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Kim Jeter, Human Resources presented the Hays County Service Awards. 5 Years – Rhoda Chavira, Jose Lucio – Constable Pct. 1. 10 Years – Betty Lambert and Michael Andrews – Sheriff's Office. 15 Years – Mark McClelland, Transportation Department and Martin Munoz, Development Services Department. 20 Years – James Henry, Sheriff's Office and Darrell Ayres, Constable Pct. 3's Office. 25 Years – Sylvia Rodriguez, Health Department, Lenny Martinez and Sirena Cumberland, Sheriff's Office, Jeff McGill, IT Director. Retirement – Patricia Wiley, Auditor's Office, Ray O. Whisenant, Linda Kinney, Commissioner Pct. 4's Office, Terry Kyle, JP Pct. 4, Albert H. Cobb, County Judge, Elizabeth Q. Gonzalez, County Clerk, Michele Tuttle, County Treasurer, and William Dundon, Transportation Department.

PRESENTATION RECOGNIZING THE COUNTY CLERK'S OFFICE FOR RECEIVING THE FIVE STAR EXEMPLARY AWARD

County Clerk, Liz Q. Gonzalez, recognized her staff for being instrumental in achieving the Five Star Exemplary Award from the Department of State Health Services, Bureau of Vital Statistics.

SWEARING IN CEREMONY OF LON A. SHELL AS COMMISSIONER OF PRECINCT 3 IN HAYS COUNTY AND APPROVE THE ACCEPTANCE OF OFFICIAL BOND

Justice of the Peace Pct. 3, Andy Cable performed the Swearing-In Ceremony of Lon A. Shell as Commissioner of Precinct 3 in Hays County.

33358 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$2,252,161.83 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33359 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of Juror checks in the amount of \$2,858.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33360 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$657.30 and United Healthcare claims in the amount of \$267,342.64 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



33361 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 11, 2018

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

33362 APPROVE THE PAYMENT OF THE DECEMBER 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,670,000.00 EFFECTIVE DECEMBER 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the December 31, 2018 payroll disbursements in an amount not to exceed \$3,670,000.00 effective December 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33363 APPROVE THE REAPPOINTMENT OF PAUL KASKIE, SCOTT STEVENS, AND JIM WEATHERFORD TO THE BOARD OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #8, TERM ENDING DECEMBER 31, 2020

Paul Kaskie, Scott Stevens and Jim Weatherford have agreed to an additional term. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the reappointment of Paul Kaskie, Scott Stevens, and Jim Weatherford to the board of Hays County Emergency Services District #8, term ending December 31, 2020. All present voting "Aye". MOTION PASSED

33364 APPROVE THE REAPPOINTMENT OF JIM HOLLIS AND STACY MORGAN TO THE BOARD OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #2, TERM ENDING DECEMBER 31, 2020

Jim Hollis and Stacy Morgan have agreed to serve for another term. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointment of Jim Hollis and Stacy Morgan to the board of Hays County Emergency Services District #2, term ending December 31, 2020. All present voting "Aye". MOTION PASSED

33365 APPROVE THE REAPPOINTMENT OF JULIA RAMSAY NEW AND MICHAEL FLOREANI TO THE BOARD OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #7, TERM ENDING DECEMBER 31, 2020

Julia Ramsay New and Michael Floreani have agreed to serve a two-year term beginning January 1, 2019. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointment of Julia Ramsay New and Michael Floreani to the board of Hays County Emergency Services District #7, term ending December 31, 2020. All present voting "Aye". MOTION PASSED

33366 AUTHORIZE COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 530 PIONEER TRAIL, DRIPPING SPRINGS, TEXAS 78620

Rafael Robinson is proposing an OSSF to serve a retreat and lodging. The system is designed to accommodate up to 50 guests and employees for 6 to 10 retreats annually. This 10.014 acre tract is Tract 14 in the unrecorded in the Pioneer Ranch Subdivision. The property will be served by a rainwater collection system. The system designer, Stephen Jetton, 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 drip irrigation tubing for a maximum daily rate of 1000 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize Commercial On-Site Sewage Facility Permit at 530 Pioneer Trail, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33367 AUTHORIZE THE INSTALLATION OF ELECTRICAL UTILITY SERVICES AT JACOBS WELL NATURAL AREA (JWNA) AND AMEND THE BUDGET ACCORDINGLY

The Master Gardeners Association installed a greenhouse at JWNA in the spring in order to increase horticulture education. They are requesting county assistance with the installation of electrical utilities to be

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installed by CT Electric. Electricity to the greenhouse will provide the Master Gardeners with lighting and heating throughout the winter months which will allow the Master Gardeners to germinate and grow a variety of vegetation that will be used for educational purposes and gardening throughout the Jacob's Well property. Funding is available within the Park Bond Fund to provide this service. Budget Amendment: Decrease Dahlstrom Contract Services: 150-812-97-413.5448 Increase JWNA Construction_Ops: 150-813-97-407.5611_400 Attachment: CT Electric Quote #991. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the installation of electrical utility services at Jacobs Well Natural Area (JWNA) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33368 APPROVE THE REAPPOINTMENT OF KEN DOWNING, RON SPANGENBERG AND EDDIE GUMBERT TO THE BOARD HAYS COUNTY EMERGENCY SERVICES DISTRICT #4, TERM ENDING DECEMBER 31, 2020

Ken Downing, Ron Spangenberg, and Eddie Gumbert have agreed to serve a two-year term beginning January 1, 2019. Term ending December 31, 2020. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointment of Ken Downing, Ron Spangenberg and Eddie Gumbert to the board Hays County Emergency Services District #4, term ending December 31, 2020. All present voting "Aye". MOTION PASSED**

33369 APPROVE THE SEPTEMBER 2018 TREASURER'S AND INVESTMENT REPORTS

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

33370 APPROVE THE RECOMMENDATIONS FROM THE HAYS COUNTY INVESTMENT COMMITTEE

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the recommendations from the Hays County Investment Committee. All present voting "Aye". **MOTION PASSED**

Clerk's Note Agenda Item #17 re: AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2018 YEAR-END PROCESS – was pulled

33371 APPROVE THE REAPPOINTMENT OF DENNIS LANE TO THE BOARD OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #1, TERM ENDING DECEMBER 31, 2020

Mr. Lane will serve a term ending December 31, 2020. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the reappointment of Dennis Lane to the board of Hays County Emergency Services District #1, term ending December 31, 2020. All present voting "Aye". MOTION PASSED**

33372 APPROVE THE REAPPOINTMENT OF JENNIFER RODRIGUEZ, BRADLEY RUOFF AND ROBERT AVERA TO THE BOARD OF HAYS COUNTY EMERGENCY SERVICES DISTRICT #6, TERM ENDING DECEMBER 31, 2020

Jennifer Rodriguez, Bradley Ruoff and Robert Avera will serve a term ending December 31, 2020. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the reappointment of Jennifer Rodriguez, Bradley Ruoff and Robert Avera to the board of Hays County Emergency Services District #6, term ending December 31, 2020. All present voting "Aye". MOTION PASSED**

33373 AUTHORIZE THE EXECUTION OF A PROPOSAL FROM BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE AV VIDEO/AUDIO UPGRADE FOR COUNTY COURT AT LAW COURTROOM #3 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D)

The A/V retrofit for CCL Courtroom #3 was approved and budgeted during the FY19 budget process. Beckwith Electronics Systems was the contractor used during the Government Center build out of the current courtrooms



that are in use. The system was customized for our District and County Court at Law Judges in order to provide consistency throughout all courtrooms. Additionally, Beckwith installed the wiring and configuration for the remaining courtrooms for future build outs. Due to the existing infrastructure that was put in place, it is necessary to utilize the same contractor to complete the upgrade for CCL Courtroom #3. Attachment: Beckwith Electronics Proposal. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Proposal from Beckwith Electronic Systems, LLC for the AV video/audio upgrade for County Court at Law Courtroom #3 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D). All present voting "Aye". MOTION PASSED**

33374 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE DECEMBER 1, 2018 FOR THE ENGINEERING TECHNICIAN, SLOT NUMBER 1028-001 AND AMEND THE BUDGET ACCORDINGLY

A stipend has been requested for the Engineering Technician position via the Data Request/Justification Form. This position travels throughout the County on a routine basis. It is imperative that this position be available to staff and supervisors in order to remain productive and perform duties effectively. Funds are available within the operating budget for this expense. Budget Amendment: Decrease Telephone Expense - .5489 Increase Telephone Allowance - .5194. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Department to add a telephone allowance effective December 1, 2018 for the Engineering Technician, slot number 1028-001 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33375 APPROVE PAYMENT TO ROMCO EQUIPMENT CO. FOR THE TRANSPORTATION DEPARTMENT RELATED TO VEHICLE MAINTENANCE SUPPLIES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Transportation Department received vehicle parts and supplies prior to securing 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 Whisenant, seconded by Commissioner Jones to approve payment to Romco Equipment Co. for the Transportation Department related to vehicle maintenance supplies in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33376 APPROVE RENEWAL OF RFP 2018-P03 COUNTY WIDE PLUMBING SERVICES WITH SI MECHANICAL FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. The Building Maintenance Department and Jail Division utilize this contract for plumbing services throughout the County as needed. Attachment: SI Mechanical Renewal Letter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of RFP 2018-P03 County Wide Plumbing Services with SI Mechanical for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED**

33377 APPROVE RENEWAL OF RFP 2018-P01 COUNTY WIDE JANITORIAL SERVICES WITH SPOTLESS CLEANING FOR ONE (1) ADDITIONAL YEAR AS STATED IN THE ORIGINAL BID

All terms and conditions remain unchanged and in full force and effect as stated in the original bid. The Building Maintenance Department and Jail Division utilize this contract for janitorial services throughout the County as needed. Attachment: Spotless Cleaning Renewal Letter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of RFP 2018-P01 County Wide Janitorial Services with Spotless Cleaning for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED**

33378 APPROVE THE TRANSFER OF A 2006 CHEVROLET SILVERADO 2500 FROM HAYS COUNTY RECYCLING DEPARTMENT TO HAYS COUNTY TRANSPORTATION DEPARTMENT

The following asset is being requested for transfer from the Driftwood Recycling Department inventory to be utilized by the Transportation Department. 2006 Chevrolet Silverado 2500, VIN: 1GCHC24216E239084 COUNTY ASSET ID 10728; COUNTY TAG 015385. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the transfer of a 2006 Chevrolet Silverado 2500 from Hays**



County Recycling Department to Hays County Transportation Department. All present voting "Aye".
MOTION PASSED

33379 APPROVE SPECIFICATIONS FOR RFP 2019-P01 CDBG MANAGEMENT SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE

The Cedar Oak Mesa Water Supply Corporation (COMWSC) would like to continue improvements to their aging water supply system and has asked Hays County to serve as sponsor for a grant application as it has done in the past. Per requirements from the Texas Department of Agriculture (TDA), Community Development Block Grant (CDBG) program, both grant management and engineering services must be procured prior to grant application development and submission in order to utilize the same consultants for grant implementation. This is designed to prevent real or perceived competitive solicitation conflicts resulting from "insider" information. Per the attached RFP, Hays County is seeking to enter into a professional services contract with a competent management/consulting firm to assist in the overall management required by the County for the development of a grant application and – pending funding award - implementation of a Texas Community Development Block Grant Program, Community Development Fund project administered through the Texas Department of Agriculture for FY2019-2020. Upon selection of a consultant, clauses can be included in the subsequent contract for services that make payment contingent on grant award for the project. Matching funds will be provided by the COMWSC upon grant award to facilitate project implementation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for RFP 2019-P01 CDBG Management Services and authorize Purchasing to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED**

33380 APPROVE SPECIFICATIONS FOR RFQ 2019-P02 CDBG ENGINEERING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

The Cedar Oak Mesa Water Supply Corporation (COMWSC) would like to continue improvements to their aging water supply system and has asked Hays County to serve as sponsor for a grant application as it has done in the past. Per requirements from the Texas Department of Agriculture (TDA), Community Development Block Grant (CDBG) program, both grant management and engineering services must be procured prior to grant application development and submission in order to utilize the same consultants for grant implementation. This is designed to prevent real or perceived competitive solicitation conflicts resulting from "insider" information. Per the attached RFQ, Hays County is seeking to enter into a professional engineering services contract with a state-registered engineer for the development of a grant application and – pending funding award – implementation of a Texas Community Development Block Grant (CDBG) Program, Community Development Fund project administered through the Texas Department of Agriculture for FY2017-2018. Upon selection of a firm, clauses can be included in the subsequent contract for services that make payment contingent on grant award for the project. Matching funds will be provided by the COMWSC upon grant award to facilitate project implementation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for RFQ 2019-P02 CDBG Engineering Services and authorize Purchasing to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED**

33381 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE ONE (1) NEW SURFACE PRO I7 LAPTOP FOR THE NEW JUSTICE OF THE PEACE, PRECINCT 4 AND AMEND THE BUDGET ACCORDINGLY

A new laptop is needed for the newly elected JP in precinct 4. The laptop will be utilized for training purposes and official county business away from the office. Funds within the JP Technology Fund are available to make this purchase. Budget Amendment: Decrease 112-628-00.5712_400 (\$2,138) Increase 112-629-00.5202 - \$259 Increase 112-629-00.5712_400 - \$1,879 Attachment: Microsoft Quote Contact # DIR TSO-3373. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Information Technology Department to purchase one (1) new Surface Pro i7 Laptop for the new Justice of the Peace, Precinct 4 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33382 APPROVE THE EXECUTION OF AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE SAN MARCOS ACADEMY RELATED TO ASSIGNING A SCHOOL RESOURCE OFFICER (SRO) TO THE ACADEMY

The SRO being assigned to the Academy is a lower level on the MBS scale than what appears in the original Agreement. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the execution of an Amendment to the Interlocal Cooperation Agreement between Hays County and the San Marcos Academy related to assigning a school resource officer (SRO) to the Academy. All present voting "Aye". MOTION PASSED**



33383 AUTHORIZE A MODIFICATION TO THE NOT-TO-EXCEED AMOUNT CITED IN RFP 2018-P02 RELATED TO THE BLANCO RIVER DEBRIS REMOVAL PHASE V FOR FINAL PROJECT RECONCILIATION

Cahaba Disaster Recovery performed the Phase 5 debris removal for Hays County. The work performed by Cahaba, and approved by Hays County, exceeded the original estimate of Cubic Yardage that was recorded at the time of RFP 2018-02, resulting in an 18.77% increase for a total contract value of \$1,258,043. Funds within the FY18 County-Wide Operations project budget were available for this increase. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize a modification to the Not-to-Exceed amount cited in RFP 2018-P02 related to the Blanco River Debris Removal Phase V for final project reconciliation. All present voting "Aye". MOTION PASSED**

33384 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION/CONSTRUCTION BOND #SU1146031 IN THE AMOUNT OF \$775,909.00, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #HSIFSU0704229 IN THE AMOUNT OF \$29,484.72 FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 2

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 Jones to accept road construction and drainage improvements, release of the subdivision/construction bond #SU1146031 in the amount of \$775,909.00, and acceptance of the 2-year maintenance bond #HSIFSU0704229 in the amount of \$29,484.72 for Reunion Ranch subdivision, Phase 3, Section 2. All present voting "Aye". MOTION PASSED**

33385 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE SUBDIVISION/CONSTRUCTION BOND #SU1146032 IN THE AMOUNT OF \$444,755.00, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #HSIFSU0704229 IN THE AMOUNT OF \$13,944.02 FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 5

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 Jones to accept road construction and drainage improvements, release of the subdivision/construction bond #SU1146032 in the amount of \$444,755.00, and acceptance of the 2-year maintenance bond #HSIFSU0704229 in the amount of \$13,944.02 for Reunion Ranch subdivision, Phase 3, Section 5. All present voting "Aye". MOTION PASSED**

33386 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE SUBDIVISION/PERFORMANCE BOND #106314519 IN THE AMOUNT OF \$746,544.20, AND ACCEPTANCE OF TWO SEPARATE 2-YEAR MAINTENANCE BONDS (#106749937 IN THE AMOUNT OF \$12,858.76, AND #106749938 IN THE AMOUNT OF \$12,739.34) FOR BELTERRA VILLAGE SUBDIVISION, PHASE 1

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. The construction contractor issued a separate bond for each road. One bond is for Hargraves Drive, the other is for Holton Drive. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept of road construction and drainage improvements, release of the subdivision/performance bond #106314519 in the amount of \$746,544.20, and acceptance of two separate 2-year maintenance bonds (#106749937 in the amount of \$12,858.76, and #106749938 in the amount of \$12,739.34) for Belterra Village subdivision, Phase 1. All present voting "Aye". MOTION PASSED**

33387 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND ACCEPT THE 3-YEAR MAINTENANCE BOND #106749939 IN THE AMOUNT OF \$8,635.44 FOR BELTERRA VILLAGE SUBDIVISION, PHASE 1 (BELTERRA VILLAGE WAY ONLY)

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. The construction contractor issued a separate bond for this road only, Belterra Village Way. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, and acceptance of the 3-year maintenance bond #106749939 in the amount of \$8,635.44 for Belterra Village subdivision, Phase 1 (Beltterra Village Way only). All present voting "Aye". MOTION PASSED**



33388 CLARIFY THE PUBLIC/PRIVATE STATUS OF BARTON BEND ROAD IN PRECINCT 4, BASED ON AN ACTION OF COMMISSIONERS COURT (RESOLUTION NO.11197) ON OR ABOUT FEBRUARY 18, 1992

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to clarify the public/private status of Barton Bend Road in Precinct 4, based on an action of Commissioners Court (Resolution No.11197) on or about February 18, 1992. All present voting "Aye". MOTION PASSED

33389 SUB-1126; APPROVE PRELIMINARY PLAN FOR THE SUNSET VIEW ESTATES SUBDIVISION

Sunset View Estates is a proposed subdivision located off of Ted Burger in Precinct 4. The proposed subdivision will divide the 14 acres into 2 lots. Water service will be provided by private well for lot 1 and rainwater collection for lot 2. Wastewater treatment will be accomplished by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve preliminary plan for the SUB-1126; Sunset View Estates Subdivision. All present voting "Aye". MOTION PASSED

33390 SUB-1181; WOODCREEK, SECTION 8, LOTS 183-184, AMENDED (1 LOT) APPROVE A VARIANCE FROM TABLE 10-1.C OF THE HAYS COUNTY RULES FOR ONSITE SEWAGE FACILITIES

Woodcreek Section 8 is a recorded subdivision located off of Chapparal Drive in PCT 3. The proposed amended plat will combine lots 183 and 184 into 1 lot. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by public groundwater and advanced on-site sewage facilities is 1.5 acres. Given the date that the parcels were created, the lot size requirements in place at that time, and that they are going to be creating less density with the amended plat, a variance to the county's minimum lot size requirements has been requested. The owner's justification for the variance is provided in backup. Water service will be provided by AquaTexas and wastewater treatment will be accomplished by individual on-site sewage facility. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve a variance from Table 10-1.C of the Hays County Rules for Onsite Sewage Facilities of SUB-1181; Woodcreek, Section 8, Lots 183-184, Amended (1 Lot). All present voting "Aye". MOTION PASSED

33391 APPROVE A RESOLUTION OF SUPPORT FOR DEDICATING A SECTION OF HIGHWAY 290 IN HONOR OF VETERAN JOHN A. MCCARTY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve a resolution of support for dedicating a section of Highway 290 in honor of veteran John A. McCarty. All present voting "Aye". MOTION PASSED

33392 ADOPT THE REVISED HAYS COUNTY EMPLOYEE PERSONNEL POLICY AND ADDENDUM POLICIES

The Hays County Employee Personnel Policy has been revised along with addendum policies. The personnel policy has not been through a complete review and update for many years. The review and updating process included input from many county elected officials, department heads, and employees as well as General Counsel review. Updated addendum policies include: Antifraud Policy, Whistle Blowing Policy, Use of County Equipment and Vehicles Policy, Landline and Cell Phone Policy, Email Policy, and Social Media Policy. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt the revised Hays County Employee Personnel Policy and addendum policies. All present voting "Aye". MOTION PASSED

33393 AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY AND WALKER COUNTY RELATED TO JAIL TRANSFER

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Interlocal Cooperative Agreement between Hays County and Walker County related to jail transfer. All present voting "Aye". MOTION PASSED



33394 APPROVE THE APPOINTMENT OF MITCH JOHNSON TO REPLACE JOE SEGOVIA ON THE BOARD OF EMERGENCY SERVICES DISTRICT #8, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the appointment of Mitch Johnson to replace Joe Segovia on the board of Emergency Services District #8, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33395 APPROVE A VARIANCE WHICH WOULD ALLOW THE PROPERTY AT 279 GRIST MILL RD, KYLE, TX TO USE OSSF RULES IN PLACE IN AUGUST OF 1986

The property at 279 Grist Mill Rd recently completed the amended plat process, to allow for the property owner to have 1.0 acre of land in the Anton Subdivision. The original configuration of lot 4 in the Anton Subdivision was .93 of an acre. The property owner has submitted to put in a second aerobic spray system, but under current county regulations they would have to put in a Low Pressure Dose instead. This is due to setback requirements for the aerobic spray heads being enlarged since 1986. The owner is requesting to utilize rules set forth in 1986, as the new configuration of the lot is larger than what was originally platted and those rules would have allowed for the secondary system without any distance issues. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve a variance which would allow the property at 279 Grist Mill Rd, Kyle, TX to use OSSF rules in place in August of 1986. All present voting "Aye". MOTION PASSED

33396 AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE HAYS COUNTY LOCAL HEALTH DEPARTMENT (LHD) AND THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TEXAS SYNDROMIC SURVEILLANCE (TXS2)

The MOU provides the LHD with access to the Limited Data Set through the TxS2 system for the purpose of supporting public health syndromic surveillance to protect the health of the citizens of Hays County and Texas. The LHD will access the Limited Data Set to support the ongoing analysis of data to search for combination of signs and symptoms of disease in a population. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Memorandum of Understanding (MOU) between the Hays County Local Health Department (LHD) and the Department of State Health Services (DSHS) for the Texas Syndromic Surveillance (TxS2). All present voting "Aye". MOTION PASSED

33397 AUTHORIZE THE EXECUTION OF A NEW SERVICES AGREEMENT BETWEEN HAYS COUNTY AND SWCA, INCORPORATED, AN ARIZONA CORPORATION THAT DOES BUSINESS AS SWCA ENVIRONMENTAL CONSULTANTS ("SWCA"), RELATED TO THE MANAGEMENT OF THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN ("RHCP")

The Director of County Wide Operations is requesting a 2018-2019 Services Agreement be executed with SWCA for management and administration of the RHCP. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a new Services Agreement between Hays County and SWCA, Incorporated, an Arizona corporation that does business as SWCA Environmental Consultants ("SWCA"), related to the management of the Hays County Regional Habitat Conservation Plan ("RHCP"). All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #45 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

33398 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE BAILIFF POSITIONS WITHIN THE COUNTY COURTS AT LAW

Court convened into Executive session at 11:57 a.m. and reconvened into open court at 12:42 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, H.R. Director, Shari Miller, County Auditor, Marisol Villarreal-Alonzo, First Assistant County Auditor, Vickie Dorsett, Constable Peterson, Mike Varela, Rene Garner, Tacie Zelhart, Chris Johnson, Judge Robert Updegrave, and Legal Support Services Specialist, Janice Jones.



A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to establish two new Bailiff Positions, grade 112 up to the 47.3 percentile of the salary range effective 2/1/19 re-grade Bailiff position, slot 1153-001 to a grade 112 and set salary at the 47.3 percentile of the salary range effective 2/1/19, savings within the County Court at Law operating budget due to delayed start dates for new CCL3 positions and vacancies and County Wide salary adjustments due to attrition will fund this request. All present voting "Aye". MOTION PASSED

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 1:34 p.m. and reconvened into open court at 1:41 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, and Assistant General Counsel, Jordan Powell. No Action Taken.

Clerk's Note Agenda Item #48 RE: 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 BLUE SKY, PROJECT BIG HAT, PROJECT MAGIC MINT AND PROJECT DESERT WIND – **was pulled**

33399 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING POSITIONS WITHIN THE HAYS COUNTY DISTRICT COURTS

Court convened into Executive session at 10:53 a.m. and reconvened into open court at 11:50 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Judge Steele, Steve Tomas, County Auditor, Marisol Villarreal –Alonzo, First Assistant County Auditor, Vickie Dorsett, H.R. Director, Shari Miller, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to establish the budgeted Court Reporter for the new 453rd District Court establish Court Reporter grade 118, with a minimum salary of \$73,077 effective immediately, funds budgeted within County Wide during the budget process will be moved to the District Courts operating budget.**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE DIRECTOR OF DEVELOPMENT SERVICES

Court convened into Executive session at 12:44 p.m. and reconvened into open court at 1:28 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Interim Director of Development Services, Caitlyn Strickland, and David Prado. No action taken.

Clerk's Note Agenda Item #51 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended.

Clerk's Note Agenda Item #53 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 #54 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – **was pulled**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



ADJOURNMENT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adjourn court at 1:50 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 December 18, 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

