

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2ND DAY OF JANUARY 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:

Commissioner Jones 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, and Rodrigo Amaya – San Marcos resident, made public comments.

33211 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of county invoices in the amount of \$3,534.91 (ratify) and \$2,308,686.57 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33212 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of Juror Checks in the amount of \$2,286.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33213 APPROVE THE PAYMENT OF HUMANA CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana Claims in the amount of \$161,442.80 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33214 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 19, 2017

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of December 19, 2017 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33215 APPROVE THE RE-APPOINTMENT OF STEVE JANDA AND MARILYN MILLER TO THE BOARD OF COMMISSIONERS FOR ESD #6, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the re-appointment of Steve Janda and Marilyn Miller to the Board of Commissioners for ESD #6, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED

33216 APPROVE THE RE-APPOINTMENT OF WALTER KRUDOP, DANIEL O'BRIEN AND GEOFFREY TAHUAHUA TO THE BOARD OF COMMISSIONERS FOR ESD #1, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the re-appointment of Walter Krudop, Daniel O'Brien and Geoffrey Tahuahua to the Board of Commissioners for ESD #1, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED



33217 APPROVE AND CONFIRM THE APPOINTMENT OF CHARLES "CHICK" WILLIAMS AS DEPUTY CONSTABLE FOR HAYS COUNTY CONSTABLE PRECINCT 4 OFFICE

Deputy Constable Charles "Chick" Williams will fill the budgetary approved position in Constable Hood's office. Pursuant to Local Government Code Chapter 86, Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointment of Charles "Chick" Williams as Deputy Constable for Hays County Constable Precinct 4 Office. All present voting "Aye". MOTION PASSED**

33218 APPROVE AND CONFIRM THE APPOINTMENT OF ALLEN BRIDGES AS A REGULAR FULL-TIME DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 5 OFFICE

Pursuant to Local Government Code Chapter 86, Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointment of Allen Bridges as a Regular Full-Time Deputy Constable in the Hays County Constable Precinct 5 Office. All present voting "Aye". MOTION PASSED**

33219 APPROVE THE REAPPOINTMENT OF PAUL TERRY TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the re-appointment of Paul Terry to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33220 AUTHORIZE AN INTERGOVERNMENTAL TRANSFER FOR THE DELIVERY SYSTEM REFORM INCENTIVE PROGRAM (DSRIP) IN THE AMOUNT OF \$1,883,966.70 FOR CENTRAL TEXAS MEDICAL CENTER AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

The 1st opportunity to transfer funds for DSRIP funding during FY 2018 will occur on Jan 3, 2018. At this time Central Texas Medical Center (CTMC) is authorized for a transfer of \$1,883,966.70 for DY6 round 2. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize an Intergovernmental Transfer for the Delivery System Reform Incentive Program (DSRIP) in the amount of \$1,883,966.70 for Central Texas Medical Center as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**



33221 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A RENEWAL GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2019 IMMUNIZATION GRANT PROGRAM IN THE AMOUNT OF \$192,341

Funding is requested annually from DSHS to support the immunization program in Hays County. Funds will be utilized to provide support of the salary and benefits of the staff involved in this program. This is a renewal application for funding for the period of September 1, 2018 to August 31, 2019. The application is submitted electronically and is due on January 5, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to submit a Renewal Grant Application to the Texas Department of State Health Services (DSHS) for the FY2019 Immunization Grant Program in the amount of \$192,341. All present voting "Aye". MOTION PASSED**

33222 AUTHORIZE THE TREASURER'S OFFICE TO HIRE ADDITIONAL TEMPORARY PERSONNEL (NOT TO EXCEED 60 HOURS) UTILIZING DEPARTMENTAL SALARY SAVINGS TO CONTINUE WITH YEAR-END PROCESSING, SCANNING AND FILING

On 12/5/17 the Commissioner's Court authorized the County Treasurer to hire temporary personnel (NTE 120 hours @ \$11.20 per hr) which will end on 1/3/2018. This position has assisted the office personnel with many of the year end and daily processes and has been very beneficial during their busy season. The Treasurer would like to continue this temporary position for an additional 60 hours at the same rate of pay (\$11.20 per hr). Salary savings within the department due to a vacant position is available to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Treasurer's Office to hire additional temporary personnel (not to exceed 60 hours) utilizing Departmental Salary Savings to continue with year-end processing, scanning and filing. All present voting "Aye". MOTION PASSED**

33223 CALL FOR A PUBLIC HEARING ON JANUARY 16, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION

Ranches at Hamilton Pool Subdivision is a recorded subdivision located off of Hamilton Pool Road in Precinct 4. The proposed re-plat will establish Lot 23A, 26.5 acres, and Lot 23B, 26 acres, as complaint lots with the Hays County Development Regulations. Lot 23 was subdivided by metes and bounds in 2013, as a result, Lots 23A and 23B became non-compliant parcels. Water service will be provided by private wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to call for a public hearing on January 16, 2018 to discuss final plat approval of the Replat of Lot 23, Ranches at Hamilton Pool Subdivision. All present voting "Aye". MOTION PASSED**

33224 APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TREEFOLKS, INC., CONTINUING THE ASSESSMENT AND IMPLEMENTATION PROGRAM FOR RIPARIAN REVEGETATION AND RESTORATION ALONG THE BLANCO RIVER

Dan Lyon, San Marcos resident, Clint Garza, Director of Community and Development Services, Matt Miers, of TreeFolks, Commissioner Pct. 3, Lon Shell, Commissioner Pct. 4, Ray Whisenant, and Rodrigo Amaya, San Marcos resident, all made public comments. In September of 2015, Hays County entered into an agreement with TreeFolks, Inc. to begin restoration programs for areas along the Blanco River affected by the Memorial Day 2015 Flood. Over the past three years the program has seen great deal of success and has continued to have significant local and regional support. A proposed agreement is attached that would allow TreeFolks to: - Consult with and assess the interest of landowners and determine site conditions of land in Hays County along the Blanco River that was damaged by the Memorial Day Flood of 2015 -Determine program characteristics required to provide continued comprehensive reforestation services to landowners -Perform reforestation task on private properties during the 2018 planting season and continue performing test methods that will help to refine characteristics for effective implementation across Hays County. The contract cost exceeds \$50,000, the Court, in authorizing execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024(a)(3). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve a Professional Services Agreement with TreeFolks, Inc., continuing the Assessment and Implementation Program for Riparian Revegetation and Restoration along the Blanco River. All present voting "Aye". MOTION PASSED**



33225 APPOINT DENNIS LANE TO THE BOARD OF COMMISSIONERS FOR ESD #1, TERM ENDING DECEMBER 31, 2018

Mr. Lane will serve the remainder of the term previously held by Roger Thormahlen. This term will end December 31, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to appoint Dennis Lane to the Board of Commissioners for ESD #1, term ending December 31, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #16 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*

Clerk's Note Agenda Item #17 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

The Burn Ban will remain lifted per our Hays County Fire Marshall.

Clerk's Note Agenda Item #19 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:55 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on January 2, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 9TH DAY OF JANUARY 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
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., AND COMMISSIONER PCT. 1, DEBBIE GONZALES INGALSBE, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Jones gave the invocation. Commissioner Shell led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident, and Dan Lyon, San Marcos resident, both made public comments.

RECOGNITION OF THE HEROIC ACTS OF OFFICERS SHERWAL FOULSTONE AND JOSH ALBARAZ, OF THE BUDA POLICE DEPARTMENT (BPD), WHEN RESPONDING TO A TRAFFIC ACCIDENT THAT OCCURRED ON DECEMBER 4, 2017

Commissioner Jones, Chief of Police, Buda Police Department, John Zavala, accident victim, officers Sherwal Foulstone and Josh Albaraz, spoke. Josh Albaraz -is a five year officer with BPD, and a combat veteran of the US Marine Corps. Sherwal Foulstone is a two year officer with BPD.

33226 ADOPT A PROCLAMATION DECLARING JANUARY 15, 2018 AS DR. MARTIN LUTHER KING, JR. DAY

Mittie Miller, of the Dunbar Association spoke of this year's celebration that will actually be falling on Dr. Martin Luther King's birthday, and with it being his 89th. She also spoke of the route of the walk and the festivities that will be held throughout the Holiday weekend and encouraged all to attend. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a Proclamation declaring January 15, 2018 as Martin Luther King, Jr. Day. All present voting "Aye". MOTION PASSED**

PRESENTATION BY SAN MARCOS GREENBELT ALLIANCE ON A PROPOSED REGIONAL TRAIL TO CONNECT KYLE, BUDA AND SAN MARCOS

Mark Taylor, Board President of the San Marcos Greenbelt Alliance gave a powerpoint presentation.

33227 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoice in the amount of \$1,538,885.41 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33228 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 \$4,804.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33229 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare Claims in the amount of \$389,770.47 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



33230 APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 2, 2018

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

33231 APPROVE THE PAYMENT OF THE JANUARY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JANUARY 12, 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 January 15, 2018 Payroll Disbursements in an amount not to exceed \$2,655,000.00 effective January 12, 2018 and Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33232 AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend various departmental operating budgets in preparation for the County's FY 2017 Year-end Process. All present voting "Aye". MOTION PASSED

33233 AUTHORIZE THE HAYS COUNTY CONSTABLE PCT. 4 OFFICE TO PURCHASE A MOTOR-ONE WIRELESS SHOULDER MIC FROM PVP COMMUNICATION FOR ITS MOTOR OFFICER AND AMEND THE BUDGET ACCORDINGLY

The Motor-One Wireless Shoulder Mic is a necessary communication device that permits a motor officer to communicate to Dispatch (and other Officers) without having to remove his hands from the motorcycle, which would compromise his safety and that of the public. Available funds to be transferred from Constable's Pct. 4 vehicle maintenance budget. Budget Amendment: Decrease .5413 Increase .5715_400. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Hays County Constable Pct. 4 Office to purchase a Motor-one Wireless Shoulder Mic from PVP Communication for its motor officer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33234 APPROVAL TO AWARD IFB 2018-B02 RATTLER ROAD IMPROVEMENTS TO CLEARFIELD CONSTRUCTION, LLC AND AUTHORIZE EXECUTION OF CONTRACT

Purchasing received four bids for IFB 2018-B02 from Clearfield Construction, LLC, Myers Concrete Construction, LP, Jerdon Enterprise, LP, and Jimmy Evans Company. Staff recommends award of a contract to Clearfield Construction, LLC. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve to award IFB 2018-B02 Rattler Road Improvements to Clearfield Construction, LLC and authorize execution of contract. All present voting "Aye". MOTION PASSED**

33235 AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 7431 FULTON RANCH RD, WIMBERLEY TX, 78676

Collective Hotels and Retreats is proposing twelve tents and a lodge with accompanying restrooms, located at 7431 Fulton Ranch Rd in Wimberley TX 78676. This property is a 22.87 acre tract out of the F.W. Robertson & Wilson Survey. This property is located within the Edwards Aquifer Recharge Zone and is anticipating approval for their Water Pollution Abatement Plan from the TCEQ. This property is located within the ETJ of the City of Wimberley. The designer, Danny Gonzalez, R.S., has designed an aerobic drip consisting of 5 zones. The system is designed to treat 800 gallons per day. Drinking water will be supplied with an on-site private water well. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize a Commercial On-Site Sewage Facility Permit at 7431 Fulton Ranch Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**



33236 AUTHORIZE THE EXECUTION OF A RENEWAL BUSINESS PRI PRIVATE SWITCH AGREEMENT BETWEEN HAYS COUNTY AND THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR 911 EMERGENCY SERVICE

The Business PRI Private Switch Agreement authorizes CAECD to act as a private switch provider (PSP) and contract with the appropriate Certificated Telecommunications Utility (CTU) to provide telecommunications related to 911 services. The original agreement was approved by Commissioner's Court on 8/16/2011 and has remained in effect. The updated agreement reflects the appropriate contracted party as CAECD meeting the requirements of SB628, created and passed in the 83rd Texas Legislature. The legislation, in collaboration with CAPCOG, paved the way for the nation's first COG-managed emergency communications district. It also released CAPCOG from state oversight of COG 9-1-1 programs, ensuring all applicable 9-1-1 fees collected through phone providers will be available to fund emergency communications. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Renewal Business PRI Private Switch Agreement between Hays County and the Capital Area Emergency Communications District (CAECD) for 911 Emergency Service. All present voting "Aye". MOTION PASSED**

33237 AUTHORIZE THE EXECUTION OF SUPPLEMENTAL CHANGE ORDER 02 FROM TERRACON FOR WORK RELATED TO ADDITIONAL SERVICES REQUIRED AT THE PUBLIC SAFETY BUILDING SITE FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Additional geotechnical services required for the Public Safety Building site include: 1. Pavement section recommendations for the extension of S. Stagecoach Trail which is classified as a Minor Arterial roadway in the City of San Marcos. Terracon's fee for this additional service is \$500. 2. Recommendation for the Pond Clay Liner. This requirement for the detention pond was not known during the procurement of the geotechnical report, and therefore, was not included in their original scope of work. Terracon's fee for this additional service is \$250. 3. Segmental block retaining wall recommendations. The design parameters will be provided to the earthwork subcontractor for the design of the MSE walls. Terracon's fee for this additional service is \$250. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Supplemental Change Order 02 from Terracon for work related to additional services required at the Public Safety Building Site for the Hays county Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

33238 APPROVE SPECIFICATIONS FOR RFQ 2018-P08 PROFESSIONAL ENGINEERING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Specifications for RFQ 2018-P08 Professional Engineering Services and authorize Purchasing Manager to solicit for Qualifications and Advertise. All present voting "Aye". **MOTION PASSED**

33239 APPROVE SPECIFICATIONS FOR RFQ 2018-P09 PROFESSIONAL LAND SURVEYING SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Specifications for RFQ 2018-P09 Professional Land Surveying Services and authorize Purchasing Manager to solicit for Qualifications and Advertise. All present voting "Aye". **MOTION PASSED**

33240 APPROVE THE RE-APPOINTMENT OF JOHN RODRIGUEZ, JR. TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the re-appointment of John Rodriguez, Jr. to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". **MOTION PASSED**

33241 AUTHORIZE THE EXECUTION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION TRAFFIC SAFETY SECTION SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP); AND TO DESIGNATE THE CHIEF OF STAFF AS THE AUTHORIZED REPRESENTATIVE FOR THE EXECUTION OF FUTURE GRANT ASSOCIATED DOCUMENTS



This non-competitive grant application request is to acquire funds to perform overtime STEP activities including enforcement of Impaired Driving, Occupant Protection, Speed, Intersection Traffic Control, and Distracted Driving. STEP enforcement efforts are to reduce the number of crashes through data-driven, high-visibility enforcement in areas with chronically high fatal and serious-injury crash rates. The budget summary consists of \$49,959.71 from TxDOT funds and \$15,850.06 in match funds. The grant application due date is January 11, 2018 by 5pm. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Grant Application to the Texas Department of Transportation Traffic Safety Section Selective Traffic Enforcement Program (STEP); and to designate the Chief of Staff as the authorized representative for the execution of future Grant associated documents. All present voting "Aye". MOTION PASSED**

An amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to add Chief of Staff, Clint Garza as the authorized representative for the execution of future Grant associated documents. All present voting "Aye". MOTION PASSED

33242 APPROVE THE RE-APPOINTMENT OF BETH SMITH TO THE BOARD OF COMMISSIONERS FOR ESD #5, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Beth Smith to the Board of Commissioners for ESD #5, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33243 APPROVE THE RE-APPOINTMENT OF CHRIS BAKER TO THE BOARD OF COMMISSIONERS FOR ESD #9, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointment of Chris Baker to the Board of Commissioners for ESD #9, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33244A AUTHORIZE THE TRANSFER OF EQUIPMENT INVOLVING A 2006 HONDA MOTORCYCLE FROM THE HAYS COUNTY CONSTABLE, PCT. 5 OFFICE TO THE HAYS COUNTY CONSTABLE, PCT. 4 OFFICE

The Hays Co. Constable, Pct. 4 Office is seeking approval to transfer the following asset from the Constable's Pct. 5 Office to the Hays Co. Constable, Pct. 4 Office: 2006 Honda Motorcycle, VIN: H2SC51736M400149, County Tag #16054. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the transfer of equipment involving a 2006 Honda Motorcycle from the Hays County Constable, Pct. 5 Office to the Hays County Constable, Pct. 4 Office. All present voting "Aye". MOTION PASSED**

33245A RATIFY THE PURCHASE OF A REPLACEMENT 4-TON CARRIER A/C UNIT FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department is in need of a replacement a/c unit for their Yarrington Office. The current unit is over 20 years old and has had multiple repairs. SI Mechanical is currently the vendor under contract for all county a/c repairs and has recommended replacement of the unit due to the age of the unit. Additionally, the current unit is now obsolete which makes it difficult to secure parts for repairs and maintenance issues. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease Staff Salaries Increase Misc. Equipment_Capital. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the purchase of replacement 4-ton Carrier A/C Unit for the Transportation Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33246A ADOPT A RESOLUTION IN SUPPORT OF THE COUNTY'S PROGRAM OF PROJECT APPLICATIONS TO SUBMIT TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) IN RESPONSE TO CAMPO'S PROJECT CALL FOR FISCAL YEAR 2019-2022 PROJECT FUNDING

Commissioner Jones spoke. On November 8, 2016, voters in Hays County approved a \$131.4 million road bond program of critically-needed mobility and safety improvements both on and off the State Highway System.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



The County has identified the following projects as being competitive for the CAMPO Fiscal Year 2019-2022 Project Call: FM 110 between SH. 123 and I-35 at Yarrington Road; FM 110 overpass at SH. 123; RM 967 safety improvements at Buda Sports Complex Dr., Hays CISD High School No. 3, and Oak Forest Dr.; FM 2001 extension of White Wing Trail from I-35 to existing FM 2001; RM 3237 corridor safety improvements from RM 150 to RM 12; FM 621 corridor improvements from CR 266 to Crystal River Drive; Lime Kiln Road bridge improvements between Post Road and Hilliard Road at Sink Creek and San Marcos River; Sawyer Ranch Road shared use path improvements between Meadow Creek Drive and Belterra Drive; and US 290 and Trautwein Road intersection improvements. Improvements have been identified on these roadways within the identified limits in the adopted Hays County Transportation and CAMPO Mobility 2040 Plans. Award of CAMPO funding for these projects could allow approved bond funding to be extended to initiate project development for other projects included in the 2016 Road Bond Program or to accelerate construction. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Resolution in support of the County's Program of Project Application to submit to the Capital Area Metropolitan Planning Organization (CAMPO) in response to CAMPO's Project Call for Fiscal Year 2019-2022 Project Funding. All present voting "Aye". MOTION PASSED**

33247A ADOPT A RESOLUTION IN SUPPORT OF CALDWELL COUNTY'S APPLICATION FOR THE FM 150 EXTENSION / YARRINGTON ROAD PROJECT IN THE 2019-2022 PROJECT CALL ADMINISTERED BY THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO)

Caldwell County is preparing an application for the FM 150 Extension / Yarrington Road for the 2019-2022 CAMPO call for projects. Caldwell County is requesting a resolution of support from the Hays County Commissioner's Court to include in their application. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Resolution in Support of Caldwell County's Application for the FM 150 Extension/Yarrington Road Project in the 2019-2022 Project Call administered by the Capital Area Metropolitan Planning Organization (CAMPO). All present voting "Aye". MOTION PASSED**

33248A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE OF THE LETTER OF CREDIT #101148940-1 IN THE AMOUNT OF \$671,301.50, FOR ESCONDIDA RANCH SUBDIVISION

Transportation Director, Jerry Borcharding gave spoke. 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. Escondida Ranch is a private subdivision, therefore a maintenance bond is not required. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept road construction and drainage improvements and Release of the Letter of Credit #101148940-1 in the amount of \$671,301.50, for Escondida Ranch Subdivision. All present voting "Aye". MOTION PASSED**

33249A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION BOND #1148528 IN THE AMOUNT OF \$785,766.74, AND ACCEPT THE 3-YEAR MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$93,899.85 FOR CALITERRA SUBDIVISION, PH. 2, SEC. 7

Transportation Director, Jerry Borcharding gave spoke. 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. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept road construction and drainage improvements, Release the Construction Bond #1148528 in the amount of \$785,766.74, and accept the 3-year Maintenance Bond #1048985 in the amount of \$93,899.85 for Caliterra Subdivision, Ph.2, Sec. 7. All present voting "Aye". MOTION PASSED**

33250A ACCEPT LETTER OF CREDIT NO.5135-500 FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE KEY RANCH SUBDIVISION, SECTION 3 IN THE AMOUNT OF \$761,261.00

Key Ranch Section 3 is proposed 70 lots, in the Key Ranch master plan subdivision, located along Trautwien Road in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by individual on-site sewage facilities. The final plat for Key Ranch Section 3 Subdivision have been reviewed under the Interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action.



A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No. 5135-500 for Street and Drainage Improvements for the Key Ranch Subdivision, Section 3 in the amount of \$761,261.00. All present voting "Aye". MOTION PASSED

33251A EXECUTE A MAINTENANCE AGREEMENT AND ALL ADDENDUMS AND OTHER DOCUMENTS RELATED TO THE MELA WITH ENTERPRISE FM TRUST FOR A COUNTY-WIDE VEHICLE LEASING PROGRAM

Chief of Staff, Clint Garza, Commissioner Pct. 4, and General Counsel, Mark Kennedy spoke. Staff has been working with Enterprise to explore a lease program for county-wide vehicles. Roughly one-third of the current Hays County Fleet is 10 years old or older. Staff recommends utilizing a lease program and cycling vehicles more frequently to put employees in safer and more fuel efficient vehicles. As proposed, the vast majority of existing vehicles will be replaced over 5 fiscal years, standardizes vehicle types across offices, and results in a net savings to Hays County over a 10-year period. If approved, this maintenance of all non-law enforcement leased vehicles will be taken care of by private, Hays County vendors, covered under agreements with Enterprise FM Trust. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to execute a Maintenance Agreement and all Addendums and other documents related to the MELA with Enterprise FM Trust for a County-Wide Vehicle Leasing Program with addition to the Addendum that takes care of late payments language. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 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. 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**

Clerk's Note Agenda Item #30 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**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The Burn Ban will remain lifted.

Clerk's Note Agenda Item #32 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:15 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on January 9, 2018.

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF JANUARY 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:

Harvey Weingarten 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

Rodrigo Amaya, San Marcos resident spoke.

Clerk's Note Agenda Item #1 RE: *ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH* – was pulled

33252A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,665,831.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33253A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,840.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33254A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana and United Healthcare claims in the amount of \$2,235.69 (United Healthcare) and \$88,026.24 (Humana) as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33255A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 9, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 9, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33256A APPROVE FINAL AMENDMENT FOR VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2017 YEAR-END PROCESS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve final amendment for various departmental operating budgets in preparation for the County's FY 2017 year-end process. All present voting "Aye". MOTION PASSED



33257A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 850 FM 2001, BUDA, TX, 78610

Guard Dog Storage is proposing an OSSF to serve a storage facility with one restroom. This 4.994 acre property is Lot 1 of the Guard Dog Storage Subdivision and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, Stan Burrier, P.E., has designed a system, which consists of standard treatment with dispersal by a low pressure pipe drainfield. The maximum daily usage rate is 50 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 850 FM 2001, Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33258A APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Permit #1060 on Ledge Stone Drive (Bush Ranch Subd.) issued to West Travis County PUA; Permit #1061 on Belterra Drive (Belterra Subd.) issued to West Travis County PUA; Permit #1062 on Centerpoint Road issued to Paso Robles Development as presented by the Transportation Director. All present voting "Aye". MOTION PASSED

33259A AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, BG RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM (BAGP) FOR LAW ENFORCEMENT OFFICERS IN THE AMOUNT OF \$108,976 AND AMEND THE BUDGET ACCORDINGLY

On September 5, 2017 the Commissioners Court authorized submission of a grant application along with a Resolution to the Office of Governor, Criminal Justice Division, (BAGP) for funding 139 rifle-resistant vests at \$784.00 per vest for a total of \$108,976. The rifle-resistant vests will be for the Hays County Sheriff's Office law enforcement officers. Notice of award has been received and is done electronically for grant number 3450101. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to accept a grant award from the Office of the Governor, Criminal Justice Division, BG Rifle-Resistant Body Armor Grant Program (BAGP) for law enforcement officers in the amount of \$108,976 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33260A THE SHERIFF'S OFFICE JAIL DIVISION TO UTILIZE EQUIPMENT SAVINGS TO PURCHASE A REPLACEMENT REFRIGERATOR FOR THE KITCHEN AND AMEND THE BUDGET ACCORDINGLY

The jail is requesting court approval to utilize savings to purchase a replacement refrigerator for the Kitchen. The existing refrigerator is 20 years old and has been experiencing compressor issues. At this time, it has become more cost effective to replace. Three quotes were received with Globe Equipment Company providing the lowest price. The total amount needed is \$2,140; funds have been identified from equipment savings. Budget Amendment Decrease 001-618-03.5715_400 Communication Equipment Operating (\$743) Increase 001-618-03.5719_400 Miscellaneous Operating Equipment \$743. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Authorize the Sheriff's Office Jail Division to utilize equipment savings to purchase a replacement refrigerator for the Kitchen and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33261A APPROVE THE JUNE - SEPTEMBER 2017 TREASURER'S REPORTS AND INVESTMENT REPORTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the June - September 2017 Treasurer's Reports and Investment Reports. All present voting "Aye". MOTION PASSED

33262A AMEND THE JUSTICE COURT BUILDING SECURITY FUND FOR PRECINCT 3 COURTROOM SECURITY TRAINING

Judge Andy Cable is requesting continuing education funds to allow a Pct. 3 Deputy Constable to attend the Court Security Training seminar to be held in Georgetown, Tx. Funds are available in the Justice Court Building Security Fund to fund this request. Budget Amendment: Decrease .5201. Increase .5551. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Amend the Justice Court Building Security Fund for Precinct 3 courtroom security training. All present voting "Aye". MOTION PASSED**



33263A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting court approval to utilize countywide funds for vehicle repairs of two patrol vehicles that were involved in the November 24th, 2017 shooting. Three Quotes were received, with All Makes Collision offering the lowest repair prices. Unit #1410 is in need of a front door and a windshield totaling \$2,586. Unit #1630 is also in need of a windshield, as well as a front and rear door, new headrest and a dashboard panel totaling \$7,620. The total cost of repairs for both units is \$10,206. Due to this unfortunate and unforeseen incident, the Sheriff does not have maintenance funds to cover these repairs and maintain the existing fleet for the remainder of the fiscal year. The Sheriff is requesting the Court to transfer funds from the County Wide Self Insurance budget to his maintenance budget. Budget Amendment: Increase SO Vehicle Maint.: 001-618-00.5413 Possible Funding Source-Decrease CW Self Insurance: 001-645-00.5342 Attachments: All Makes Collision Quotes for Unit #1410 & # 1630. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33264A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 3

Annual Racial Profiling Report for 2017 in accordance to Law Enforcement Policy on Racial Profiling - Article 2.132 Texas Code of Criminal Procedure (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and approve the 2017 Racial Profiling Report from Hays County Constable Office, Pct. 3. All present voting "Aye". MOTION PASSED**

33265A AUTHORIZE THE PURCHASE OF A LOCKABLE GUN CABINET FOR THE PRECINCT 1 CONSTABLES OFFICE AND AMEND THE BUDGET ACCORDINGLY

The Precinct 1 Constable is requesting a lockable gun cabinet for the sub-station located at the Courthouse. This is needed for security purposes in order to have full staffing coverage at the facility during business hours. The Building Maintenance Department has identified savings within their operating budget to fund this purchase. Budget Amendment: Decrease: Bldg Maint: 001-695-00.5209 Increase: Constable 1: 001-635-00.5717_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of a lockable gun cabinet for the Precinct 1 Constables Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33266A APPROVE THE RE-APPOINTMENTS OF CHUCK WARE AND JOE PENDLETON TO THE BOARD OF COMMISSIONERS OF HAYS COUNTY ESD #4, TERMS ENDING DECEMBER 31, 2019

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the re-appointments of Chuck Ware and Joe Pendleton to the Board of Commissioners of Hays County ESD #4, terms ending December 31, 2019. All present voting "Aye". MOTION PASSED

33267A AUTHORIZE A COMMERCIAL ON-SITE SEWAGE FACILITY PERMIT AT 731 ROLAND LANE, KYLE, TX 78640

Ray W. Wolbrecht is proposing one commercial warehouse with a max occupancy of 5 employees and 10 costumers per building located at 731 Roland Lane, Kyle TX, 78640. This property is a 12.81 acre tract out of the James W. Williams Survey. This property is not located within the Edwards Aquifer Recharge Zone. This property is located within the ETJ of the City of Kyle and is currently utilizing a public water supply. The designer, Clifford Conner, R.S., has designed a standard treatment discharging to a low pressure dose drain field. The system is designed to treat 100 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a commercial on-site sewage facility permit at 731 Roland Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

33268A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO ADD A TELEPHONE ALLOWANCE EFFECTIVE JANUARY 2, 2018 FOR THE FACILITY MAINTENANCE MANAGER POSITION, SLOT NUMBER 0191-001 AND AMEND THE BUDGET ACCORDINGLY

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A stipend has been requested for the Facility Maintenance Manager position via the 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. The previous manager had a county issued phone and we would now like to convert that to a monthly telephone allowance. Budget Amendment: Decrease .5489 Increase .5194. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Building Maintenance Department to add a telephone allowance effective January 2, 2018 for the Facility Maintenance Manager position, slot number 0191-001 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33269A CALL FOR A PUBLIC HEARING ON JANUARY 30, 2018 TO ESTABLISH A 3-WAY STOP LOCATION AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

This action would add 2 stop signs on Heidenreich Lane at the intersection with Grist Mill Rd to establish the 3-way stop scenario. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on January 30, 2018 to establish a 3-way stop location at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

33270A AUTHORIZE EXECUTION OF AMENDMENT NUMBER ONE TO ROGERS DESIGN SERVICES, PLLC PROFESSIONAL SERVICE AGREEMENT TO PROVIDE ENVIRONMENTAL DOCUMENTATION AND CONSTRUCTION ENGINEERING SERVICES FOR THE FM 967 SAFETY TURN LANE PROJECTS AT BUDA SPORTSPLEX AND WEST OF FM 1626 AS PART OF THE 2016 ROAD BOND PROGRAM

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of Amendment Number One to Rogers Design Services, PLLC Professional Service Agreement to provide environmental documentation and construction engineering services for the FM 967 safety turn lane projects at Buda Sportsplex and west of FM 1626 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

33271A ACCEPT BOND NO. 0722765 FOR STREET AND DRAINAGE IMPROVEMENTS FOR STONEFIELD SECTION 12 IN THE AMOUNT OF \$709,843.20

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept Bond No. 0722765 for street and drainage improvements for Stonefield Section 12 in the amount of \$709,843.20. All present voting "Aye". MOTION PASSED

33272A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR PHASE 2 ENGINEERING SERVICES FOR THE DESIGN OF IMPROVEMENTS OF VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement with Garver, LLC for Phase 2 engineering services for the design of improvements of various low water crossings throughout Precincts 1 & 2. All present voting "Aye". MOTION PASSED

33273A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BINKLEY & BARFIELD FOR SERVICES RELATED TO DEVELOPMENT OF A CORRIDOR STUDY AND SCHEMATIC DESIGN FOR IMPROVEMENTS TO WINDY HILL ROAD AS CONTEMPLATED IN THE VOTER APPROVE 2016 BOND ELECTION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Binkley & Barfield for services related to development of a corridor study and schematic design for improvements to Windy Hill Road as contemplated in the voter approve 2016 Bond election. All present voting "Aye". MOTION PASSED



33274A SELECT BROWN AND GAY ENGINEERING FOR CONSTRUCTION PHASE SERVICES (INSPECTION) FOR THE RATTLER ROAD SIDEWALK PROJECT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to select Brown and Gay Engineering for construction phase services (inspection) for the Rattler Road sidewalk project. All present voting "Aye". MOTION PASSED

33275A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE PRELIMINARY PLAN

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-878 Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33276A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; HOLD PUBLIC HEARING

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to table this item until next week, January 23, 2018. All present voting "Aye". MOTION PASSED

33277A AUTHORIZE EXECUTION OF AN AGREEMENT REGARDING THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONE NUMBER 1 (TIRZ NO.1) BETWEEN THE CITY OF DRIPPING SPRINGS AND HAYS COUNTY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize execution of an Agreement Regarding the Dripping Springs Tax Increment Reinvestment Zone Number 1 (TIRZ No.1) between the City of Dripping Springs and Hays County. All present voting "Aye". MOTION PASSED

33278A ADOPT BY RESOLUTION THE REVISED HAYS COUNTY HAZARD MITIGATION PLAN

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to action to adopt by Resolution the revised Hays County Hazard Mitigation Plan. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #29 RE: *APPOINT CARLA CASKEY SISK TO REPLACE STEVE CLAY AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-18 – was pulled*

33279A APPOINT A REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD; AND TO APPOINT AN ALTERNATE, IF NECESSARY

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to appoint Commissioner Mark Jones as a representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe as an alternate representative to the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board; and to appoint an alternate, if necessary. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #31 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*

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Clerk's Note Agenda Item #32 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #33 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 AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4 – **was pulled**

Clerk's Note Agenda Item #34 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY – **was pulled**

Clerk's Note Agenda Item #35 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**

33280A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to reinstate the Burn Ban. All present voting

Clerk's Note Agenda Item #37 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:42 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on January 16, 2018.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF JANUARY 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:

Nahum Melendez 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, and Harvey Jenkins, San Marcos resident, all made public comments.

SWEARING-IN AND CONFIRMATION OF GINA ROGERS TO THE HAYS COUNTY HISTORICAL COMMISSION

The confirmation of all members for the current Hays County Historical Commission is required. Ms. Rogers will be a volunteer for a one year period. Kate Johnson, Chairman of the Hays County Historical Commission spoke. Commissioner Ingalsbe did the swearing-in of Gina Rogers to the Hays County Historical Commission.

33281A ADOPT A PROCLAMATION DECLARING JANUARY 2018 AS CRIME STOPPERS MONTH

Don Arnold, Executive Director of Hays County Crime Stoppers and Rowe Ray, Hays Crime Stoppers Chairman of Board of Directors spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring January 2018 as Crime Stoppers Month. All present voting "Aye". MOTION PASSED

33282A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$170,274.87 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33283A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$2,780.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33284A APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$173,518.78 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33285A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 16, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of January 16, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33286A APPROVE THE PAYMENT OF THE JANUARY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JANUARY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the January 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective January 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33287A APPROVAL TO REJECT ALL COMPETITIVE BIDS SUBMITTED FOR IFB 2018-B04 DOMESTIC WATER TREATMENT SYSTEM AND REISSUE THE IFB AS AUTHORIZED BY LOCAL GOVERNMENT CODE SEC. 262.02

Purchasing received one bid for IFB 2018-B04 from Copperra Company. Staff recommends rejecting bids received per LGC Sec 262.027 and reissuing the IFB, after making some changes to the specifications and bid sheet of the IFB. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to reject all competitive bids submitted for IFB 2018-B04 Domestic Water Treatment System and reissue the IFB as authorized by Local Government Code Sec. 262.02. All present voting "Aye". MOTION PASSED

33288A AUTHORIZE COMMERCIAL OSSF PERMIT AT 13351 FM 150, DRIFTWOOD, TEXAS 78619

Vista Brewing Assets, LLC is proposing an OSSF to serve a brewery and restaurant. A separate OSSF was approved by the Commissioners Court on 8/22/17, but that system was not installed and will be replaced by this OSSF. This 23.44-acre tract of land will be served by a public water well. The system designer, Jon Maass, R.S., 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 1112 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 13351 FM 150, Driftwood, Texas 78619. All present voting "Aye". MOTION PASSED

33289A APPROVE HOLDING AN ONLINE AUCTION WITH RENE BATES AUCTIONEERS TO DISPOSE OF SURPLUS PROPERTY PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 263.152 (A) (1) AND AUTHORIZE PURCHASING MANAGER TO ADVERTISE

The Purchasing Office would like to hold an online auction to dispose of surplus county property. The auction will run for approximately two weeks. Directions for bidding on items can be found on the Rene Bates Auctioneers website at www.renebates.com. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve holding an online auction with Rene Bates Auctioneers to dispose of surplus property pursuant to Texas Local Government Code 263.152 (a) (1) and authorize Purchasing Manager to advertise. All present voting "Aye". MOTION PASSED

33290A AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE PROJECT ENTITLED "HAYS COUNTY SWAT NIGHT VISION" IN THE AMOUNT OF \$122,477.80

The grant application request is to acquire night vision binoculars for 14 members of the Hays County SWAT Team, for remote surveillance of potentially dangerous and/or life-threatening scenes during low/no light conditions. The acquisition of high performance night vision goggles will enable the Team to conduct operations and surveillance more effectively. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to execute a Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division for the project entitled "Hays County SWAT Night Vision" in the amount of \$122,477.80. All present voting "Aye". MOTION PASSED

33291A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$20,000 FOR THE 'HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE' PROJECT



This grant application is to provide maintenance of our HazMat Team monitors which will increase the life of the specialized equipment and allow the team to respond with sustained equipment. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$20,000 for the 'Hays County HazMat Team Monitor Maintenance' project. All present voting "Aye". MOTION PASSED**

33292A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$75,000 FOR THE 'HAYS COUNTY HAZMAT TEAM AIR PACKS AND BOTTLE REPLACEMENTS' PROJECT

This grant application is for the purchase of air packs and bottle replacements for the Hays County HazMat Team. Currently, the air packs are out of date for chemical, biological, radiological, nuclear and explosive response (CBRNE) and are in need of being replaced. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$75,000 for the 'Hays County HazMat Team Air packs and Bottle Replacements' project. All present voting "Aye". MOTION PASSED**

33293A AUTHORIZE THE COUNTY JUDGE TO EXECUTE RESOLUTION AND SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION IN THE AMOUNT OF \$200,000 FOR THE 'HAYS COUNTY COMMAND VEHICLE' PROJECT

The grant application request is to acquire a Command Vehicle for Hays County to be deployed during emergency incidents in order to reestablish communication and coordination during such events. The grant application is due in egrants by January 26, 2018 to be considered for funding by CAPCOG. No matching funds are required for this project. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Resolution and submit a grant application to the Office of the Governor, Homeland Security Grants Division in the amount of \$200,000 for the 'Hays County Command Vehicle' project. All present voting "Aye". MOTION PASSED**

33294A APPROVAL TO AWARD IFB 2018-B03 DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENTS TO PARTNERS REMODELING, RESTORATION AND WATERPROOFING, AFTER EXECUTION OF SPECIAL TERMS AND CONDITIONS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SAME

Purchasing received two bids for IFB 2018-B03 from Myers Concrete Construction, LP and Partners Remodeling, Restoration and Waterproofing. Staff recommends award of a contract to Partners Remodeling, Restoration and Waterproofing. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to award IFB 2018-B03 Dahlstrom Ranch Public Access Developments to Partners Remodeling, Restoration and Waterproofing, after execution of Special Terms and Conditions and authorize the County Judge to execute the same. All present voting "Aye". MOTION PASSED**

33295A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARIAH REHMET AND ARIANA REHMET FOR THE PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY

As provided in the Professional Services Agreement, the Rehmet's have requested a time extension until May 31, 2019, to complete the production, editing and delivery of the 2015 Memorial Day Flood Documentary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a First Amendment to the Professional Services Agreement with Mariah Rehmet and Ariana Rehmet for the production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED**

33296A SELECT BROWN AND GAY ENGINEERING FOR ENGINEERING DESIGN SERVICES (P S & E) FOR IMPROVEMENTS TO HILLSIDE TERRACE AS ANTICIPATED IN THE 2016 BOND PROGRAM

HAYS COUNTY COMMISSIONERS' COURT MINUTES



As anticipated by the voter approved 2016 Bond program, Hillside Terrace will be redesigned to provide better mobility. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Brown and Gay Engineering for engineering design services (P S & E) for improvements to Hillside Terrace as anticipated in the 2016 Bond Program. All present voting "Aye". MOTION PASSED**

33297A RENAME THE PRIVATE ROAD OBAR RANCH ROAD TO LIBERTY RANCH ROAD

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to rename the private road OBar Ranch Road to Liberty Ranch Road. All present voting "Aye". MOTION PASSED

33298A AUTHORIZE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT AND HAYS COUNTY RELATED TO THE CONSTRUCTION OF TURN LANES ON HIGH ROAD AND OLD SAN ANTONIO ROAD IN PRECINCT 2

HCISD has agreed to pay \$250K toward the construction of turn lanes on roadways adjacent to 2 newly-constructed schools in Precinct 2. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of an Interlocal Funding Agreement between Hays Consolidated Independent School District and Hays County related to the construction of turn lanes on High Road and Old San Antonio Road in Precinct 2. All present voting "Aye". MOTION PASSED**

33299A SUB-862; REPLAT OF LOT 23, RANCHES AT HAMILTON POOL SUBDIVISION; APPROVE FINAL PLAT; CONTINUATION OF PUBLIC HEARING HELD ON JANUARY 16, 2018

Public Hearing was continued from last Tuesday, January 16, 2018. No public input was received. Commissioner Ingalsbe closed the Public Hearing. Ranches at Hamilton Pool Subdivision is a recorded subdivision located off of Hamilton Pool Road in Precinct 4. The proposed re-plat will establish Lot 23A, 26.5 acres, and Lot 23B, 26 acres, as complaint lots with the Hays County Development Regulations. Lot 23 was subdivided by metes and bounds in 2013, as a result, Lots 23A and 23B became non-compliant parcels. Water service will be provided by private wells 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 replat of Lot 23, Ranches at Hamilton Pool Subdivision; continuation of public hearing held on January 16, 2018. All present voting "Aye". MOTION PASSED**

33300A SUB-878 JOHNSON-KNIGHT SUBDIVISION (2 LOTS) APPROVE THE FINAL PLAT

Johnson-Knight is a proposed 2 lot subdivision located along Caliche Rd in Precinct 3. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of Johnson-Knight Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33301A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND TEXAS PRISONER TRANSPORTATION SERVICES FOR SERVICES RELATED TO THE HAYS COUNTY JAIL

Lt. Julie Villalpando spoke. The Hays County Sheriff's Office is requesting the execution of an agreement with Texas Prisoner Transportation Services. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an agreement between Hays County and Texas Prisoner Transportation Services for services related to the Hays County Jail. All present voting "Aye". MOTION PASSED**

33302A APPOINTMENT OF CARLA CASKEY SISK TO REPLACE STEVE CLAY AS A MEMBER OF THE EMERGENCY SERVICES DISTRICT NO. 9 (ESD#9), TO FILL AN UNEXPIRED TERM ENDING 12-31-18

Carla Caskey Sisk spoke. Creation of the ESD#9 was authorized during the November 2016 election. Pursuant to 775.034 of the Texas Health and Safety Code, the Commissioner's Court is authorized to appoint the 5-person board. Caskey will fill the unexpired term of Steve Clay. The expiration date of this term is 12-31-18. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appointment of Carla Caskey Sisk to replace Steve Clay as a member of the Emergency Services District No. 9 (ESD#9), to fill an unexpired term ending 12-31-18. 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 TO FOLLOW IN OPEN COURT

Court convened into Executive session at 9:59 a.m. and reconvened into open court at 10:09 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF RIGHT OF WAY ALONG AND INCLUDING BARTON BEND ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:09 a.m. and reconvened into open court at 10:22 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

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 AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:23 a.m. and reconvened into open court at 10:31 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Director of Transportation, Jerry Borcharding, and Samantha Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:31 a.m. and reconvened into open court at 11:11 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Tammy Crumley. No action taken.

Clerk's Note Agenda Item #28 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 advice of Hays County Fire Marshall the Burn Ban will remain lifted.

Clerk's Note Agenda Item #30 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 11:15 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 January 23, 2018.

Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 30TH DAY OF JANUARY 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 Cask of 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

Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Dan Lyon, San Marcos resident and David Crowell, Kyle resident all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5-Year Service Awards – Constable Pct. 4 – Jimmy Zuehlke, Health Department – Michael Jones, County Clerk – Carol Josephson, District Court – Richard Boyer. 10-Year Service Award – IT – Mark Lane. 20-Year Service Award – JP Pct. 2 – Rhonda Nix. 25-Year Award – Rhonda Nix. Retirement – Sheriff's Office – Terence Carter, County Clerk – Rosanna Ramirez.

RECOGNITION OF DEPUTIES ABBOT, BEDINGFIELD, GIESELMAN, MCLEOD, AND SERGEANT CRAIGMILE, OF THE HAYS COUNTY SHERIFF'S OFFICE, FOR THEIR STEADFAST COMMITMENT TO PUBLIC SAFETY AND SELFLESS SERVICE IN THE LINE OF DUTY

Commissioner Shell, Commissioner Whisenant, Commissioner Ingalsbe and Sheriff Cutler spoke of Thanksgiving night, early morning of Black Friday, this past year when some of our deputies were ambushed and one was shot. The Commissioners thanked all those that were involved and for their service and dedication to Hays County.

33303A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of county invoices in the amount of \$1,578,144.60 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33304A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of juror checks in the amount of \$1,906.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33305A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana Claims in the amount of \$153,969.18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33306A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 23, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of January 23, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33307A APPROVE AND ACCEPT THE 2017 RACIAL PROFILING REPORT FOR THE HAYS COUNTY SHERIFF'S OFFICE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve and accept the 2017 Racial Profiling Report for the Hays County Sheriff's Office. All present voting "Aye". MOTION PASSED

33308A APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve utility permit #1063 on Huck Finn Trail issued to SLP Cable Comm. LLC and #1064 on Sawyer Ranch Road issued to PEC as submitted by the Department of Transportation. All present voting "Aye". MOTION PASSED

33309A APPROVE OUT OF STATE TRAVEL FOR THE 911 DATABASE COORDINATOR AND TWO COUNTY PLANNERS FOR THE ESRI USER CONFERENCE. JULY 9TH THROUGH JULY 13TH, 2018 IN SAN DIEGO, CA

During budget, the department allocated funds to send the above mentioned to the annual ESRI GIS Conference. Prior to booking flights and accommodations staff is seeking official approval for out of state travel. The conference is offered at no cost to attendees. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the 911 Database Coordinator and two County Planners for the ESRI User Conference. July 9th through July 13th, 2018 in San Diego, CA. All present voting "Aye". MOTION PASSED

33310A APPROVE THE CANCELLATION OF HAYS COUNTY COMMISSIONERS COURT ON THE FOLLOWING DATES IN 2018: FEBRUARY 20, MARCH 13, JUNE 12, OCTOBER 9, NOVEMBER 6, NOVEMBER 27 AND DECEMBER 25, AND IN 2019: JANUARY 1

Court dates have been presented for cancelation due to Holidays or County Association Conferences. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the cancellation of Hays County Commissioners Court on the following dates in 2018: February 20, March 13, June 12, October 9, November 6, November 27 and December 25, and in 2019: January 1. All present voting "Aye". MOTION PASSED

33311A APPROVE AND CONFIRM THE APPOINTMENTS OF RAMIRO ALMENDAREZ AS DEPUTY CONSTABLE AND JAVIER JAIME CASTRO AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE JANUARY 30, 2018

Constable Pct. 1, David Peterson, gave the Court a list of the Deputy's credentials. Commissioner Ingalsbe performed the swearing-in of Ramiro Almendarez and Javier Castro. Pursuant to Local Government Code Chapter 86 Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the Commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The Commissioners court shall approve and confirm the appointment of the deputy only if the Commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: 3B(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or 34B(2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointments of Ramiro Almendarez as Deputy Constable and Javier Jaime Castro as Reserve Deputy Constable in the Hays County Constable Precinct 1 Office, effective Date January 30, 2018. All present voting "Aye". MOTION PASSED

33312A AUTHORIZE THE EXECUTION OF A RENEWAL SERVICE AGREEMENT WITH SHRED-IT FOR SHREDDING AT THE LOCAL HEALTH DEPARTMENT

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Per HIPAA regulations, all documents containing personal health information must be shredded. This contract will facilitate shredding the documents that are no longer needed by the department as it transitions into paperless recordkeeping. The service will eliminate the need to use staff hours for shredding.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of a Renewal Service Agreement with Shred-It for shredding at the Local Health Department. All present voting "Aye". MOTION PASSED

33313A ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY

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 awards received are as follows; City of San Marcos - \$12,500 City of Buda - \$375 (remainder of prior year) 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. Budget Amendment: Increase Contributions: .4610. Increase Social Service Grant Funding: .5800. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell 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**

33314A APPROVE SPECIFICATIONS FOR RFP 2018-P10 COUNTYWIDE ELECTRICAL SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFP 2018-P10 Countywide Electrical Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33315A AUTHORIZE THE COUNTY COURT AT LAW OFFICE TO PURCHASE ONE NEW BULLET PROOF VEST FOR A BAILIFF POSITION AND AMEND THE BUDGET ACCORDINGLY

The County Court at Law has one new hire filling a vacant slot that requires a fitted Bullet Proof Vests for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer, therefore, previous employee's vests are not usable for the new hire. Potential funding source Co-Wide contingencies. Budget Amendment: Decrease County Wide Contingencies 001-645-00.5399 Increase DOJ BPV Grant LE Eqpt .5717_400. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Court at Law Office to purchase one new bullet proof vest for a Bailiff position and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33316A AUTHORIZE THE EXECUTION OF A MAINTENANCE AGREEMENT WITH TOUCH LEGAL INC. FOR THE LAW LIBRARY KIOSK LOCATED AT THE JAIL

The Hays County Jail is in need of an extended maintenance agreement with Touch Legal DBA Touch Sonic Technologies for the law library kiosk. Funding for the agreement is budgeted in the Jail. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Maintenance Agreement with Touch Legal Inc. for the Law Library Kiosk located at the jail. All present voting "Aye". MOTION PASSED**

33317A AUTHORIZE THE SUBMITTAL AND FILING OF A LOCAL GOVERNMENT RECORDS CONTROL SCHEDULE AMENDMENT WITH THE TEXAS STATE LIBRARY ARCHIVES COMMISSION; AUTHORIZE THE RECORDS MANAGEMENT OFFICER TO SIGN ALL RELATED DOCUMENTS

Pursuant to Section 203.041 of the Texas Local Government Code; the Records Management Officer shall prepare and file records control schedules with the Texas State Library and Archives Commission. The Records Control Schedule Amendment modifies retention for the Local Health Department by including retention for records not on the currently adopted retention schedules. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submittal and filing of a Local Government Records Control Schedule Amendment with the Texas State Library Archives Commission; authorize**



the Records Management Officer to sign all related documents. All present voting "Aye". MOTION PASSED

33318A AUTHORIZE THE EXECUTION OF A SERVICE MAINTENANCE AGREEMENT WITH ARGYLE SECURITY GROUP, INC. FOR EQUIPMENT LOCATED AT VARIOUS LOCATIONS THAT UTILIZE EQUIPMENT THAT WOULD REQUIRE THEIR SERVICES

The Building Maintenance Department would like to enter into a Service Maintenance Agreement with Argyle Security Group, Inc. for work performed at various locations. Several County facilities utilize security equipment that require maintenance provided by Argyle Security. Entering into an agreement will allow the County to receive a negotiated rate which will result in a savings on maintenance costs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Service Maintenance Agreement with Argyle Security Group, Inc. for equipment located at various locations that utilize equipment that would require their services. All present voting "Aye". MOTION PASSED**

33319A RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 751.0055 OF THE TEXAS HEALTH AND SAFETY CODE

Pursuant to Section 751.0055 of the Texas Health and Safety Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a permit under this chapter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to receive the County Judge's delegation of Commissioner Ingalsbe pursuant to Section 751.0055 of the Texas Health and Safety Code. All present voting "Aye". MOTION PASSED**

33320A AUTHORIZE THE SUBMITTAL OF A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY (DHS) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM IN THE AMOUNT OF \$200,000

The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire related hazards. The program provides direct financial assistance to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The application is due on February 2, 2018 through the AFG application portal and will require a 10% match. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submittal of a Grant Application to the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Program in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED**

33321A AUTHORIZE THE PURCHASE OF A NEW SWINGLINE 750M SHREDDER FOR THE RECORDS MANAGEMENT OFFICE UTILIZING RECORDS PRESERVATION FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Records Management office is in need of a heavy duty shredder for projects. Records Management staff and interns are assisting various departments with converting paper records into electronic records. At least 60 boxes of records need to be destroyed each month and in the next two years it is anticipated that at least 1,200 boxes will be converted and destroyed. The Records Management staff were utilizing a confidential shred service, but the cost increased from \$888 to \$2,500 per year. Rather than continuing to utilize a shred service, the department is requesting a shredder. The Swingline 750M shredder features a micro-cut shred for confidentiality and PIN code access for unattended operation. The programmable 4-digit code also prevents unauthorized access to materials loaded for shred. Records Preservation Funds are available to fund this request. Increase 106-610-00.5711_400 Office Equipment. Reduce 106-610-00.5448 Contract Services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the purchase of a new Swingline 750M Shredder for the Records Management Office utilizing Records Preservation Funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33322A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT AND THE 2017 ANNUAL ACTIVITY REPORT FROM HAYS COUNTY CONSTABLE OFFICE, PCT. 4

In compliance with Senate Bill 1074-76th regular session of the Texas Legislature amended by House Bill 3389-81st regular session. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept and approve the 2017 Racial Profiling Report and the 2017 Annual Activity Report from Hays County Constable Office, Pct. 4. All present voting "Aye". MOTION PASSED**



33323A AUTHORIZE THE EXECUTION OF A CALCULATION AGENCY AGREEMENT BETWEEN HAYS COUNTY AND BOK FINANCIAL, NA RELATED TO THE QUALIFIED ENERGY CONSERVATION BONDS (QECB)

As a requirement of the QECB bonds certain forms must be filed with the Internal Revenue Service (IRS) to receive the tax credit. BOK Financial will perform the calculations necessary to complete Form 1097-BTC, or any successor form, reporting the tax credit for the period ending on each such interest payment dates and file the necessary documents with the IRS. Funds are available in the County Wide contract services budget to fund this request. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Calculation Agency Agreement between Hays County and BOK Financial, NA related to the Qualified Energy Conservation Bonds (QECB). All present voting "Aye". MOTION PASSED**

33324A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY7 UC 1115 waiver funds was announced on January 25, 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 2-2-18): \$ 3,169,805. CTMC amount: \$1,258,767. Seton Hays amount: \$1,911,038. Reduced amount of \$2,849,804.60. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) OF Local Provider Participation Funds (LPPF) FOR Central Texas Medical Center and Seton Medical Center Hays for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

33325A HOLD A PUBLIC HEARING TO ESTABLISH A 3-WAY STOP LOCATED AT THE INTERSECTION OF HEIDENREICH LANE AND GRIST MILL RD

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding gave staff recommendation. This action would add 2 stop signs on Heidenreich Lane at the intersection with Grist Mill Rd to establish the 3-way stop scenario. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a 3-Way Stop located at the intersection of Heidenreich Lane and Grist Mill Rd. All present voting "Aye". MOTION PASSED**

33326A CALL FOR A PUBLIC HEARING ON FEBRUARY 13, 2018 TO ESTABLISH A STOP SIGN ON RIM ROCK RANCH ROAD AT THE INTERSECTION WITH BENITO LANE (PRIVATE) FOR SOUTHBOUND TRAFFIC ONLY

This action would establish a stop sign for vehicles traveling south (going towards FM 32) on Rim Rock Ranch Road at the intersection with a private road called Benito Lane. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on February 13, 2018 to establish a Stop Sign on Rim Rock Ranch Road at the intersection with Benito Lane (private) for Southbound traffic only. All present voting "Aye". MOTION PASSED**

33327A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BGE FOR CONSTRUCTION PHASE SERVICES FOR THE RATTLER ROAD SIDEWALK PROJECT

Transportation Director, Jerry Borcharding spoke. This contract in general provides for construction management and inspection of the project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement with BGE for Construction Phase Services for the Rattler Road Sidewalk Project. All present voting "Aye". MOTION PASSED**



33328A GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF A LOT 31, HARMON HILLS I SUBDIVISION

Hays County Planner, Caitlyn Strickland, spoke. The owner applied for a development authorization permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a Variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a Development Authorization to the owner of a portion of Lot 31, Harmon Hills I Subdivision. All present voting "Aye". MOTION PASSED**

33329A SUB-949 BLANCO RIVER RAPIDS, LOTS 23A & 25A (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

Hays County Planner, Caitlyn Strickland, spoke. Blanco River Ranch is an unrecorded subdivision located off of River Rapids Road in Precinct 3. Lots 23, 24, and 25 are currently being divided into two parcels, Lots 23A and 25A. Water service will be provided by private wells and wastewater service will be accomplished by advanced individual OSSF. The Hays County minimum lot size for a lot served by private well and advanced OSSF in the Edwards Aquifer Contributing Zone is 2 acres. Lots 23A and 25A do not meet the current minimum lot size as 1.53 and 1.54 acres tracts. The applicant is seeking a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. The applicants' tracts prior to this new subdivision, have been in the same configuration for around 40 years. The addition of the acreage relegated the tracts to the current Hays County Rules for On-Site Sewage Facilities. The applicants' wish to divide the original Lot 24, which they own in common, to their current acreage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan and grant a Variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. All present voting "Aye". MOTION PASSED**

33330A HOLD A PUBLIC HEARING AT 10:00AM REGARDING THE METHOD OF DISTRIBUTION FOR APPROXIMATELY \$11.6 MILLION IN COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY PROGRAM FUNDING AVAILABLE THROUGH THE TEXAS GENERAL LAND OFFICE

Commissioner Ingalsbe opened the public hearing. Ruben Garza, Trey Bell, Dan Lyon and Quinton Clayton spoke. Commissioner Ingalsbe closed the public hearing. Chief of Staff, Clint Garza and Dennis Ku, spoke. The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant - Disaster Recovery funding to Texas for Disaster Events DR-4223 and DR4245 occurring in 2015. The Texas General Land Office (GLO) has been designated by the State as the agency to administer the funding to counties included in the disaster declarations. As the City of San Marcos received a direct Congressional allocation, it is not included in the Hays County MOD. In addition to the approximately \$7.4 million awarded to the County in 2016, the County has been awarded an additional amount of approximately \$4.2 million. Total funding to the County is now approximately \$11.6 million, including non-housing project funding of \$7,869,851 and housing project funding of \$3,703,459, to support programs and projects that address an identified priority need and that primarily benefit low-to-moderate-income persons affected by 2015 flooding in the unincorporated areas of Hays County and the cities of Buda, Dripping Springs, Kyle, Uhland and Wimberley. The public hearing will be held to consider public comments of the current MOD. Upon consideration of any comments received at the public hearing and those written comments received by the deadline date of February 2, 2018 at 5:00pm, the MOD will be submitted for approval by the GLO Upon approval, applications for funding will be accepted and reviewed by the GLO from the various entities that have been allocated funding through the Hays County MOD. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve Method of Distribution for approximately \$11.6 Million in Community Development Block Grant - Disaster Recovery Program Funding available through the Texas General Land Office. All present voting "Aye". MOTION PASSED**

33331A PROMOTE AND FUND HEALTH CHECK 2018 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS. AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT

Human Resources Director, Shari Miller spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to promote and fund Health Check 2018 for Hays County Employees and Eligible Dependents; authorize Payroll Deduction of additional Fees for Optional Services Employees may elect. All present voting "Aye". MOTION PASSED**



33332A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO UPGRADE TWO EXISTING SERGEANT POSITIONS SLOT 0475-011 & 0475-007 TO LIEUTENANTS EFFECTIVE FEBRUARY 1, 2018

Hays County Sheriff, Gary Cutler and Lt. Mark Cumberland spoke. At this time the Sheriff's Office is requesting re-grades of two existing Sergeant positions to Lieutenant positions effective February 1, 2018. Adding two Lieutenants will provide 24-hour coverage due to an increase in calls for service as well as provide assistance due to the growth of eight additional deputies in the FY18 Budget. Funding for this request has been identified with salary savings within the Sheriff's Office operating budget. Financial Impact: Base Salary Increase for Each Position: \$9,041. Fringe: \$1,881. Total: \$10,922 (annualized). \$21,845 (times two positions). \$14,563 (FY18 impact for 8 months). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize Salary Savings to upgrade two existing Sergeant Positions Slot 0475-011 & 0475-007 to Lieutenants effective February 1, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Court took break at 10:36 a.m. and reconvened back into open court at 10:47 a.m.

33333A AUTHORIZE THE EXECUTION OF A CHANGE ORDER 01 TO THE PHASE I GUARANTEED MAXIMUM PRICE PROPOSAL TO EXTEND THE SCHEDULE FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM AND TO AUTHORIZE THE EXECUTION OF THE CHANGE ORDER

Kevin Machcinski of Turner Construction spoke. Change Order #01 will not increase the approved Guaranteed Maximum Price for Phase I. This change order will extend the final completion date for the early package from January 2018 to April 13, 2018, due to delays summarized in the attached Schedule Extension Request from Turner dated January 25, 2018. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order 01 to the Phase I Guaranteed Maximum Price Proposal to extend the schedule for the work related to the Hays County Public Safety Bond Program and to authorize the execution of the Change Order. All present voting "Aye". MOTION PASSED**

33334A ACCEPT THE CONSTRUCTION DOCUMENTS FROM HOK FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND THE EXECUTION OF A NOTICE TO PROCEED WITH THE CONSTRUCTION PHASE FOR THIS WORK

Linda Bernauer, Curt Pardee, and Brenda Jenkins spoke. Acceptance of the Construction Documents for Phase II of the Public Safety Bond Program dated December 15, 2017 for the Public Safety Building and January 15, 2018 for the Jail Addition, Renovation and Training Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the Construction Documents from HOK for the Work related to the Hays County Public Safety Bond Program Phase II and the execution of a Notice to Proceed with the Construction Phase for this work. All present voting "Aye". MOTION PASSED**

33335A ACCEPT OR DECLARE UNACCEPTABLE THE GUARANTEED MAXIMUM PRICE PROPOSAL RECEIVED FROM TURNER CONSTRUCTION COMPANY FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF A NOTICE TO PROCEED FOR THIS WORK

Brenda Jenkins, Cody Newsom, and Commissioner Shell spoke. Guaranteed Maximum Price (GMP) Proposal Phase II: Jail Addition and Renovation, Public Safety Building, Training Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Guaranteed Maximum Price Proposal received from Turner Construction Company for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of Notice to Proceed for this work. All present voting "Aye". MOTION PASSED**

33336A APPROVE THE QUOTE RECEIVED BY LCRA FOR THE PSAP TELECOMMUNICATIONS EQUIPMENT (NOT INCLUDING CONSOLES OR RADIO EQUIPMENT) FOR THE WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE II AND TO AUTHORIZE THE EXECUTION OF ALL RELATED DOCUMENTS

Cody Newsome spoke. Quote from LCRA for the PSAP/LEC Communications Tower/Transport/Connectivity for the Hays County Public Safety Bond Program. The quote includes the equipment and installation of the Tower, Shelter and Power Systems; console routers and transport; and the base station and tower antenna systems.



The total for this equipment and installation is \$783,411; the program budget included \$795,628 for this scope. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the Quote received by LCRA for the PSAP Telecommunications Equipment (not including consoles or radio equipment) for the work related to the Hays County Public Safety Bond Program Phase II and to authorize the execution of all related documents. All present voting "Aye". MOTION PASSED**

33337A ADOPT AN ORDER AMENDING THE CONCURRENT ORDINANCE CREATING THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY ("WTCPUA") PURSUANT TO CHAPTER 572 OF THE TEXAS LOCAL GOVERNMENT CODE, A REGIONAL PUBLIC UTILITY AGENCY ("PUA") CREATED IN COLLABORATION WITH THE CITY OF BEE CAVE, HAYS COUNTY AND WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

Commissioner Whisenant, General Counsel, Mark Kennedy and Randy Wilburn of West Travis MUD, spoke. MUD No.5 may be merging with MUD No.3 in Travis County. This amendment to the Concurrent Ordinance makes the requisite changes that allow that to occur without disruption of the arrangements made by the participant entities to the WTCPUA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt an Order amending the Concurrent Ordinance creating the West Travis County Public Utility Agency ("WTCPUA") pursuant to Chapter 572 of the Texas Local Government Code, a Regional Public Utility Agency ("PUA") created in collaboration with the City of Bee Cave, Hays County and West Travis County Municipal Utility District No. 5. All present voting "Aye". MOTION PASSED**

33338A ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF THE HAYS COUNTY HAZMAT TEAM

Kharley Smith, Director of Office of Emergency Management, spoke. With the population and transportation growth throughout Hays County it has become evident that the need to expand the capabilities and personnel for Hazardous Material incidents. Currently HazMat is conducted out of the San Marcos Fire Department exclusively but with the utilization of Hays County equipment. This resolution is to support the development of a multi-jurisdictional HazMat Team allowing for more trained HazMat technicians, quicker response times, and a shared responsibility throughout all jurisdictions in Hays County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Resolution in support of the creation of the Hays County Hazmat Team. All present voting "Aye". MOTION PASSED**

33339A AUTHORIZE THE CREATION OF A SPECIAL OPERATIONS COORDINATOR POSITION (GRADE 113) WITHIN THE OFFICE OF EMERGENCY SERVICES EFFECTIVE MARCH 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

Kharley Smith, Director of Office of Emergency Management, spoke. The Office of Emergency Services is seeking approval to create a Special Operations Coordinator position to oversee technical teams within Hays County. This position would be responsible for coordinating the training and certification for the Hays Aerial Rescue Team and the Hays County HazMat Team, as well as maintaining county owned equipment. The Office of Emergency Services has funding available for this position and would be of no additional financial impact to the County this fiscal year. Hays County is seeking grant funding to offset this position in future years. Financial Impact: Base Salary: \$45,375 (annualized) Fringe: \$ 9,443 Insurances: \$11,800 Total: \$66,618 FY18 Impact: \$38,860 (7 months) Salary savings of \$20,219 are available within the departments operating budget due to vacancies to fund a portion of this request. The remaining \$18,641 is available within the equipment maintenance budget due to maintenance agreements for low water crossing and weather station equipment not needed until after year 1. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the creation of a Special Operations Coordinator Position (Grade 113) within the Office of Emergency Services effective Marcy 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #40 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 11:54 a.m. and reconvened into open court at 12:24 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza, Tammy Crumley, Transportation Director, Jerry Borcharding and Hays County Planner, Caitlyn Strickland. No action taken.

Clerk's Note Agenda Item #42 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 KDBI – 243. Per Hays County Fire Marshall, the Burn Ban will remain in effect.

Clerk's Note Agenda Item #44 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*

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adjourn court at 12:26 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 January 30, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6TH DAY OF FEBRUARY 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
OSCAR MEJIA JR.	DEPUTY COUNTY CLERK

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

Vilma Resendiz 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.

33340A ADOPT A PROCLAMATION DECLARING FEBRUARY 2018 AS DATING VIOLENCE AWARENESS AND PREVENTION MONTH

Melissa Rodriguez, Director of Community Partnerships with Hays-Caldwell Woman's Center spoke. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring February 2018 as Dating Violence Awareness and Prevention Month. All present voting "Aye". MOTION PASSED

PUBLIC COMMENTS

Rodrigo Amaya-San Marcos Resident, David Crowell-Kyle Resident, Dan Lyon-San Marcos Resident, and Harvey Jenkins-San Marcos Resident gave a public comment.

33341A 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 \$907,842.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33342A 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 \$6,098.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33343A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare claims in the amount of \$2,435.11 for Humana and \$616,514.79 for Untied Healthcare as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33344A APPROVE COMMISSIONERS COURT MINUTES OF JANUARY 30, 2018

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

33345A APPROVE SPECIFICATIONS FOR RFP 2018-P11 COUNTYWIDE LAWN AND LANDSCAPE SERVICES AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2018-P11 Countywide Lawn and Landscape Services and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33346A AUTHORIZE THE JUSTICE OF THE PEACE OFFICES, PCT. 1-1 AND 1-2 TO CONVERT ONE SHARED FULL TIME JUSTICE CLERK SLOT 0855-005, TO TWO PART-TIME POSITIONS EFFECTIVE FEBRUARY 9, 2018



JP Pct. 1-1, Judge Joanne Prado and JP Pct 1-2, Judge Maggie H. Moreno spoke. Justice Clerk slot 5 has been utilized since February 2018 as a full-time position, shared equally between JP 1-1 and JP 1-2. This shared position enabled the public to be served in a unified manner during the transition period of fulfilling both JP offices. Judge Prado and Judge Moreno have identified their respective offices will operate effectively by separating the full-time position into two part-time positions. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Justice of the Peace Offices, Pct. 1-1 and 1-2 to convert one shared Full Time Justice Clerk slot 0855-005, to two Part-Time positions effective February 9, 2018. All present voting "Aye". MOTION PASSED**

33347A AUTHORIZE THE EXECUTION OF AMENDMENT 1 TO THE GRANT AWARD FROM THE TEXAS VETERANS COMMISSION - FUND FOR VETERANS ASSISTANCE, HAYS COUNTY VETERANS TREATMENT COURT PROGRAM

Chief of Staff, Clint Garza spoke. On November 15, 2016 the Commissioners Court approved submission of a grant application to the Texas Veterans Commission for \$100,000.00 to fund operations within the Hays County Veterans Treatment Court program. An original amendment request on August 22, 2017 was made to remove the expunction costs per the new state law, HB 322, and add new services under Client Services. This amendment was not counted towards the three amendments per grant period due to it being required by the new law. In addition, a budget amendment was submitted to move the probation officer (salaries/wage and fringe benefits) to Client Services. However, management through TVC Fund for Veterans Assistance was not aware of this budget amendment request and was recently discovered upon review of the November and December reports. It has been requested that we combine the original amendment and the budget amendment and only count as one amendment. Two copies of the amended Notice of Grant Award with required signatures will be returned to the Texas Veterans Commission. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment 1 to the grant award from the Texas Veterans Commission - Fund for Veterans Assistance, Hays County Veterans Treatment Court program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33348A APPROVE OUT OF STATE TRAVEL FOR DETECTIVE NELSON WRAY TO ATTEND THE INTERNATIONAL ASSOCIATION OF COMPUTER INVESTIGATIVE SPECIALISTS TRAINING IN ORLANDO, FLORIDA

Out of state travel is needed to send Detective Nelson Wray to attend the International Association of Computer Investigative Specialists Training in Orlando, Florida beginning April 23 - May 4, 2018. A combination of computer forensic theory and hands-on practical exercises will be provided to attendees. Classes will cover technical theories, terms, and techniques that pertain to computer forensics. Detective Wray will receive a laptop computer, external hard drive, thumb drive, training manuals and other equipment to take with him at the successful conclusion of the training event. Registration, hotel, airfare, baggage, and transportation fees will be paid out of the Sheriff's Office LEOSE account. Per diem will be paid for out of the Sheriff's Office Continuing Ed general ledger. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Detective Nelson Wray to attend the International Association of Computer Investigative Specialists Training in Orlando, Florida. All present voting "Aye". MOTION PASSED**

33349A AUTHORIZE THE EXECUTION OF AN ANTIQUITIES PERMIT APPLICATION FOR WORK RELATED TO THE ENERGY EFFICIENCY PROJECT

Dan Lyon gave a public comment. Chief of Staff, Clint Garza and Commissioner Whisenant spoke. During the course of the Energy Efficiency Project the recommendation was made to have the windows replaced at the Courthouse. The recommendation was accepted and will result in a significant savings on the utility cost for that location. Given that it is a historic building the County will need to submit an Antiquities Permit Application to the Texas Historical Commission before beginning the project. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Antiquities Permit Application for work related to the Energy Efficiency Project. All present voting "Aye". MOTION PASSED**

33350A AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO UTILIZE INSURANCE PROCEEDS FOR VEHICLE REPAIRS TO A 2007 CHEVY TAHOE LAW ENFORCEMENT VEHICLE AND AMEND THE BUDGET ACCORDINGLY

The Constable Pct. 3 Office sustained damage to a law enforcement patrol unit which was covered by the at fault driver's insurance company. Funding has been received from the insurance agency to cover the cost of repairs. Budget Amendment: Increase Revenue-Compensation For Loss .4680. Increase Expense-Vehicle Repairs .5413. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 3 Office to utilize insurance proceeds for vehicle repairs to a 2007 Chevy Tahoe law enforcement vehicle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33351A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TYLER TECHNOLOGY RELATED TO THE CONSTABLE OFFICES RECEIPTING PROCESS WITHIN THE ODYSSEY LAW ENFORCEMENT SOFTWARE PACKAGE



The IT Department is working with all five Constable Offices to implement a new module within the Odyssey Law Enforcement Software for a new receipting process. The development of this module will allow the respective offices to automate their receipting process to include case number identifiers to all revenue received. Funds were budgeted during the FY 2018 budget process for this module implementation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Tyler Technology related to the Constable Offices receipting process within the Odyssey Law Enforcement Software Package. All present voting "Aye". MOTION PASSED**

33352A AUTHORIZE THE EXECUTION OF A PROPOSAL FROM BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE AV VIDEO/AUDIO UPGRADE FOR DISTRICT COURTROOM #8 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D)

Mark Kennedy, General Counsel spoke. The upgrade for Courtroom #8 was approved and budgeted during the FY18 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 District Courtroom #8. **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 District Courtroom #8 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D). All present voting "Aye". MOTION PASSED**

33353A ADOPT THE CIVIL RIGHTS POLICIES AND PROCEDURES ASSOCIATED WITH THE IMPLEMENTATION OF THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE CEDAR OAK MESA WATER SUPPLY CORPORATION, 2017 WATER SYSTEM IMPROVEMENT PROJECT AND RESOLUTION AGREEING TO REAFFIRM AND ADOPT SEVERAL FEDERAL AND TXCDBG REQUIREMENTS

Hays County is serving as the sponsor for a Texas Department of Agriculture (TDA), Texas Community Development Block Grant Program award of \$300,000.00 for the water system improvements for the Cedar Oak Mesa Water Supply Corporation service area which is located south of Wimberley on River Road. These are federal grant funds and require compliance with various requirements for non-discrimination, accessibility and other civil rights issues. Resolution agreeing to reaffirm and adopt several Federal and TxCDBG requirements in conformity with the Civil Rights Act, the Fair Housing Act, and that the County will promote fair housing. The forms and resolutions included regard appointment of a Civils Rights Officer, a statement of policy for fair housing, nondiscrimination/accessibility policy on basis of disability, plan for accommodation of those with limited English language proficiency, an Excessive Force Policy (Resolution) for nonviolent civil rights demonstrations, accommodation of Section 3 businesses and residents in projects utilizing CDBG funds (Resolution), and procedures for filing complaints or grievances. It is proposed that the Human Resources Director be named the Civil Rights Officer to investigate and respond to any violations of civil rights issue. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the Civil Rights Policies and Procedures associated with the implementation of the Texas Department of Agriculture, Texas Community Development Block Grant (CDBG) Program for the Cedar Oak Mesa Water Supply Corporation, 2017 Water System Improvement Project and Resolution agreeing to reaffirm and adopt several Federal and TxCDBG requirements. All present voting "Aye". MOTION PASSED**

33354A RATIFY THE SUBMISSION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) RENEWAL APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) PROGRAM FOR UP TO \$171,468.11

The Emergency Management Performance Grant (EMPG) program is a federally funded program to assist states and local governments with all hazards emergency preparedness. The EMPG program has funded a portion of the salary and benefits for the Hays County Emergency Services staff. The grant term is from October 1, 2017 through September 30, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the submission of the Emergency Management Performance Grant (EMPG) renewal application to the Texas Department of Public Safety, Texas Division of Emergency Management (TDEM) program for up to \$171,468.11. All present voting "Aye". MOTION PASSED**

33355A AUTHORIZE THE EXECUTION OF RENEWAL SERVICE REQUEST FORMS FOR GRANDE COMMUNICATIONS RELATED TO THE COUNTY WIDE LAND-LINES AND FIBER INFRASTRUCTURE

The attached Grande Communications contracts are renewal services agreements which include network redesign and increased bandwidth upgrades to meet the needs of all County Wide offices. **A motion was made**



by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of renewal Service Request Forms for Grande Communications related to the County Wide Land-Lines and Fiber Infrastructure. All present voting "Aye". MOTION PASSED

33356A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY19 PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM IN THE AMOUNT OF \$122,790.00

This grant application is to the Texas Department of State Health Services, Public Health Emergency Preparedness (PHEP). This program will provide support for the salary and benefits for the Emergency Preparedness Coordinator and a portion of an epidemiologist's salary. Previously this program provided support for the salary and benefits for the Emergency Preparedness Coordinator and SNS Coordinator. The grant requirements include a 10% match which will be met through contributions from the health department operating funds. The contract term for this grant will be in effect from July 1, 2018 through June 30, 2019. The application is due February 6, 2018 and will be submitted electronically. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the submission of a grant application to the Department of State Health Services (DSHS) for the FY19 Public Health Emergency Preparedness (PHEP) Program in the amount of \$122,790.00. All present voting "Aye". MOTION PASSED**

33357A ACCEPT AND APPROVE THE 2017 RACIAL PROFILING REPORT FOR THE HAYS COUNTY CONSTABLE OFFICE, PRECINCT 1

The annual Racial Profiling Report for 2017 is submitted in accordance to: Law Enforcement Policy on Racial Profiling - Article 2.132 Texas Code of Criminal Procedure (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and approve the 2017 Racial Profiling Report for the Hays County Constable Office, Precinct 1. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #19 RE: *AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH DOUCET & ASSOCIATES TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE OLD BASTROP HIGHWAY/ CR 266 BETWEEN RATTLER ROAD AND CENTERPOINT ROAD IN PCT. 1 AS PART OF THE 2016 ROAD BOND PROGRAM- was pulled*

33358A ACCEPT LETTER OF CREDIT NO.SBP702571 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 20-1 IN THE AMOUNT OF \$758,411.55

Staff gave recommendation. Belterra Section 20-1 is a proposed 53 lot segment, across 62.12 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 20-1 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No.SBP702571 for street and drainage improvements for Belterra Subdivision Section 20-1 in the amount of \$758,411.55. All present voting "Aye". MOTION PASSED**

33359A ACCEPT LETTER OF CREDIT NO.SBP702570 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 20-2 IN THE AMOUNT OF \$131,721.80

Beltterra Section 20-2 is a proposed 17 lot segment, across 21.89 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-1 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Letter of Credit No.SBP702570 for street and drainage improvements for Belterra Subdivision Section 20-2 in the amount of \$131,721.80. All present voting "Aye". MOTION PASSED**

33360A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 1 TO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH BINKLEY BARFIELD, INC. FOR THE FM 110 SOUTH (FM621-SH123) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

The additional funds are needed to complete final design to accommodate planned TxDOT letting schedule. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Supplemental No. 1 to a Professional Service Agreement (PSA) with Binkley Barfield, Inc. for the FM 110 South (FM621-SH123) project as part of the Hays County/TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**



33361A SUB-904 CYPRESS CREEK ACRES, AMENDED PLAT OF A PORTION OF LOT 34 (1 LOT). DISCUSSION OF POSSIBLE ACTION TO CONSIDER GRANTING A VARIANCE TO TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES

County Planner, Marcus Pacheco spoke. The proposed amended plat will correct the metes and bounds division of a portion of lot 34 and bring it into compliance with our Hays County Development Regulations. Water service will be provided by Wimberley Water Supply Corporation. Wastewater service will be accomplished by OSSFs. The Hays County minimum lot size for a lot served by a public groundwater supply system and advanced OSSF is 1.5 acre. Newly created lot 34B does not meet the current minimum lot size as a 1.045 acre tract. The applicant is seeking a Variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities. This plat is being reviewed under the County's 1445 agreement with the City of Woodcreek. This action will allow the plat to move forward with County's process for final approval with the City of Woodcreek. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance to Table 10-1 of the Hays County Rules for On-Site Sewage Facilities of SUB-904 Cypress Creek Acres, Amended Plat of a portion of lot 34 (1 lot). All present voting "Aye". MOTION PASSED**

33362A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ROAD MAINTENANCE OPERATOR SLOT 1075-002 AT THE 25TH PERCENTILE EFFECTIVE FEBRUARY 8, 2018

Director of Transportation, Jerry Borcharding spoke and gave staff recommendation. Commissioner Shell spoke. The prospective employee has knowledge and experience that justifies a higher starting salary. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Road Maintenance Operator slot 1075-002 at the 25th percentile effective February 8, 2018. All present voting "Aye". MOTION PASSED**

33363A AUTHORIZE TWO TRANSPORTATION DEPARTMENT EMPLOYEES, ROAD SUPERVISOR SLOT 1035-001 AND ROAD LEAD SLOT 1055-001 TO TAKE A COUNTY ISSUED VEHICLE TO RESIDENCES OUTSIDE THE COUNTY LIMITS

Dan Lyon, a San Marcos resident, and Harvey Jenkins, a San Marcos resident gave a public comment. Road Superintendent, Aaron Jones, Director of Transportation, Jerry Borcharding, and Commissioner Whisenant spoke. The Transportation Department has two existing employees that have previously met the policy criteria for take home use of a County vehicle that have recently moved outside the "20 mile" rule. The Policy states: With the exception of Law Enforcement Officers and Emergency Management personnel hired prior to October 1, 2015, employees within the positions listed above may not take a County vehicle home without Commissioners Court approval unless they reside: a) in Hays County or b) within 20 miles from their principal office location if they reside outside of Hays County. All Employees hired on or after October 1, 2015 for any position listed above must reside: a) in Hays County or b) within 20 miles from their principal office location if they reside outside of Hays County, in order to take a County vehicle home without Commissioners Court approval. It is understood that principal office locations may change from time to time for some personnel that are authorized to take County vehicles home regularly. Temporary changes in office locations will not result in a violation of this policy with respect to the distance from the principal office location. In the event a permanent change in the principal office location for a County employee is made and the employee is no longer authorized to take a County vehicle home per this policy, the supervising department head or elected official should request Commissioners Court approval to allow the employee to continue to take the vehicle home. The Transportation Director respectfully requests authorization to allow these two employees to continue use of the county issued vehicles outside of the county limits due to their supervisory role an on call status. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize two Transportation Department employees, Road Supervisor slot 1035-001 and Road Lead slot 1055-001 to take a county issued vehicle to residences outside the county limits. All present voting "Aye". MOTION PASSED**

33364A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTY WIDE FUNDS FOR THE PURCHASE OF REPLACEMENT EQUIPMENT AND MISCELLANEOUS IMPROVEMENTS AND AMEND THE BUDGET ACCORDINGLY

Captain, Julie Villalpando and Chief of Staff, Clint Garza spoke. The Sheriff's Office is requesting approval for the use of county wide funds for multiple areas of concern in the Jail. Replacement purchases and repairs include the following: Replacement a/c coils – The Jail has experienced a third failure of 31 Roof-Top A/C's and is requesting the purchase of replacing one A/C coil for the inmate dorm D2-5&6. In addition; due to the lag time to receive coils, the Jail is also requesting to purchase two additional condenser coils for stock. Stocking two coils will reduce unnecessary downtime. The total cost of purchasing replacement coils is \$7,397 with SI Mechanical. Replacement water pressure reducing valve – The existing water pressure reducer is 29 years old and is not working properly. Its function is to reduce the City's 100 psi water pressure to 70-80psi. The Jail's water system will not function at 100 psi. The total cost to replace one 4" pressure reducing valve is \$8,092 with SI Mechanical. Repairs to sally port door – The existing sally port door is one of four that have reached 29 years of age and has been repaired multiple times over the years. Repairs are needed to door # 3 due to the safety and security of staff and inmates. The request is to repair and not replace door # 3 at a total of \$9,438 with Texdoor; additional quotes are provided. Miscellaneous Improvements to office suites #500 & #510 totaling

HAYS COUNTY COMMISSIONERS' COURT MINUTES



\$11,895. During the FY18 budget the Commissioner's Court earmarked \$500k for miscellaneous repairs as needed for Jail improvements. Budget Amendment: Increase 001-618-03.5719_400 Jail Misc Equipment \$ 7,397 - A/C coils. Increase 001-618-03.5741 Jail Misc. Capital Improvements \$29,425 - Valve/Sally Port/Misc Imprv. Decrease 001-645-00.5741 Co Wide Mics. Capital Improvements (\$36,822). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize County Wide Funds for the purchase of replacement equipment and miscellaneous improvements and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT- **was pulled**

33365A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF EACH INDIVIDUAL POSITION WITHIN THE OFFICE OF GENERAL COUNSEL

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:47 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza Shari Miller, Human Resources Department Director, Samantha Jones and Tammy Crumley. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to make the following changes to positions within the Office of General Counsel. Regrade Slot 0272-012 from Grade 108 (Admin II) to a Grade 110 (Admin III) and pay salary at the minimum of the new grade. Regrade Slot 0782-001 from a Grade 113 (Contracts Administrator) to a Grade 111, retitling the position to "Legal Support Service Specialist" and authorize General Counsel to hire the position at up to the 25th percentile of the new Grade. For the Attorney IV position already budgeted for 5/1/18, add the following: \$1,000-Ongoing Education, \$3,600-Travel Allowance, and \$420-Phone Allowance. We ask that it be effective immediately and that the budget be amended accordingly for these changes, which will result in annualized FY2018 savings of approximately \$26,378.00. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 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

Commissioner Ingalsbe urged the citizens of Hays County to check our website or with our Fire Marshall before burning because of the substantial fires in the recent days. Burn ban will remain in place.

Clerk's Note Agenda Item #31 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:54 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on February 6, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

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

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

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

Rabbi Ari Weingarten gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins- San Marcos Resident, Dan Lyon- San Marcos Resident, and Rodrigo Amaya- San Marcos Resident gave a public comment.

33366A ADOPT A PROCLAMATION RECOGNIZING FEBRUARY 22, 2018 AS PRESIDENT GEORGE WASHINGTON DAY

Cliff Klaskey and Joe Cox, members of the William Hightower Chapter of the Sons of the American Revolution spoke. A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt a proclamation recognizing February 22, 2018 as President George Washington Day. All present voting "Aye". MOTION PASSED

33367A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County Invoices in the amount of \$907,842.73 for period ending February 6, 2018 and in the amount of \$1,979,519.07 for period ending February 13, 2018, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #3 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33368A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana claims in the amount of \$2,435.11 for period ending February 6, 2018 and United HealthCare claims in the amount of \$616,514.79 for period ending February 6, 2018 and in the amount of \$356,592.02 for period ending February 13, 2018, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33369A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 6, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of February 6, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33370A APPROVE THE PAYMENT OF THE FEBRUARY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE FEBRUARY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Harvey Jenkins resident of San Marcos spoke. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the February 15, 2018 payroll disbursements an amount



not to exceed \$2,655,000.00 effective February 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33371A APPROVE SPECIFICATIONS FOR IFB 2018-B05 ROAD IMPROVEMENTS - HOT MIX OVERLAY AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for IFB 2018-B05 Road Improvements - Hot Mix Overlay and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33372A AUTHORIZE THE EXECUTION OF A BUSINESS ASSOCIATES AGREEMENT WITH RANGER SHREDDING FOR SHRED SERVICES

The Records Management Officer has selected Ranger Shredding as the company to shred for the FY18 countywide shred event. The HIPAA Privacy and Security Rules require that covered entities enter into contracts with their selected vendors to ensure that they will take the appropriate measures to safeguard protected health information. Ranger Shredding will comply and adhere to the guidelines set forth by HIPAA under the attached Business Associates Agreement. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Business Associates Agreement with Ranger Shredding for shred services. All present voting "Aye". MOTION PASSED

33373A APPROVE OUT OF STATE TRAVEL FOR EMERGENCY COMMUNICATION COORDINATOR ERICA CARPENTER AND LEAD EMERGENCY COMMUNICATION OFFICERS - MEGAN JONES, JENNIFER COURTNEY, COURTNEY BOOTH AND AMANDA OLIVER TO ATTEND THE NAVIGATOR CONFERENCE IN LAS VEGAS, NEVADA

Harvey Jenkins resident of San Marcos spoke. Rodrigo Amaya resident of San Marcos spoke. Director of Communications of the Hays County Sheriff's Office, Erica Carpenter spoke. The Sheriff's Office is seeking court approval of out of state travel for Emergency Communication employees to attend the Navigator Conference beginning April 23-26, 2016, 2018 in Las Vegas. Erica Carpenter, once again, has been invited to be a guest speaker at the conference. This training will allow S.O. Emergency Communication staff to learn from seasoned professionals in their field. The conference will provide updates on the PProQA system and the attendees will be able to learn about the latest tools and technology related to Police, Fire and Medical Dispatch. Capital Area Council of Governments (CAPCOG) and Priority Dispatch have agreed to cover expenses of registration, hotel fees, and airfare for all five emergency communication supervisors. A total of \$1,100.00 of per diem and miscellaneous transportation fees will be expensed from the Sheriff's Office Continuing Education g/l. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve out of state travel for Emergency Communication Coordinator Erica Carpenter and LEAD Emergency Communication Officers - Megan Jones, Jennifer Courtney, Courtney Booth and Amanda Oliver to attend the Navigator Conference in Las Vegas, Nevada. All present voting "Aye". MOTION PASSED

33374A APPROVE THE REAPPOINTMENT OF COMMISSIONER RAY WHISENANT TO THE CENTRAL TEXAS CLEAN AIR COALITION (CAC), ONE YEAR TERM ENDING 12/31/18

CAC is a committee within CAPCOG, Capital Area Council of Governments. A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the reappointment of Commissioner Ray Whisenant to the Central Texas Clean Air Coalition (CAC), one year term ending 12/31/18. All present voting "Aye". MOTION PASSED

33375A AUTHORIZE THE SUBMITTAL OF A RESOLUTION TO THE GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION, FOR THE ASSOCIATED APPLICATION FOR GRANT FUNDING TO SUPPORT THE HAYS COUNTY VETERANS COURT IN THE AMOUNT OF \$77,069.48

County Court at Law # 2 Judge David A. Glickler spoke. This application is to submit a Resolution along with the application for funding to the Governor's Office, Criminal Justice Division (CJD) for funding to support the fifth year operations of the Hays County Veterans Court. The grant term is 09-01-18 through 08-31-19. The application is submitted electronically and is due on February 20, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submittal of a Resolution to the Governor's Office, Criminal Justice Division, for the associated application for grant funding to support the Hays County Veterans Court in the amount of \$77,069.48. All present voting "Aye". MOTION PASSED



33376A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$115,300.00 FOR THE 'HAYS COUNTY CRIME SCENE ANALYSIS SOLUTION' PROJECT

This grant is to provide the Hays County Sheriff's Department with a crime scene analysis solution that will allow for 3D diagramming of crime and accident scenes. This grant application is due in e grants on February 20, 2018. No matching funds are required. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant program in the amount of \$115,300.00 for the 'Hays County Crime Scene Analysis Solution' project. All present voting "Aye". MOTION PASSED**

33377A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COSTELLO, INC. FOR ENGINEERING SERVICES AT HAYS COUNTY OWNED PROPERTY ALONG CLOVIS BARKER ROAD IN PRECINCT

As provided in the Professional Services Agreement, Costello, Inc. has requested an extension to complete the preliminary engineering services for drainage study and roadway design of Leah Ave. through Hays County owned property. The extension will allow additional working days, extending the project completion to 8/13/18. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a First Amendment to the Professional Services Agreement with Costello, Inc. for engineering services at Hays County owned property along Clovis Barker Road in Precinct. All present voting "Aye". MOTION PASSED**

33378A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$55,400.00 FOR THE 'HAYS COUNTY LAW INCIDENT AREA COMMUNICATIONS PROJECT

This grant application is to provide deployable, comprehensive, communication solution to the Hays County Emergency Responders for use during incidents or call-outs requiring multiple person collaboration. The grant application is due in e grants by February 20, 2018. No matching funds are required for this project. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant program in the amount of \$55,400.00 for the 'Hays County Law Incident Area Communications project. All present voting "Aye". MOTION PASSED**

33379A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL FOR FY 2019 STATE FUNDS IN THE AMOUNT OF \$25,875.00

The Department of State Health Services provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25,875, with a 20% match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal 2018 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2018 through August 31, 2019. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the submission of a grant application to the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control for FY 2019 State Funds in the amount of \$25,875.00. All present voting "Aye". MOTION PASSED**

33380A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, GENERAL VICTIM ASSISTANCE PROGRAM IN THE AMOUNT OF \$56,435 FOR THE 'HAYS COUNTY VICTIMS ASSISTANCE COORDINATOR' PROJECT

This grant is to provide support to the salary, benefits, and supplies for a Victims Assistance Coordinator position for the District Attorney's Office. A Victim Assistance Coordinator will provide direct victim services to victims of crime, and their families within Hays County. The total project cost including the 20% match is \$56,435 and the application is due through e grant son February 20, 2018. Required matching funds will be



requested during the FY 2019 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Resolution and the submission of a grant application to the Office of the Governor, Criminal Justice Division, General Victim Assistance Program in the amount of \$56,435 for the 'Hays County Victims Assistance Coordinator' project. All present voting "Aye". MOTION PASSED**

33381A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

This is a grant program (SAVNS) to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The Contract period is September 1, 2017 through August 31, 2018. Attached is the SAVNS maintenance contract and is submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept and authorize the execution of a Maintenance Contract from the Office of Attorney General for statewide crime victim notification service (SAVNS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED**

33382A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE 1 POWER EDGE R330 RACK SERVER WITH 6TB OF STORAGE AND AMEND THE BUDGET ACCORDINGLY

The DA's office downloads Gigabytes of videos that are stored on the Evidence.com site that are utilized to prepare for trials. These files are currently being stored on a county-wide file server. Due to the size of these evidence files, there is limited remaining storage space to properly store and archive. Funds are available in the DA's discretionary funds for this purchase. Budget Amendment: Decrease Expert Witness: 081-607-00.5436 (\$500) Decrease Miscellaneous: 081-607-00.5391 (\$500) Decrease Employee Testing: 081-607-00.5335 (\$200) Decrease Photos Supplies & Processing: 081-607-00.5214 (\$500) Decrease Membership Fees & Bonds: 081-607-00.5302 (\$1,079) Increase Computer Eqpt: 081-607-00.5712_400 \$2,779. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the District Attorney's Office to purchase 1 Power Edge R330 Rack Server with 6TB of storage and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33383A RATIFY THE PURCHASE OF ONE COMPUTER WITH ACCESSORIES FOR THE HISTORICAL COMMISSION AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission Director has received prior donations to purchase equipment to assist with drafting historical documentaries and oral history presentations. Budget Amendment: Increase Computer Equipment .5712_400 Decrease General Supplies .5201. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the purchase of one computer with accessories for the Historical Commission and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33384A HOLD A PUBLIC HEARING TO ESTABLISH A STOP SIGN ON RIM ROCK RANCH ROAD AT THE INTERSECTION WITH BENITO LANE (PRIVATE) FOR SOUTHBOUND TRAFFIC ONLY

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director Jerry Borcherding spoke and gave staff recommendation. This action would establish a stop sign for vehicles traveling south (going towards FM 32) on Rim Rock Ranch Road at the intersection with a private road called Benito Lane. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to establish a stop sign on Rim Rock Ranch Road at the intersection with Benito Lane (private) for southbound traffic only. All present voting "Aye". MOTION PASSED**

33385A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH DOUCET & ASSOCIATES TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE OLD BASTROP HIGHWAY/CR 266 BETWEEN RATTLER ROAD AND CENTERPOINT ROAD IN PCT. 1 AS PART OF THE 2016 ROAD BOND PROGRAM

The Old Bastrop Highway/CR 266 (Centerpoint to Rattler Rd) reconstruction and safety improvements project is included in the County's 2016 Bond Program. **A motion was made by Commissioner Jones, seconded by**



Commissioner Ingalsbe to authorize the execution of a Professional Service Agreement with Doucet & Associates to provide Plans, Specifications & Estimates (PS&E) services for the Old Bastrop Highway/CR 266 between Rattler Road and Centerpoint Road in Pct. 1 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

33386A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOT) ACCEPT AMENDMENT NO. 001 TO LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1

Chief of Staff Clint Garza spoke. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$763,264.10 back to the developer. The remaining amount is sufficient to complete the improvements which have not yet been constructed. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept Amendment No. 001 to Letter of Credit No. 5132 for Street and Drainage Improvements for La Cima Ph. 1 SUB-677 La Cima Ph. 1 Subdivision (139 Lots). All present voting "Aye". MOTION PASSED**

33387A SUB-936; PASTERNAK RANCH SUBDIVISION (1 LOT) APPROVE THE PRELIMINARY PLAN

Hays County Planner, Caitlyn Strickland spoke and gave staff recommendation. Pasternak Ranch is a proposed 1 lot subdivision located along Oakwood Loop in PCT 3. Water service will be provided by private well and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve preliminary plan for SUB-936 Pasternak Ranch Subdivision (1 lot). All present voting "Aye". MOTION PASSED**

33388A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO HIRE THE VICTIMS ASSISTANCE COORDINATOR, SLOT 0505-006 AT 5.33 PERCENTILE OF THE SALARY RANGE EFFECTIVE FEBRUARY 26, 2018

District Attorney Wes Mau spoke. The District Attorney is seeking Court approval to hire the Victims Assistance Coordinator at a base salary of \$35,000. The potential candidate has 12 years of experience in criminal justice, including over two years of recent experience as a Victim Assistance Coordinator in Hidalgo County. She is bilingual and a licensed peace officer. This position was approved during the FY18 budget process but has been difficult to fill due to a lack of qualified candidates, particularly bilingual applicants. Salary savings have been identified due to attrition within the DA's operating budget to fund this request. Financial Impact: Base Salary Increase: \$ 909 Fringe: \$ 187 Total: \$1,096 (annualized) \$ 645 (FY18 impact approx. 7 months). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the District Attorney's Office to hire the Victims Assistance Coordinator, slot 0505-006 at 5.33 percentile of the salary range effective February 26, 2018. All present voting "Aye". MOTION PASSED**

33389A AUTHORIZE THE EXECUTION OF A CONSTRUCTION AGREEMENT WITH ARMATINO CONTRACTING FOR RENOVATIONS TO THE DEVELOPMENT SERVICES BUILDING AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO EXECUTE CHANGE ORDERS, NOT TO EXCEED \$1,160

Chief of Staff Clint Garza spoke. The Development Services Department is in need of modifications to their current office space for the GIS division. In addition to these changes, the department would also like to enclose two cubicle spaces for dedicated office spaces. These offices would be used to house the Environmental Health Specialist II. Funds for this project (\$24k) were approved during the FY'18 budget process. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a construction agreement with Armatino Contracting for renovations to the Development Services building and authorize the Executive Director of Countywide Operations to execute change orders, not to exceed \$1,160. All present voting "Aye". MOTION PASSED**

33390A AUTHORIZE THE PURCHASE OF A CARD READER SYSTEM AND SECURITY SYSTEM (INCLUDING 4 CAMERAS AND DVR) FOR COUNTYWIDE OPERATIONS AND AMEND THE BUDGET ACCORDINGLY

Chief of Staff Clint Garza spoke. To supplement the card reader system and security system at the Hays County Government Center. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the purchase of a card reader system and security system (including 4 cameras and DVR) for Countywide Operations and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Clerk's Note Agenda Item #27 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**

Clerk's Note Agenda Item #28 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

Commissioner Ingalsbe gave the update. Burn Ban will remain in effect per Hays County Fire Marshall.

Clerk's Note Agenda Item #30 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 10:03 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on February 13, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 27TH DAY OF FEBRUARY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Velma Resendiz of the Pentecostal Church 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 and Rodrigo Amaya, San Marcos resident made public comment.

PRESENTATION ON HAYS COUNTY FLOOD EARLY WARNING SYSTEM

Justin McInnis, Asst. Emergency Management Coordinator spoke. Kharley Smith, Office of Emergency Management Director and EMC, spoke. Over the past year Hays County, in partnership with Texas Water Development Board, has designed, constructed and implemented a countywide Flood Early Warning System. Through the utilization of grant and local funding the Office of Emergency Services has implemented an in-depth data collection and dissemination platform that will better serve and protect citizens from future flooding.

33391A 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 \$57,612.70 (Ratify) for week ending 2/20/18 and \$2,238,088.20 for week ending 2/27/18 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33392A 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 \$528.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33393A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United HealthCare Claims in the amount of \$335,514.19 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33394A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 13, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 13, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33395A APPROVE THE PAYMENT OF THE FEBRUARY 28, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE FEBRUARY 28, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the February 28, 2018 Payroll Disbursements in an amount not to exceed \$3,560,000.00 effective February 28, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED



33396A APPROVE AND CONFIRM THE APPOINTMENTS OF JESSICA MONTANA AS DEPUTY CONSTABLE AND CAROL JO COOLEY AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 1 OFFICE, EFFECTIVE DATE FEBRUARY 27, 2018

Constable Pct. 1, David Peterson spoke. Pursuant to Local Government Code Chapter 86 Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners' court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners' court shall approve and confirm the appointment of the deputy only if the commissioners' court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: (1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. (e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and confirm the appointments of Jessica Montana as Deputy Constable and Carol Jo Cooley as Reserve Deputy Constable in Hays County Constable Precinct 1 Office, effective date February 27, 2018. All present voting "Aye". MOTION PASSED**

33397A APPROVE THE APPOINTMENTS OF AILEEN HAYS AND BONNIE HERNANDEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/20

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointments of Aileen Hays and Bonnie Hernandez to the Hays County Child Protective Board, 3 year term ending 12/31/2020. All present voting "Aye". MOTION PASSED

33398A APPROVE THE REAPPOINTMENT OF SAMANTHA TUZO TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/20

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the reappointment of Samantha Tuzo to the Hays County Child Protective Board, 3 year term ending 12/31/2020. All present voting "Aye". MOTION PASSED

33399A AUTHORIZE COMMERCIAL OSSF PERMIT AT 3992 E HWY 290, DRIPPING SPRINGS, TEXAS 78620

RABD Holdings, LLC is proposing an OSSF to serve a 2 office/warehouse buildings and 2 buildings that will serve a bakery manufacturer. This 1.8021-acre property is Lot 7 of Section 2-C in the Sunset Canyon Subdivision. The property is served by a public water supply. The system designer, Stephen Jetton, R.S., has designed a non-standard treatment system, which consists of a grease tank, pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 3992 E. Hwy. 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33400A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE DONATED FUNDS FROM THE VICTIM'S ASSISTANCE PROGRAM TO SEND A VICTIM'S ASSISTANCE VOLUNTEER TO THE EVERY VICTIM EVERY TIME CONFERENCE AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is seeking court approval to utilize donated funds to send one HCSO VA Volunteer to attend the Every Victim Every Time Conference in Bryan, Texas beginning April 24-25, 2018. The individual has been a VA Volunteer for more than five years and the S.O. feels this would be a great opportunity for her to network with other victim service professionals and learn information about current victim issues related to the criminal justice system. The S.O. is sending two employees in addition to the volunteer utilizing donated funds. The total cost for the volunteer is \$122.00; overall cost for two employees and one volunteer is \$866 to attend the Every Victim Every Time Conference. Donated funds are available in a supply line item to cover the amount needed for all attendees. Budget Amendment: Decrease 001-618-99-899.5201 General Supplies (\$366.00) Increase 001-618-99-899.5551 Continuing Ed \$366.00. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize donated funds from the Victim's Assistance Program to send a Victim's Assistance Volunteer to the Every Victim Every Time Conference and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



33401A AUTHORIZE THE EXECUTION OF A MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH RICOH USA INC. RELATED TO THE ECOPY SOFTWARE FOR THE SHERIFF'S OFFICE

The Sheriff's Office is requesting approval of a maintenance and software support agreement for eCopy software. Renewing the maintenance and support agreement ensures continued coverage and access to telephone support, important patches/updates and upgrades. The total cost of the agreement is \$162.00 for one year; funds have been identified in the Sheriff's Office Software Maintenance and Licensing g/l. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Maintenance and Software Support Agreement with Ricoh USA Inc. related to the Ecopy Software for the Sheriff's Office. All present voting "Aye". MOTION PASSED**

33402A AUTHORIZE COMMERCIAL OSSF PERMIT AT 14707 FITZHUGH ROAD, AUSTIN, TEXAS 78736

Dubb Smith of the Fitzhugh Business Center is proposing an OSSF to serve 8 office/warehouse buildings. The system is designed to accommodate up to 80 employees and customers. This 3.75-acre property is Lot 2-A of the Family Tree Subdivision. Each building will be connected to its own rainwater collection system. The system designer, Jon Maass, 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 480 gallons. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 14707 Fitzhugh Road, Austin, Texas 78736. All present voting "Aye". MOTION PASSED**

33403A ACCEPT THE RACIAL PROFILING REPORT FOR CONSTABLE PRECINCT 5

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Racial Profiling Report for Constable Precinct 5. All present voting "Aye". MOTION PASSED

33404A AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A DONATION IN THE AMOUNT OF \$500.00 TO THE COMMUNITY OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office received a donation of \$500 from Rhadha Madhav Dham. The temple is requesting for the donation to be distributed for the following programs. Jr. Deputy Academy \$250.00 Sunshine Kids \$150.00 Citizen's Academy \$100.00 Budget Amendment Increase 052-618-00.4610 Contributions \$500.00 Increase 052-618-00.5222 Special Projects \$500.00. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to accept a donation in the amount of \$500.00 to the Community Outreach Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33405A APPROVE UTILITY PERMITS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1065 on multiple roads in Stonefield Subdivision, Section 12 issued to CenterPoint Energy as submitted by the County Transportation Department. All present voting "Aye". MOTION PASSED

33406A AUTHORIZE THE COURT TO EXECUTE A TYLER TECHNOLOGY QUOTE RELATED TO TICKET WRITER MODULE ENHANCEMENTS AND AMEND THE BUDGET ACCORDINGLY

The IT Department is working with Tyler Technology on a module enhancement to allow data to be imported from SO Patrol Officers ticket writers when completing crash reports. This information is currently being manually entered into Odyssey. JP 3 Judge Andy Cable has agreed to fund this purchase with the JP Technology Fund. Attachments: Tyler Technology Quote #2018-43776 Budget Amendment: Increase Software Operating - .5718_400 Decrease Computer Eqpt Operating - .5712_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Court to execute a Tyler Technology Quote related to Ticket Writer Module Enhancements and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33407A AUTHORIZE PAYMENT TO GT DISTRIBUTOR'S FOR CONSTABLE PCT. 3 LAW ENFORCEMENT SUPPLIES IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The Constable Pct. 3 Office purchased law enforcement supplies and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to pay for these charges. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to GT Distributor's for Constable Pct. 3 Law Enforcement Supplies in which no Purchase Order was**



issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye".
MOTION PASSED

33408A AUTHORIZE PAYMENT TO AMTEX SCALE FOR THE DPS LICENSE & WEIGHT SCALE REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Rodrigo Amaya, resident of San Marcos spoke. The DPS License & Weights Division had scale repairs completed at the SB IH 35 weigh station and did not obtain a purchase order per County Purchasing Policy. Funds are available within their operating budget to amend for these charges. Budget Amendment: Increase Equipment Maintenance & Repair - .5411 Decrease Telephone and Data Lines - .5489. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to AMTEX Scale for the DPS License & Weight Scale repairs in which no Purchase Order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33409A AUTHORIZE PAYMENT TO AXON ENTERPRISES, INC. FOR THE DISTRICT COURTS BAILIFF EQUIPMENT IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The District Court received law enforcement equipment for their bailiffs prior to obtaining a purchase order per County Purchasing Policy. Funds were budgeted during the FY18 budget process for this equipment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Axon Enterprises, Inc. for the District Courts Bailiff equipment in which no Purchase Order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33410A AUTHORIZE THE EXECUTION OF A LETTER AMENDMENT TO THE INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY, TEXAS, HAYS COUNTY CONSTABLE PRECINCT 3 AND CITY OF WIMBERLEY FOR ENFORCEMENT OF TRAFFIC-RELATED LAW ENFORCEMENT WITHIN THE CITY LIMITS

Darrell Ayers spoke. This Letter Amendment modifies the conditions under Article 1. Constable's Rights and Duties, of the Interlocal Cooperation Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Letter Amendment to the Interlocal Cooperative Agreement between Hays County, Texas, Hays County Constable Precinct 3 and City of Wimberley for enforcement of traffic-related law enforcement within the City Limits. All present voting "Aye". MOTION PASSED**

33411A AUTHORIZE THE EXECUTION OF AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR PHASE 2 ENGINEERING FOR THE DESIGN OF IMPROVEMENTS OF VARIOUS LOW WATER CROSSINGS THROUGHOUT PRECINCTS 1 & 2

General Counsel Mark Kennedy spoke. The amount of \$375,000.00 will be out of the Road and Bridge and the remainder of the amount will be out of Road Bond. In Professional Services Agreement with Garver LLC, to perform Phase 2 engineering services on 7 low water crossings identified throughout Precincts 1 & 2 which consists of surveying, environmental services, geotechnical services, ROW acquisition, public involvement, plans, specifications and estimates, bidding and construction phase services for Bunton Lane 1, 2, 3, Francis Harris Lane, S. Turnersville Road, Grist Mill Road, and Cotton Gin Road sites, the not to exceed amount was incorrectly listed as \$529,834.00. All services listed are part of the voter approved 2016 Bond package. 034. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amended Professional Services Agreement with Garver, LLC for Phase 2 engineering for the design of improvements of various low water crossings throughout Precincts 1 & 2. All present voting "Aye". MOTION PASSED**

33412A APPROVE SELECTION OF LJA ENGINEERING, INC. FOR FINAL PS&E ENGINEERING SERVICES ON THE DACY LANE PROJECT; AND AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

General Counsel, Mark Kennedy spoke. 7 Firms responded to the RFQ for final PS&E Engineering Services. 4 firms were selected from those Statements of Qualifications for interview. After interview by a 6-person panel of County representatives, LJA has been selected for recommendation to Court for this work. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve selection of LJA Engineering, Inc. for Final PS&E Engineering Services on the Dacy Lane project; and authorize staff to negotiate scope, fee, and contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**



33413A AUTHORIZE THE PURCHASE OF A REPLACEMENT 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

The Transfer Stations Driftwood Road Yard is in need of a replacement heating and cooling system. The current unit is over 20 years old and has had multiple repairs. SI Mechanical is currently the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age. Additionally, the current unit is now obsolete which makes it difficult to secure parts for repairs and maintenance issues. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease Building Maintenance and Repair 001-695-00.5451 Increase Transfer Station Misc. Equipment_Operating 001-716-00.5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the purchase of a replacement 3.5-Ton Seer Split Heating and Cooling System and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33414A ACCEPT THE RACIAL PROFILING REPORT FOR CONSTABLE PRECINCT 2

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the Racial Profiling Report for Constable Precinct 2. All present voting "Aye". MOTION PASSED

33415A ACCEPT A FEE SCHEDULE FOR THE JUVENILE PROBATION OFFICE RELATED TO GED TESTING FEES

On May 9, 2017 the Commissioner's Court recognized the Juvenile Probation Department as an approved GED testing site to administer the HiSET GED test through the Education Testing Service. The attached fee schedule outlines the costs associated with the testing to be billed to other County entities that have juveniles residing at the Hays County Juvenile Detention Center. The Juvenile Probation Department is the administrator of the GED program and will collect all associated fees to be deposited into the general fund. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept a Fee Schedule for the Juvenile Probation Office related to GED Testing Fees. All present voting "Aye". MOTION PASSED**

33416A APPROVE OUT OF STATE TRAVEL FOR THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS FOR THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS ANNUAL NATIONAL CONFERENCE IN PHOENIX, ARIZONA. THE TRAVEL DATES WILL BE FROM JUNE 17TH THROUGH JUNE 21ST OF 2018

The Association of State Floodplain Managers is the world's largest and most comprehensive floodplain management conference. The workshops provided will offer a variety of topics that will further strengthen the administration of the county's floodplain management program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve out of state travel for the Executive Director of Countywide Operations for the Association of State Floodplain Managers Annual National Conference in Phoenix, Arizona. The travel dates will be from June 17th through June 21st of 2018. All present voting "Aye". MOTION PASSED**

33417A AUTHORIZE THE PURCHASE OF A REPLACEMENT FIRE PANEL AND SMOKE DETECTORS AT THE COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY

The fire panel located at the Courthouse is at the end of its useful life and needs to be replaced. In addition, the replacement panel will no longer be able to communicate with the existing smoke detectors; therefore all detectors (23 units) will be replaced as well. Funds are available in the Maintenance and Repair budget to cover to cost of the smoke detectors, but will be amended to cover the cost of the fire panel replacement (controlled asset). Budget Amendment: Decrease Building Maint. & Repair .5451 - (\$3,819) Increase Misc. Eqpt_Operating .5719_400 - \$3,819 (fire panel). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement fire panel and smoke detectors at the Courthouse and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33418A AUTHORIZE GENERAL COUNSEL TO EXECUTE AN ENGAGEMENT LETTER WITH THE LAW OFFICE OF STEPHEN C. DICKMAN FOR LEGAL SERVICES ASSOCIATED WITH REVISIONS TO DEVELOPMENT REGULATIONS, TAKINGS IMPACT ASSESSMENTS, AND RELATED WORK

General Counsel Mark Kennedy spoke. Mr. Dickman has provided these services to Hays County in the past. Since the last time the County engaged his services, he left his firm and opened his own law office. The attached Engagement Letter proposes to replace the former one. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize General Counsel to execute an Engagement Letter with the Law Office of Stephen C. Dickman for legal services associated with revisions to development regulations, Takings Impact Assessments, and related work. All present voting "Aye". MOTION PASSED**



33419A RATIFY THE EXECUTION OF A CONTRACT AMENDMENT WITH HUMANA RELATED TO 2017 PLAN AMENDMENTS TO THE COUNTY HEALTH & DENTAL BENEFIT PLAN

Changes to Original Plan included: I. Additional Administrative Services – removed. II. Clinical Program Services - amended Exhibit C III. Schedule of Fees - amended - includes processing run-out claims Exhibit F (estimated financial impact \$138k) IV. Private Health Information - amended Exhibit G V. Pharmacy Management - amended Exhibit H VI. Humana Vitality Program – removed. VII. Humana Wellness Solutions Services - added Exhibit J. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the execution of a contract amendment with Humana related to 2017 Plan Amendments to the County Health & Dental Benefit Plan. All present voting “Aye”. MOTION PASSED**

33420A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2550 FM 967, BUDA, TX, 78610

Neighbor's Storage is proposing an OSSF to serve a storage facility with two employees and no public restroom. This is a 2.18 acre property and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, John F. Fox, RS, has designed a system, which consists of an aerobic treatment unit with dispersal by drip tubing. The maximum daily usage rate is 120 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 2550 FM 967, Buda, TX, 78610. All present voting “Aye”. MOTION PASSED**

33421A RELEASE THE MAINTENANCE BOND #58S208126-01 FOR \$102,105.00, RELEASE THE MAINTENANCE BOND #58S208129-01 FOR \$76,673.50, RELEASE THE REVEGETATION BOND #58S208129-01 FOR \$14,428.00, AND ACCEPT THIS SEGMENT OF ROAD INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR BUSH RANCH SUBDIVISION, PH. 3, SEC. 1

Jerry Borcharding, Hays County Transportation Director gave staff recommendation. Staff recommends acceptance of this road segment into the county maintenance system. The road segment includes: Four Star Boulevard (172 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Release the Maintenance Bond #58S208126-01 for \$102,105.00, Release the Maintenance Bond #58S208129-01 for \$76,673.50, Release the Revegetation Bond #58S208129-01 for \$14,428.00, and accept this segment of road into the County Road Maintenance System for Bush Ranch subdivision, Ph. 3, Sec. 1. All present voting “Aye”. MOTION PASSED**

33422A ACCEPT A RIGHT OF WAY DEDICATION DEED FOR PROPERTY OWNED BY EPISCOPAL CHURCH CORPORATION IN WEST TEXAS AT OR NEAR THE INTERSECTION OF HWY 290 AND HAYS COUNTRY ACRES ROAD IN PCT. 4

Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a Right Of Way Dedication Deed for property owned by Episcopal Church Corporation in West Texas at or near the intersection of Hwy 290 and Hays Country Acres Road in Pct. 4. All present voting “Aye”. MOTION PASSED**

33423A SUB-936; PASTERNAK RANCH SUBDIVISION (1 LOT) APPROVE THE FINAL PLAT

Marcus Pacheco, Hays County Planner, gave staff recommendation. Pasternak Ranch is a proposed 1 lot subdivision located along Oakwood Loop in PCT 3. Water service will be provided by private well and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the final plat of SUB-936 Pasternak Ranch Subdivision (1 Lot). All present voting “Aye”. MOTION PASSED**

33424A SUB-837; YULI-POSADA SUBDIVISION (3 LOTS) APPROVE PRELIMINARY PLAN

Marcus Pacheco, Hays County Planner, gave staff recommendation. Yuli-Posada is a proposed 3 lot subdivision located along Mathias Lane in PCT 2. Water service will be provided by GoForth SUD and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve preliminary plan for SUB-837 Yuli-Posada Subdivision (3 Lots). All present voting “Aye”. MOTION PASSED**

33425A SUB-924 RAINBOW RANCH, LOTS 77A & 78A (2 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 721.5.05 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Marcos Pacheco, Hays County Planner, spoke. Rainbow Ranch is an unrecorded subdivision located off of N. Rainbow Ranch Rd. in Precinct 3. Portion of Lots 77 and 78 are currently being plated into two parcels, Lots 77A and 78A. Water service will be provided by private well and wastewater service will be accomplished by

HAYS COUNTY COMMISSIONERS' COURT MINUTES



individual conventional OSSF. Section 721.5.05 of the Hays County Development Regulations states the following: "Flag lots shall not be permitted, except if approved by the Commissioners Court as consistent with the intent and spirit of these Regulations. The Department shall advise the Commissioners Court if a proposed Lot constitutes a "flag lot" and the Commissioners Court shall, in reviewing all the circumstances, make the final determination." The owners of the lot are requesting the proposed lot 78A to utilize a flag lot development. The property has been in its current configuration since 2010, owners are now platting the property to become compliant with Hays County Development Regulations and to subdivide the property into two tracts. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan and Grant a Variance to Section 721.5.05 of the Hays County Development Regulations for SUB-924 Rainbow Ranch, Lots 77A & 78A (2 Lots). All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #37 RE: *AUTHORIZE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT FOR MOBILE RADIO SERVICES AND EQUIPMENT BETWEEN HAYS COUNTY AND LOWER COLORADO RIVER AUTHORITY (LCRA) – was pulled*

33426A AUTHORIZE STAFF TO UNIFORMLY ADMINISTER FLOODPLAIN AND STORM WATER MANAGEMENT REGULATIONS FOUND IN CHAPTER(S) 705, 725, & 735 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, BY REMOVING CERTAIN REQUIREMENTS FROM CHAPTER 705

Marcos Pacheco, Hays County Planner spoke. The current Hays County Development Regulations were adopted last February 21st, 2017. This section pertaining to Flood Plain and Storm Water Management Information was revised to only exempt proposed subdivisions with five (5) lots or less from items (E), (F), and (G). This revision was suggested to be made so this section would be more in line with Chapters 725 and 735 of the Development Regulations. This proposed change would remove the requirement regarding benchmark establishment and geographic coordinates following procedures in the TXDOT Survey Manual and be more in line with Chapters 725 and 735 of the Hays County Development Regulations, per staff recommendation. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize staff to uniformly administer floodplain and storm water management regulations found in Chapter(s) 705, 725, & 735 of the Hays County Development Regulations, by removing certain requirements from Chapter 705 as presented in backup. 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 TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:42 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, Transportation Director Jerry Borcharding and intern Samantha Jones. No action taken.

Clerk's Note Agenda Item #40 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

Commissioner Ingalsbe gave the update. Hays County Fire Marshal recommends that the burn ban remain lifted. Do not leave fires unattended.

Clerk's Note Agenda Item #42 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:46 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 February 27, 2018.



Liz Q. Gonzalez

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





STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6TH DAY OF MARCH 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:

Vilma Resendiz, Pentecostal Church 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 made public comment.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5-Years – Linda Rodriguez – Auditor's Office, Maribel Vasquez – DA's Office, Sean White – Sheriff's Office, Tammy Crumley – Countywide Operations. 20-Years – Stephen Floyd – Development Services, Marva Pearce – Information Technology. 25-Years – Dennis Gutierrez – Sheriff's Office. Retirement – Petra Galan – Juvenile Detention Center. Brett Littlejohn, Director of Juvenile Detention Center spoke.

33427A 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 \$2,330,932.17 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33428A 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 \$4,218.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33429A 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 the Humana Claims in the amount of \$134,818.99 and United HealthCare Claims in the amount of \$0.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33430A APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 27, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of February 27, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33431A APPROVE THE PAYMENT OF THE MARCH 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE MARCH 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the March mid-month payroll disbursements not to exceed \$2,655,000.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the March 15, 2018 Payroll Disbursements in an amount not to exceed \$2,655,000.00 effective March 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County Website once finalized. All present voting "Aye". MOTION PASSED

33432A AUTHORIZE THE EXECUTION OF A PROPOSAL FROM THE LOWER COLORADO RIVER AUTHORITY (LCRA) RELATED TO COMMUNICATION INFRASTRUCTURE ADDITIONS AND CAPACITY IMPROVEMENTS FOR THE WIMBERLEY AREA

General Counsel, Mark Kennedy spoke. During the FY 2018 budget process the court authorized improvements and additions to the communication infrastructure in the Wimberley area. The OES Director and LCRA team are ready to begin these improvements. The proposal includes all engineering, licensing, installation and P25 equipment for the following sites: New P25 Installations: o 5 Channel P25 Installation at West Hays o 5 Channel P25 Installation at Shovel Mountain P25 Capacity Improvements: o 2 Channel P25 at Cedar Valley o 2 Channel P25 at Creedmoor o 2 Channel P25 at Kingsbury o 2 Channel P25 at Wimberley (existing Wimberley site) o 3 Channel P25 at San Marcos. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Proposal from the Lower Colorado River Authority (LCRA) related to Communication Infrastructure additions and capacity improvements for the Wimberley area. All present voting "Aye". MOTION PASSED

33433A AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT WITH AECOM FOR CONSTRUCTION MANAGEMENT OF THE NORTHPOINT DRAINAGE PROJECT AND ASSOCIATED ADDITIONAL DRAINAGE WORK IN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

General Counsel, Mark Kennedy spoke. Subcontractor delays and rebuilds have extended the overall construction time period. These delays did not increase construction costs; however, Construction Management time was consumed. This supplemental will also add Construction management time for oversight of additional drainage work outside the Northpoint boundaries, which is essential to the project. Budget Amendment: Decrease Road Materials and Supplies: .5351 - \$17,330.69 Increase Contract Services Consultant: .5448_008 - \$17,330.69. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute Supplemental Agreement No. 2 to the Professional Service Agreement with AECOM for Construction Management of the Northpoint drainage project and associated additional drainage work in Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33434A ACCEPT A GRANT CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD AND AMEND THE BUDGET ACCORDINGLY

The Hays County Child Protective Board has received a contribution from the First Presbyterian Church. 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 Budget Amendment: Increase Contributions: .4610 Increase Social Service Grant Funding: .5800. 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

33435A AUTHORIZE THE EXECUTION OF A CONTRACT FOR ENGINEERING SERVICES WITH AMERICAN STRUCTUREPOINT, INC. FOR THE SAFETY AND MOBILITY PROJECT RM 150 AT RM 12 INTERSECTION



IMPROVEMENTS IN PRECINCT 4 AS PART OF THE 2016 ROAD BOND PROGRAM

The RM 150 at RM 12 Intersection Improvements Design services will be paid with Road & Bridge budget. The construction is proposed to be paid out of the Safety and Mobility Projects-County and State System \$10M line item identified in the 2016 Road Bond Program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a contract for engineering services with American Structurepoint, Inc. for the Safety and Mobility Project RM 150 at RM 12 Intersection Improvements in Precinct 4 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33436A SELECT DOUCET AND ASSOCIATES AS THE DESIGN ENGINEER FOR THE OLD SAN ANTONIO RD. REHABILITATION PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Precinct 2, Mark Jones, and the Transportation Department recommend the selection of Doucet and Associates from a pool of capable engineering firms as the best qualified to provide engineering services on the Old San Antonio Rd. project. If selection is approved by court action, then staff and counsel will enter into contract negotiations. If a reasonable scope and fee can be reached, staff and counsel will bring forth a Professional Service Agreement for discussion and possible action by the Court. This effort includes improvements to Old San Antonio Road in response to a new elementary school that is under construction. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to select Doucet and Associates as the design engineer for the Old San Antonio Rd. rehabilitation project and authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33437A AUTHORIZE THE EXECUTION OF A CHANGE ORDER NO. 1 TO THE CONTRACT WITH ROGERS DESIGN SERVICES, PLLC FOR THE US 290 WEST SAFETY IMPROVEMENTS AT TRAUTWEIN ROAD AND HOLDER LANE PROJECT IN HAYS COUNTY AS PART OF THE 2016 ROAD BOND PROGRAM

Time Extension ONLY - Delays result from unpredicted time needed to coordinate with stakeholders. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Change Order No. 1 to the contract with Rogers Design Services, PLLC for the US 290 West Safety Improvements at Trautwein Road and Holder Lane project in Hays County as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33438A RELEASE THE MAINTENANCE BOND #K09232321 FOR \$36,688.70, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR THE FIELDS AT WIMBERLEY SPRINGS SUBDIVISION

Director of Transportation, Jerry Borcharding gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. A parking lot exists at the end of the road, but it will not be included for County maintenance. The roads include: Ballpark Road (1,015 ft.). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to release the maintenance bond #K09232321 for \$36,688.70, and accept the roads into the county road maintenance system for The Fields at Wimberley Springs subdivision. All present voting "Aye". MOTION PASSED**

33439A CALL FOR A PUBLIC HEARING ON MARCH 20, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 5, CLEAVES ACRES, UNIT TWO SUBDIVISION

Cleaves Acres, Unit Two Subdivision is a recorded subdivision located off of Sachtleben Road in Precinct 3. The proposed re-plat will divide the original 5.00 acre Lot 5 tract into two tracts. Water service will be provided by private well. Wastewater treatment will be accomplished by individual advanced on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on March 20, 2018 to discuss final plat approval of the Replat of Lot 5, Cleaves Acres, Unit Two Subdivision. All present voting "Aye". MOTION PASSED**

33440A SUB-924 RAINBOW RANCH, LOTS 77A & 78A (2 LOTS) APPROVE FINAL PLAT



Hays County Planner, Marcos Pacheco gave staff recommendation. Rainbow Ranch is an unrecorded subdivision located off of N. Rainbow Ranch Rd. in Precinct 3. Portion of Lots 77 and 78 are currently being plated into two parcels, Lots 77A and 78A. Water service will be provided by private well and wastewater service will be accomplished by individual conventional OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of SUB-924 Rainbow Ranch, Lots 77A & 78A (2 Lots). All present voting "Aye". MOTION PASSED**

33441A SUB-949 BLANCO RIVER RAPIDS, LOTS 23A & 25A (2 LOTS) APPROVE FINAL PLAT

Hays County Planner Marcos Pacheco gave staff recommendation. Blanco River Ranch is an unrecorded subdivision located off of River Rapids Road in Precinct 3. Lots 23, 24, and 25 are currently being divided into two parcels, Lots 23A and 25A. Water service will be provided by private wells and wastewater service will be accomplished by advanced individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final SUB-949 Blanco River Rapids, Lots 23A & 25A (2 Lots). All present voting "Aye". MOTION PASSED**

33442A AUTHORIZE EXECUTION OF AN AGREEMENT WITH BLAIR WILDLIFE CONSULTING FOR ENVIRONMENTAL INSPECTIONS DURING DAHLSTROM PRESERVE PARKING LOT AND TRAIL CONSTRUCTION

Chief of Staff, Clint Garza spoke. During construction of the Dahlstrom parking area and hiking trails, Blair Wildlife consulting will be retained as a third party inspector during the project. Responsibilities will include conducting inspections for the storm water pollution prevention plan and monitoring the conservation easement terms and conditions during the construction of the public access area within the Dahlstrom Ranch and to verify that the Contractor is treating the Property with care and ensuring that the impact of work performed is kept within the limits of the project plans. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize execution of an Agreement with Blair Wildlife Consulting for environmental inspections during Dahlstrom Preserve parking lot and trail construction. All present voting "Aye". MOTION PASSED**

33443A AUTHORIZE EXECUTION OF AN AGREEMENT WITH HOLT ENGINEERING FOR INSPECTIONS DURING DAHLSTROM PRESERVE PARKING LOT AND TRAIL CONSTRUCTION

Chief of Staff, Clint Garza spoke. During construction of the Dahlstrom parking area and hiking trails, Holt Engineering will be retained as a third party inspector during the project. Responsibilities will include conducting inspections of structural integrity and compliance with Hays County standards and the requirements of the conservation easement within the Dahlstrom Ranch and to verify that the Contractor is performing according to the project plans. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize execution of an Agreement with Holt Engineering for inspections during Dahlstrom Preserve parking lot and trail construction. All present voting "Aye". MOTION PASSED**

33444A AUTHORIZE THE COUNTY CLERK TO INCREASE THE ADMINISTRATIVE ASSISTANT I, SLOT 0273-031 TO 12.94 PERCENTILE OF THE SALARY RANGE EFFECTIVE MARCH 1, 2018

Hays County Clerk, Liz Q. Gonzalez spoke. The County Clerk is seeking Court approval to increase the Admin I, slot 031 base salary from the minimum of \$23,285 to \$24,791. The individual was a previous county employee for the Clerk's Office and is well versed in the duties and organizational structure within the office. She was re-hired on 2/1/18 and has been an asset to the department with her previous knowledge of scanning and indexing. She is also capable of training other personnel within the office. This request will move her salary back to the rate she was at prior to leaving the county in 2016. Salary savings have been identified due to attrition within the Records Management & Archive Fund operating budget to fund this request. Financial Impact: Base Salary Increase: \$1,506 Fringe: \$ 310 Total: \$1,816 (annualized) \$1,060 (FY18 impact for 7 months). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the County Clerk to increase the Administrative Assistant I, slot 0273-031 to 12.94 percentile of the salary range effective March 1, 2018. All present voting "Aye". MOTION PASSED**

33445A ADOPT A RESOLUTION APPROVING A SERVICE AND ASSESSMENT PLAN UPDATE AND PROPOSED ASSESSMENT ROLL, AND PROVIDING FOR NOTICE OF HEARING FOR ADJUSTED LEVY OF ASSESSMENTS IN THE



LA CIMA PUBLIC IMPROVEMENT DISTRICT, ADDING NEIGHBORHOOD IMPROVEMENT AREA #1

Chief of Staff, Clint Garza, Commissioner Pct. 3, Lon Shell, and Commissioner Pct. 4, Ray Whisenant spoke. In 2015, the Court approved a service and assessment plan and has updated in subsequent years as well as levied special assessments to finance improvements constructed within the district. This update will add neighborhood improvement area #1, authorize improvements in neighborhood area #1, and levy assessments within neighborhood area #1. Because this results in a modification of the assessments, it requires a Public Hearing (and Notice), just as was done for the Initial Assessment Roll and accompanying documents. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a Resolution Approving a Service and Assessment Plan Update and Proposed Assessment Roll, and providing for Notice of Hearing on March 20, 2018 for adjusted Levy of Assessments in the La Cima Public Improvement District, adding Neighborhood Improvement Area #1. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #21 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*

Clerk's Note Agenda Item #22 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 Fire Marshall's recommendation, the Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens to burn their trash while they can and to proceed with caution.

Clerk's Note Agenda Item #24 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 9:32 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on March 6, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF MARCH 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:

Pastor Esperanza Baltazar Ramirez of El Buen Pastor UMC 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, Harvey Jenkins, San Marcos resident, and Rodrigo Amaya, San Marcos resident, made public comments.

33446A ADOPT A PROCLAMATION DECLARING MARCH 24, 2018 AS WORLD TB DAY

Iris Barrera, RN, Hays County Personal Health Department and Hortencia Perez, MA, spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring March 24, 2018 as World TB Day. All present voting "Aye". MOTION PASSED

PRESENTATION BY THE COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT (CSCD) RELATED TO THE HAYS COUNTY 2017 HAYS COUNTY PRE-TRIAL BOND PROGRAM

Jason Facundo, Pre-Trial Officer, Hays County CSCD, spoke. The Hays County Pre-Trial Bond Program has released a total of 123 inmates from Hays County Jail from 1/1/2017 – 12/31/2017, and placed them on Pre-Trial Bond Supervision. Of the 123 inmates, 87 were released via the Pre-Trial Bond Officer through the screening process, which includes an interview at the jail, Background investigation, staffing process and providing a Pre-Trial Packet to the Magistrate/Justice of the Peace for approval. 36 of the 123 Pre-Trial Bond clients were court ordered to Pre-Trial Bond Supervision by District Court Judges as a condition of bond. Of the 123 clients, 111 were charged with Felonies and 12 were charged with both Misdemeanor and Felony offenses. During the 12-month period, the Pre-Trial Bond Program has been in operation it has averaged 10 bonds per month.

33447A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices for week ending 3/13/2018 in the amount of \$16,359.63 (Ratify) and for week ending 3/20/2018 in the amount of \$932,729.27 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33448A 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 \$3,106.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33449A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$64,295.41 and United Healthcare claims in the amount of \$87,657.81 as presented by the County Auditor. All present voting "Aye". MOTION PASSED



33450A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 6, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of March 6, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33451A APPROVE SPECIFICATIONS FOR RFP 2018-P04 WEBSITE REDESIGN AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR PROPOSALS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFP 2018-P04 Website Redesign and authorize Purchasing Manager to solicit for proposals and advertise. All present voting "Aye". MOTION PASSED

33452A APPROVE SPECIFICATIONS FOR RFQ 2018-P12 UTILITY COORDINATOR FOR THE 2016 ROAD BOND PROGRAM AND OTHER COUNTY TRANSPORTATION DEPARTMENT PROJECTS AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ 2018-P12 Utility Coordinator for the 2016 Road Bond Program and other County Transportation Department projects and authorize Purchasing Manager to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED

33453A APPROVE RENEWAL OF IFB 2017-B03 CEMETERY MAINTENANCE WITH GREATER TEXAS LANDSCAPE SERVICES 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. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B03 Cemetery Maintenance with Greater Texas Landscape Services for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

33454A APPROVAL TO AWARD RFP 2018-P10 FOR COUNTYWIDE ELECTRICAL SERVICES TO CT ELECTRIC AS A PRIMARY CONTRACTOR AND TED BREIHAN AS A SECONDARY CONTRACTOR AND AUTHORIZE THE EXECUTION OF ALL CONTRACT DOCUMENTS

Purchasing received 5 proposals from Ted Breihan Electric Company, CT Electric, Marathon Management Resource Group, Environmental Lighting Service and TD Industries. After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to CT Electric as a primary contractor and Ted Breihan Electric as a secondary contractor. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to award RFP 2018-P10 for Countywide Electrical Services to CT Electric as a primary contractor and Ted Breihan as a secondary contractor and authorize the execution of all contract documents. All present voting "Aye". MOTION PASSED

33455A APPROVE UTILITY PERMITS

Permit Road Name Utility 1066 Crystal Hill Drive (Goldenwood West subd.) PEC (electric line) 1067 Honeycomb Circle (Sierra West subd.) R&B Ventures/Aqua (water line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permits # 1066 Crystal Hill Drove (Golden West Subd.) issued to PEC (electric line) and Permit # 1067 Honeycomb Circle (Sierra West Subd.) issued to R&B Ventures/Aqua (water line). All present voting "Aye". MOTION PASSED

33456A RATIFY AN INCREASE TO CHANGE ORDER NO. 26 BETWEEN HAYS COUNTY AND WOOD AND THOMASON CONSTRUCTION, LP FOR INSTALLATION OF COUNTER TOPS AND MILLWORK AT THE COUNTY CLERK PRECINCT 3 SUBSTATION

On 10/24/17 the Commissioner's Court authorized a Change Order for \$3,460 for a countertop and millwork needed in the County Clerk's Office at the Precinct 3 facility. Changes to the layout were requested, which resulted in additional materials and labor. The work was completed and additional funds are needed to close out the vendor contract. Funds are available in County Wide misc. capital improvements for unspecified projects that were budgeted during the FY 2018 budget process. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify an Increase to Change Order No. 26 between Hays County and Wood and Thomason Construction, LP for installation of counter tops and millwork at the County Clerk Precinct 3 substation. All present voting "Aye". MOTION PASSED



33457A AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE ONE NEW BULLET PROOF VEST FOR AN INVESTIGATOR POSITION AND AMEND THE BUDGET ACCORDINGLY

The District Attorney has one new hire approved during the FY18 budget process that requires a fitted Bullet Proof Vest for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer. Potential funding source Co-Wide contingencies. Budget Amendment: Decrease County Wide Contingencies 001-645-00.5399 Increase DOJ BPV Grant LE Eqpt .5717_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the District Attorney's Office to purchase one new Bullet Proof Vest for an Investigator position and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33458A AUTHORIZE THE PARKS DEPARTMENT TO ACCEPT A PROPOSAL FROM AMERICAN YOUTHWORKS, TEXAS CONSERVATION CORPS RELATED TO THE CONSTRUCTION OF PRIMITIVE TRAILS AT DAHLSTROM PUBLIC ACCESS AREA

The Dahlstrom Public Access Area will include 3.2 miles of natural tread primitive trails. The mission of American YouthWorks is to provide young people with opportunities to build careers, strengthen communities, and improve the environment through education, on-the-job training, and service to others. This project will meet one of the needed grant elements utilizing grant funds received from the Texas Parks & Wildlife Department. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Parks Department to accept a Proposal from American YouthWorks, Texas Conservation Corps related to the construction of primitive trails at Dahlstrom Public Access Area. All present voting "Aye". MOTION PASSED**

33459A RATIFY THE EXECUTION OF THE INTERNAL COMPLIANCE PROGRAM CERTIFICATION AS IT RELATES TO FUTURE GRANT APPLICATIONS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION

The Internal Compliance Program Certificate through the Texas Department of Transportation requires all subgrantees to be approved through prior to grant execution. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the execution of the Internal Compliance Program Certification as it relates to future grant applications through the Texas Department of Transportation. All present voting "Aye". MOTION PASSED**

33460A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ACCEPT ROAD-BUILDING MATERIALS VALUED AT \$33,829 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE 2018 TXDOT SURPLUS PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department will receive road-building materials offered to Hays County by the State through the 2018 TxDOT Surplus Program. The Transportation Director has requested Vulcan Type D trap rock material which is used for cold-mix totaling approximately 545 tons. These donated materials are for use on any county maintained roadway. Attachment: TxDot Surplus Program Purchase Order Budget Amendment: Increase Contributions .4610 Increase Road Materials .5351. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Transportation Department to accept road-building materials valued at \$33,829 from the Texas Department of Transportation through the 2018 TxDot Surplus Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33461A AUTHORIZE THE EXECUTION OF AN APPLICATION FOR RECDESK/GOVTPORTAL FOR A RESERVATION AND PAYMENT SYSTEM FOR JACOB'S WELL NATURAL AREA & THE GAY RUBY DAHLSTROM NATURE PRESERVE

RecDesk is an online reservation and payment system that allows for pre-payment of swimming reservations by credit card at Jacob's Well Natural Area during the summer swim season (May 1- September 30). In conjunction with RecDesk, the credit cards will be processed by GovtPortal payment system. Implementing this new system will reduce transaction time at the gate and provide an online reporting system that can be reconciled with reservations and payments received. Refunds or rainchecks will not be issued under this new system. Language will be included on the site alerting visitors to this new policy prior to finalizing their payment for reservation. The cost of this system is the same as the current system utilized; therefore funds are available in the Parks Department budget. Additionally, the County Wide Operations Director is requesting an exemption from the purchasing policy requiring three written quotes due to the technology requirements needed for this system. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of an application for RecDesk/GovtPortal for a reservation and payment system for Jacob's Well Natural Area & the Gay Ruby Dahlstrom Nature Preserve. All present voting "Aye". MOTION PASSED**



33462A AUTHORIZE THE LAW LIBRARY TO PURCHASE A DUTCH DOOR FOR THE LAW LIBRARIAN'S OFFICE LOCATED AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations spoke. The Law Librarian requested the purchase of a Dutch door for the office located inside the Law Library at the Government Center. This particular door will allow the Librarian to communicate with the public while also providing some boundaries in who has access to the interior of her office space. Funds are available in the County Records Preservation operating budget to fund this request. Budget Amendment: Increase Misc. Capital Improvements_Operating - .5741_400 Decrease Contract Services - .5448. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Law Library to purchase a Dutch door for the Law Librarian's Office located at the Government Center with money coming out of Records Preservation moved out of Building Maintenance & Repair and into Misc. Capital Improvement Op. and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33463A APPROVE THE SELECTION OF HALFF AND ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO DRAINAGE ISSUES IN THE LEISUREWOODS, COVES OF CIMARRON, CIMARRON PARK, AND OXBOW TRAILS SUBDIVISIONS LOCATED IN PRECINCT 2; AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND A CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

Half Associates, Inc., will develop a 2-Dimensional model of the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails neighborhood. During the FEMA physical map revision for the Austin-Travis Lakes Basin, the riverine floodplains along the Little Bear Creek Tributary 1A and Garlic Creek Tributary 1 were revised. There appears to be some riverine flooding from these creeks, however the main drainage issues in these neighborhoods result from inadequate localized drainage networks. A 2D analysis is recommended to capture the dynamic nature of overland flows that traditional hydrologic and hydraulic models do not capture. The analysis will identify the areas of risk and propose mitigation projects to reduce the risk. This analysis will also be utilized for future grant opportunities including the Hazard Mitigation Grant Program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the selection of Half and Associates, Inc. for engineering services related to drainage issues in the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails subdivisions located in Precinct 2; authorize staff to negotiate scope, fee, and a contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**

33464A AUTHORIZE OUT OF STATE TRAVEL ON MARCH 20-21, 2018 FOR LT. JOE FAULKNER FOR THE INSPECTION AND ACCEPTANCE OF AN ARMORED PERSONNEL VEHICLE IN PITTSFIELD, MA AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, San Marcos resident, Harvey Jenkins, San Marcos resident, Clint Garza, Director of Countywide Operations, Dan Lyon, San Marcos resident and Capt. Mark Cumberland spoke. In 2016, the county accepted a grant of \$294,150.00 for specialized equipment and at this time the equipment is now ready to be inspected and accepted. This vehicle will be used in emergency situations where an active threat is present that could endanger responders and will provide a level of safety for personnel and potential victims. The Sheriff has authorized funding for travel arrangements utilizing Sheriff Drug Forfeiture Funds. There was not match associated with the grant application. Budget Amendment 053-618-00.5391 Miscellaneous (\$850.00) 053-618-00.5501 Travel Fees \$850.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize out of state travel on March 20-21, 2018 for Lt. Joe Faulkner for the inspection and acceptance of an armored personnel vehicle in Pittsfield, MA and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33465A ACCEPT THE DELIVERY OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) STATEMENT OF FINANCIAL POSITION FOR THE FISCAL YEAR ENDING ON AUGUST 31, 2017 FOR FILING WITH THE HAYS COUNTY COMMISSIONERS COURT PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004 AND THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE-COMMUNITY JUSTICE ASSISTANCE DIVERSIONS FINANCIAL MANAGEMENT MANUAL

Marisol Villarreal-Alonzo, Hays County Auditor spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept the delivery of the Community Supervision and Corrections Department (CSCD) Statement of Financial Position for the Fiscal Year ending on August 31, 2017 for filing with the Hays County Commissioners Court pursuant to Local Government Code, Section 140.004 and the Texas Department of Criminal Justice-Community Justice Assistance Diversion Financial Management Manual. All present voting "Aye". MOTION PASSED**



33466A RENAME THE PRIVATE ROAD GWENDOLYN'S TRAIL TO GWENDOLYN TRAIL AND AMEND THE LOCATION OF THE NAMES GWENDOLYN TRAIL AND EMMA ELLIS WAY

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to rename the private road Gwendolyn's Trail to Gwendolyn Trail and amend the location of the names Gwendolyn Trail and Emma Ellis Way. All present voting "Aye". MOTION PASSED

33467A ACCEPT PERFORMANCE BOND NO.1155049 FOR STREET AND DRAINAGE IMPROVEMENTS FOR CALITERRA SUBDIVISION PHASE 2 SECTION 8 IN THE AMOUNT OF \$84,080.96

Hays County Engineer, Jerry Borchering gave staff recommendation. Caliterra Phase 2, Section 8 is a proposed 92 lot portion, across 57.1 acres, in the master planned Caliterra Subdivision. Water and wastewater services will be provided by the City of Dripping Springs. The final plat for the Caliterra Phase 2, Section 8 has been reviewed under the Interlocal Cooperation Agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept Performance Bond No.1155049 for street and drainage improvements for Caliterra Subdivision Phase 2 Section 8 in the amount of \$84,080.96. All present voting "Aye". MOTION PASSED**

33468A SUB-952; REPLAT OF LOT 5, CLEAVES ACRES, UNIT TWO SUBDIVISION (2 LOTS) APPROVE FINAL PLAT; HOLD PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No Public input was received. Commissioner Ingalsbe closed the public hearing. Caitlyn Strickland, Hays County Planner gave staff recommendation. Cleaves Acres, Unit Two Subdivision is a recorded subdivision located off of Sachtleben Road in Precinct 3. The proposed replat will divide the original 5.00 acre Lot 5 tract into two tracts. Water service will be provided by private well. Wastewater treatment will be accomplished by individual advanced on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final plat of SUB-952 Replat of Lot 5, Cleaves Acres, Unit Two Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33469A SUB-990; MEDLIN CREEK RANCH PHASE 5 (3 LOTS) APPROVE FINAL PLAT

Caitlyn Strickland, Hays County Planner gave staff recommendation. The proposed Medlin Creek Ranch Phase 5 is a proposed 3 lot subdivision located off of Barton Bend Road in Precinct 4. The subdivision will be served by individual water wells and rainwater collection. 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 SUB-990 Medlin Creek Ranch Phase 5 (3 Lots). All present voting "Aye". MOTION PASSED**

33470A SUB-979; DELLANA SUBDIVISION (2 LOTS) APPROVE THE PRELIMINARY PLAN

Caitlyn Strickland, Hays County Planner gave staff recommendation. Dellana is a proposed 2 lot subdivision located along Mt Sharp Rd. in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-979 Dellana Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33471A CALL FOR A PUBLIC HEARING ON APRIL 3RD, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 14, HIGHLANDS SECTION A SUBDIVISION

Highlands Section A Subdivision is a recorded subdivision located off of Alpine Trail in Precinct 4. The proposed re-plat will divide the original 15.19 acre Lot 14 tract into two tracts. Water service will be provided by private wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Call for a public hearing on April 3rd, 2018 to discuss final plat approval of the Replat of Lot 14, Highlands Section A Subdivision. All present voting "Aye". MOTION PASSED**

33472A HOLD A PUBLIC HEARING REGARDING PROPOSED ASSESSMENTS AGAINST THE ASSESSABLE PROPERTY LOCATED IN THE LA CIMA PUBLIC IMPROVEMENT DISTRICT, NEIGHBORHOOD IMPROVEMENT AREA #1, PURSUANT TO THE PROVISIONS OF CHAPTER 371 OF THE TEXAS LOCAL GOVERNMENT CODE

Commissioner Ingalsbe opened the public hearing. John Schneider of P3 Works, Dan Lyon, San Marcos resident, and General Counsel, Mark Kennedy spoke. Commissioner Ingalsbe closed the public hearing. In 2015, the Court approved a service and assessment plan and has updated in subsequent years as well as



levied special assessments to finance improvements constructed within the district. This update will add neighborhood improvement area #1, authorize improvements in neighborhood improvement area #1, and levy assessments within neighborhood area #1. Because this results in a modification of the assessments, it requires a Public Hearing (and Notice), just as was done for the Initial Assessment Roll and accompanying documents. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve an Order of the Commissioners Court of Hays County, Texas (1) Accepting and approving a Service and Assessment Plan and Assessment Roll for the La Cima Public Improvement District; (2) Making a finding of Special Benefit to the property in the district, and particularly in Neighborhood Improvement Area #1; (3) Levying Special Assessments against Property with the District, and particularly in Neighborhood Improvement Area #1, and establishing a Lien on such property; (4) Providing for payment of the Special Assessment in accordance with Chapter 372, Texas Local Government Code, as amended; (5) Providing for the Method of Assessment and the payment of the Special Assessment, providing for Penalties and Interest on Delinquent Special Assessments and providing an effective date as presented in Open Court and/or during public hearing held on March 20, 2018. All present voting "Aye". MOTION PASSED**

33473A APPROVE A REIMBURSEMENT AGREEMENT NEIGHBORHOOD IMPROVEMENT AREA #1 - PHASE 1 - SECTION 1 BETWEEN HAYS COUNTY AND LA CIMA SAN MARCOS, LLC

General Counsel, Mark Kennedy spoke. The La Cima Public Improvement District ("PID") was created pursuant to Chapter 372, Texas Local Government Code on September 23, 2014 to finance certain public improvement projects ("Authorized Improvements") for the benefit of the property within the PID. This is an agreement between the County and the Developer, in which the Developer agrees to construct the Authorized Improvements and to fund certain Actual Costs of the Authorized Improvements and the County agrees to (i) pay directly or reimburse the Developer for Actual Costs of an Authorized Improvement from the proceeds of PID Bonds in accordance with the Act, this NIA #1 SAP Update and the applicable Indenture, and (ii) reimburse the Owner for Actual Costs of an Authorized Improvement not paid by proceeds of PID Bonds solely from the revenue collected from Special Assessments, including Annual Installments, not pledged to the payment of PID Bonds. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve a Reimbursement Agreement Neighborhood Improvement Area #1 - Phase 1 - Section 1 between Hays County and La Cima San Marcos, LLC. All present voting "Aye". MOTION PASSED**

33474A APPROVE A REIMBURSEMENT AGREEMENT NEIGHBORHOOD IMPROVEMENT AREA #1 - PHASE 1 - SECTION 2 BETWEEN HAYS COUNTY AND LA CIMA SAN MARCOS, LLC

The La Cima Public Improvement District ("PID") was created pursuant to Chapter 372, Texas Local Government Code on September 23, 2014 to finance certain public improvement projects ("Authorized Improvements") for the benefit of the property within the PID. This is an agreement between the County and the Developer, in which the Developer agrees to construct the Authorized Improvements and to fund certain Actual Costs of the Authorized Improvements and the County agrees to (i) pay directly or reimburse the Developer for Actual Costs of an Authorized Improvement from the proceeds of PID Bonds in accordance with the Act, this NIA #1 SAP Update and the applicable Indenture, and (ii) reimburse the Owner for Actual Costs of an Authorized Improvement not paid by proceeds of PID Bonds solely from the revenue collected from Special Assessments, including Annual Installments, not pledged to the payment of PID Bonds. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve a Reimbursement Agreement Neighborhood Improvement Area #1 - Phase 1 - Section 2 between Hays County and La Cima San Marcos, LLC. All present voting "Aye". MOTION PASSED**

33475A AUTHORIZE THE COUNTY TREASURER TO HIRE THE FINANCIAL ANALYST II, SLOT 0019-002 AT THE 50TH PERCENTILE EFFECTIVE MARCH 26, 2018

Britney Richey, Assistant County Treasurer spoke. The County Treasurer respectfully requests the courts approval to hire the Financial Analyst II position at the 50th percentile. This candidate has 20 years of experience which includes County Internal Auditor (Hays County), Texas State Internal Auditor, City of Austin Accountant and owning her own CPA firm. She holds a Certified Public Account license and Certified Fraud Examiner license which will greatly benefit Hays County. Salary savings within this budgeted position is available due to the delayed start date. Financial Impact: Base Salary Increase: \$12,478 Fringe: \$ 2,569 Total: \$15,047 (annualized) \$ 7,812 (FY18 impact for 6.23 months). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Treasurer to hire the Financial Analyst II, slot 0019-002 at the 50th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33476A AUTHORIZE THE TREASURER'S OFFICE TO TEMPORARILY CONVERT THE ADMINISTRATIVE ASSISTANT I, SLOT 0273-001 FROM PART-TIME TO FULL-TIME; AND TO HIRE ONE FULL-TIME TEMPORARY ADMINISTRATIVE ASSISTANT I EFFECTIVE MARCH 21ST THROUGH SEPTEMBER 30, 2018

Britney Richey, Assistant County Treasurer spoke. The County Treasurer respectfully requests the Courts approval to convert an Admin I position currently budgeted at 29 hours per week to 40 hours a week and hire one full time Admin I position on a temporary basis through September 2018. The current Admin Assistant and

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new hire will assist the Treasurer and HR Director with organizing employee files. This project will consist of organizing files chronologically, removing and shredding duplicate documents and ensuring all pertinent information is maintained. Due to the confidential nature of the documents, it will be beneficial to utilize a current part-time employee to lead this project. Adding the additional hours for the current Admin and one full-time admin will ensure the project can be completed no later than 9/30/18. Salary savings within the department due to a vacant position is available to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Treasurer's Office to temporarily convert the Administrative Assistant I, slot 0273-001 from part-time to full-time; and to hire one full-time temporary Administrative Assistant I effective March 21st through September 30, 2018. All present voting "Aye". MOTION PASSED**

33477A AUTHORIZE THE CLOSURE OF THE DRIFTWOOD AND WIMBERLEY RECYCLING AND SOLID WASTE LOCATIONS FOR EASTER MARCH 30-31 AND THANKSGIVING HOLIDAY NOVEMBER 21-24

The Recycling and Solid Waste facilities are open from 8:00 a.m. to 4:00 p.m. on Saturdays. Staff would like to request that the facilities be closed on March 31st and November 24th for the Easter and Thanksgiving Holiday. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the closure of the Driftwood and Wimberley recycling and solid waste locations for Easter March 30-31 and Thanksgiving Holiday November 21-24. All present voting "Aye". MOTION PASSED**

33478A EXECUTE A PLANNED SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC. FOR SERVICES PERFORMED AT THE GOVERNMENT CENTER

Clint Garza, Director of Countywide Operations spoke. The Building Maintenance Department would like to enter into a three year agreement with Johnson Controls, Inc. for work performed on the building automation system located at the Government Center. Entering into an agreement will allow the County to receive a negotiated rate which will result in a savings on maintenance costs. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Planned Service Agreement with Johnson Controls, Inc. for services performed at the Government Center. All present voting "Aye". MOTION PASSED**

33479A SELECT HUITT-ZOLLARS FOR ARCHITECTURAL SERVICES RELATED TO SPACE NEEDS AT THE TRANSPORTATION DEPARTMENT'S YARRINGTON ROAD LOCATION; AUTHORIZE STAFF TO NEGOTIATE SCOPE, FEE, AND A CONTRACT FOR CONSIDERATION BY COMMISSIONERS COURT

Jerry Borcharding, Hays County Engineer spoke. More space is needed for an expanded employee base. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to select Huitt-Zollars for architectural services related to space needs at the Transportation Department's Yarrington Road location; authorize staff to negotiate scope, fee, and a contract for consideration by Commissioners Court. All present voting "Aye". MOTION PASSED**

33480A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ASSISTANT DIRECTOR, SLOT 1024-001 AT THE 50TH PERCENTILE EFFECTIVE MARCH 26, 2018

Jerry Borcharding, Hays County Engineer and Clint Garza, Director of Countywide Operations spoke. The Transportation Director is seeking court approval to hire the Assistant Director at the 50th percentile. The potential candidate has extensive knowledge of traffic engineering, transportation planning, and policy making expertise in addition to general Civil Engineering knowledge. His knowledge and expertise will be of great value to the Department's efforts in development of the Hays County Transportation plan, competing for funding of TXDOT and local roadway projects, representation in CAMPO matters, and in general management of the Department. Additionally, the candidate is well versed in project management, plan review, and assessment of scope and fee proposals. Salary savings have been identified due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$18,269 Fringe: \$ 3,762 Total: \$22,031 (annualized) \$11,438 (FY18 impact for 6.23 months). **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Transportation Department to hire the Assistant Director, slot 1024-001 at the 50th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33481A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ADMINISTRATIVE ASSISTANT II, SLOT 0272-030 AT THE 50TH PERCENTILE EFFECTIVE MARCH 21, 2018

Jerry Borcharding, Hays County Engineer spoke. The Transportation Director is seeking court approval to hire the Admin Assistant II, slot 030 at the 50th percentile. The potential candidate has an exceptional background related to specific job qualifications. She has previous experience with website creation, power point presentations and extensive use of excel. Her knowledge of these various software programs, organizational skills and customer service experience will be of great value to the office. Salary savings have been identified

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due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$7,044 Fringe: \$1,450 Total: \$8,494 (annualized) \$4,502 (FY18 impact for 6.36 months). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Administrative Assistant II, slot 0272-030 at the 50th percentile effective March 21, 2018. All present voting "Aye". MOTION PASSED**

33482A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE ENGINEERING TECHNICIAN AT THE 25TH PERCENTILE EFFECTIVE MARCH 26, 2018

Jerry Borcharding, Hays County Engineer spoke. The Transportation Director is seeking court approval to hire the new Engineering Technician at the 25th percentile. The potential candidate has extensive experience as a Project Manager and Engineering Technician including interaction with design engineers and geotechnical firms. He has previous experience with land surveying, setting grades and with CAD duties. His knowledge of these areas, as well as his ability to communicate with design professionals will be of great value to the office. Salary savings have been identified due to attrition within the Transportation Departments operating budget. Financial Impact: Base Salary Increase: \$4,688 Fringe: \$ 965 Total: \$5,653 (annualized) \$2,935 (FY18 impact for 6.23 months). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the Engineering Technician at the 25th percentile effective March 26, 2018. All present voting "Aye". MOTION PASSED**

33483A AUTHORIZE THE COUNTY WIDE OPERATIONS DIRECTOR TO ESTABLISH ONE NEW FULL-TIME GRANT WRITER POSITION EFFECTIVE APRIL 1, 2018 AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations spoke. During the FY 2018 budget process, Commissioner's Court budgeted funds for one additional Grant Writer position pending further evaluation on the organizational restructure of the Grants Department. These funds were moved to contingencies in order for the department head to assess the grants office needs and potential future growth. The initial grant writer position was filled on 11/2/17 and over the course of 4 months the department has taken a different approach to grant prospecting, application & administration processes. Thus far, feedback from other county departments, outside agencies, and partners has been overwhelmingly positive. As anticipated during the budget process, the amount of activity within the department warrants adding the second position to continue seeking a high volume of alternative funding sources for the County. Budget Amendment: Increase County Wide Operations 001-712-00: \$20,625 - Staff Salaries \$ 1,279 - FICA \$ 299 - Medicare \$ 2,714 - Retirement \$ 3,778 - Medical Insurance \$ 135 - Dental Insurance \$ 32 - Life Insurance Decrease County-Wide - 001-645-00: (\$28,862) - Contingencies. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the County Wide Operations Director to establish one new full-time Grant Writer position effective April 1, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #40 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**

Clerk's Note Agenda Item #41 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY - **was pulled**

Clerk's Note Agenda Item #42 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 recommendation of Hays County Fire Marshall, the Burn Ban will remain lifted. Commissioner Ingalsbe advised that citizens should not be conducting outdoor burning during Red Flag Alert Days, even if we are not in a Burn Ban. Commissioner Whisenant also noted that citizens should not be burning anything after sundown. For more information on the do's and don'ts regarding outdoor burning please refer to our County website at the following address: <http://www.co.hays.tx.us/fire-marshall.aspx>

Clerk's Note Agenda Item #44 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:36 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 March 20, 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



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STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 27TH DAY OF MARCH A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Commissioner Ingalsbe gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5- Years – Amber New – Auditor's Office, Paul Mooney – Sheriff's Office, 10-Years – Joan Darlene Howard – District Clerk's Office, Billy Joe Milton Gepphart – Recycling, Sean R. Schuelk – Sheriff Office, 20- Years – Diana Gil – Tax Office, 35-Years – Syliva Flores – Justice of the Peace Pct. 2 Office, Retirement – James S. Dusek – Sheriff Office

33484A ADOPT A PROCLAMATION RECOGNIZING APRIL 2018 AS SEXUAL ASSAULT AWARENESS MONTH

Maryla Johnson, Executive Director of Hays County Women's Center spoke and introduced Maggie Breed, forensic interview from Roxanne's House and Dan O'Brian board member of the Hays Caldwell Women's Center. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation recognizing April 2018 as Sexual Assault Awareness Month. All present voting "Aye". MOTION PASSED**

33485A ADOPT A PROCLAMATION RECOGNIZING APRIL 2018 AS CHILD ABUSE AWARENESS & PREVENTION MONTH

Julia Ramsay New, Executive Director from Greater San Marcos Youth Council spoke. Tricia Schneider Development Director of CASA spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation recognizing April 2018 as Child Abuse Awareness & Prevention Month. All present voting "Aye". MOTION PASSED**

33486A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,112,193.77 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #5 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33487A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$15,623.28 and United Healthcare claims in the amount of \$252,984.13 as presented by the County Auditor. All present voting "Aye". MOTION PASSED



33488A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 20, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of March 20, 2018 as presented by the Hays County Clerk. All present voting "Aye". MOTION PASSED

33489A APPROVE THE PAYMENT OF THE MARCH 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE MARCH 30, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of the March 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective March 30, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33490A APPROVAL TO DISPOSE OF ITEMS THAT DID NOT SELL IN PREVIOUS AUCTIONS IN ACCORDANCE WITH LGC 263.152 (A) (3)

Staff is seeking approval to dispose of items that were included in previous auctions that did not sell. The Purchasing Manager has researched options for disposal methods as recommended on the attachment. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve to dispose of items that did not sell in previous auctions in accordance with LGC 263.152 (a) (3). All present voting "Aye". MOTION PASSED

33491A APPROVE UTILITY PERMITS

Permit Road Name Utility 1068 Yarrington Road CenterPoint Energy (gas line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permit #1068 Yarrington Road issued to CenterPoint Energy (gas line). All present voting "Aye". MOTION PASSED

33492A ACCEPT THE 2017 WIMBERLEY FIRE-HAYS COUNTY ESD #4 AUDIT REPORT

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the 2017 Wimberley Fire-Hays County ESD #4 Audit Report. All present voting "Aye". MOTION PASSED

33493A APPROVAL TO AWARD RFP 2018-P11 COUNTYWIDE LAWN & LANDSCAPE SERVICES TO PURVIS LAWN & LANDSCAPE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME

Josh Paselk resident of San Marcos made public comment. Chief of Staff, Clint Garza spoke. Nicholas Purvis of Purvis Lawn & Landscape spoke. Purchasing received 11 proposals from Olympia Landscape Development, Diamondback Landscaping, Texscape Services, Purvis Lawn & Landscape, Maldonado Nursery, Hays Co. Organic Lawn & Landscape, Yellowstone Landscapes, Corridor Landscaping, Tommy Norris, Pendleton Excavation, and Robert Rodriguez (Bobo Construction). After evaluation and scoring of the proposals by staff, it is recommended that contract award be made to Purvis Lawn & Landscape. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approval to award RFP 2018-P11 Countywide Lawn & Landscape Services to Purvis Lawn & Landscape and authorize the County Judge to execute same. All present voting "NO". MOTION NOT PASSED

33494A AUTHORIZE PAYMENT TO WINGATE BY WYNDHAM FOR THE DISTRICT ATTORNEY'S OFFICE RELATED TO WITNESS EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins resident of San Marcos made public comment. Dan Lyon resident of San Marcos made public comment. Sheriff's Office Captain Mark Cumberland spoke. The District Attorney's Office secured a room for a witness in which no purchase order was obtained per County Purchasing Policy. The testimony for the witness was extended, therefore the office staff was not aware that additional time was needed and did not obtain the purchase order. Funds are budgeted in the DA operating budget for this expense. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Wingate by Wyndham for the District Attorney's Office related to witness expenses in which no purchase order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33495A APPROVE OUT OF STATE TRAVEL FOR EVIDENCE SUPERVISOR, RENEE LUNA TO ATTEND THE BLOODSTAIN PATTERN TRAINING IN EVANSTON, ILLINOIS

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Harvey Jenkins resident of San Marcos made public comment. Captain Mark Cumberland spoke. Out of state travel is needed to send Ms. Renee Luna to attend the Blood Stain Evidence course in Evanston, IL on May 7-11, 2018. This training is a 40 hour course that will provide Ms. Luna updated information regarding blood stain pattern identification and analysis. Ms. Luna will also be given techniques on documentation and reconstruction related to stains and patterns with blood trauma. As part of this training Ms. Luna will be able to demonstrate skills learned, by participating in hands on projects and will have the opportunity to network with other professionals in this field. Registration and travel fees will be paid out of the Sheriff's Office Continuing Ed general ledger. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Evidence Supervisor, Renee Luna to attend the Bloodstain Pattern training in Evanston, Illinois. All present voting "Aye". MOTION PASSED**

33496A AUTHORIZE PAYMENT TO GRIFFITH FORD FOR THE CONSTABLE PRECINCT 3 OFFICE RELATED TO VEHICLE REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins resident of San Marcos made public comment. The Constable Pct. 3 Office had necessary vehicle repairs completed and did not obtain the purchase order. Funds are budgeted in the Constable's operating budget for this expense. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Griffith Ford for the Constable Precinct 3 Office related to vehicle repairs in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33497A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM FOR COUNTY FERAL HOG ABATEMENT

Dan Lyon resident of San Marcos made public comment. Chief of Staff Clint Garza spoke. The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The total project cost \$15,600.00 with a \$1,250 contribution from the county for the bounty program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Texas A&M AgriLife Extension Services, Wildlife Services program for County Feral Hog Abatement. All present voting "Aye". MOTION PASSED**

33498A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE TEXAS CONVERSION TO THE NATIONAL INCIDENT- BASED REPORTING SYSTEM (NIBRS)

Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes, as well as arrests made and property stolen. Incident Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Currently, the CAD and RMS are through different providers. It is the desire of staff to have a CAD and RMS from the same provider. A new CAD system has been requested in the grant application along with upgrades to the current RMS to comply with House Bill 11 requirements. The grant application is due on April 2 through the Office of the Governor egrants site. The total project cost is \$1,995,548 with no match requirement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Office of the Governor, Criminal Justice Division, for the Texas Conversion to the National Incident- Based Reporting System (NIBRS). All present voting "Aye". MOTION PASSED**

33499A AUTHORIZE PAYMENT TO CREDIT CARD SERVICES FOR VETERAN'S MENTAL WELLNESS PROGRAMS APPROVED BY THE TEXAS VETERAN'S COMMISSION UTILIZING GRANT FUNDS IN WHICH NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

The Texas Veteran's Commission Agency has approved grant funding for Veteran's to participate in mental wellness programs. Benefits for this type of program are as follows: 5 Veterans were referred to have one or more of the following symptoms related to their military service/deployments: Post-Traumatic Stress Disorder (PTSD)/Anxiety, Alcohol/Drug Abuse, Depression, Sleep Disorder, Physical Injuries sustained during military service. At the time of service, no purchase order was obtained. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Credit Card Services for**



Veteran's mental wellness programs approved by the Texas Veteran's Commission utilizing grant funds in which no purchase order was issued or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33500A APPROVE EXECUTION OF A LETTER AGREEMENT BETWEEN HAYS COUNTY, ROGERS DESIGN SERVICES ("RDS"), AND WSB & ASSOCIATES, INC. ("WSB"), ASSIGNING THE TERMS AND CONDITIONS OF PROFESSIONAL SERVICES AGREEMENTS BETWEEN HAYS COUNTY AND RDS ON US 290 (AT TRAUTWEIN ROAD) AND RM 967 (WEST OF FM 1626) TO WSB

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve execution of a Letter Agreement between Hays County, Rogers Design Services ("RDS"), and WSB & Associates, Inc. ("WSB"), assigning the terms and conditions of Professional Services Agreements between Hays County and RDS on US 290 (at Trautwein Road) and RM 967 (West of FM 1626) to WSB. All present voting "Aye". MOTION PASSED

33501A AUTHORIZE THE COURT TO VOID WORK AUTHORIZATION #1 AND EXECUTE WORK AUTHORIZATION #2 FOR PRELIMINARY ENGINEERING STUDY SERVICES WITH BINKLEY & BARFIELD, INC. FOR THE WINDY HILL ROAD CORRIDOR PROJECT IN PRECINCT 2 AS CONTEMPLATED IN THE VOTER APPROVED 2016 BOND ELECTION AND AMEND THE BUDGET ACCORDINGLY

The Windy Hill Road engineering study design services will be paid with Road & Bridge budget with an ILA being developed with the City of Kyle for their 25% portion of the project costs (based on extended limits per City of Kyle's request). The phased construction program is proposed to be paid out of the 2016 Road Bond Safety and Mobility Projects-County and State System \$10M line-item. The intent of this WA #2 is to replace WA #1 that was approved and included in the approved Professional Service Agreement from January 16, 2018. Budget Amendment: Funds will be moved from the Road & Bridge Operating Budget to the project cost center. Increase Windy Hill Cost Center: 020-710-96-649.5621_400. Decrease Operating Contract Consulting: 020-710-00.5448_008. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Court to void Work Authorization #1 and execute Work Authorization #2 for preliminary engineering study services with Binkley & Barfield, Inc. for the Windy Hill Road Corridor project in Precinct 2 as contemplated in the voter approved 2016 Bond election and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33502A ACCEPTANCE OF THE LETTER OF CREDIT (LOC) #5553822 FOR \$27,000.00 FOR A 1-YEAR MAINTENANCE PERIOD FOR THE ROAD AND DRAINAGE AREAS IN COACHMAN SUBDIVISION AS IT AWAITS ANNEXATION BY THE CITY OF SAN MARCOS

Transportation Director, Jerry Borcharding spoke and gave staff recommendation. Staff was not included in the construction process for this subdivision as plans were in place for the City of San Marcos to annex the property. However, the County needs to accept the Letter of Credit for a 1-year maintenance period until then as the property is currently within Hays County jurisdiction. The road includes: Coachman Drive (approx. 520 ft.). **A motion was made by Commissioner Shell seconded by Commissioner Whisenant to accept the Letter of Credit (LOC) #5553822 for \$27,000.00 for a 1-year maintenance period for the road and drainage areas in Coachman Subdivision as it awaits annexation by the City of San Marcos. All present voting "Aye". MOTION PASSED**

33503A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOTS). DISCUSSION AND POSSIBLE ACTION TO ACCEPT AMENDMENT NO. 002 TO LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1, REDUCING THE AMOUNT FROM \$725,458.90 TO \$272,254.10

Transportation Director, Jerry Borcharding spoke and gave staff recommendation. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$453,204.80 back to the developer. The remaining amount is sufficient to complete the improvements, which have not yet been constructed. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept SUB-677; La Cima PH 1 Subdivision (139 Lots) Amendment No. 002 to Letter of Credit No 5132 for street and drainage improvements for La Cima PH 1, reducing the amount from \$725,458.90 to \$272,254.10. All present voting "Aye". MOTION PASSED**

33504A SUB-979; DELLANA SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT

Hays County Planner, Caitlyn Strickland spoke and gave staff recommendation. Dellana is a proposed 2 lot subdivision located along Mt Sharp Rd. in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Shell,**



seconded by Commissioner Whisenant to approve the final plat of SUB-979; Dellana Subdivision (2 Lots). All present voting "Aye". MOTION PASSED

33505A SUB-982; DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 705.4.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO WAIVE THE FEES FOR THE REVISED PRELIMINARY PLAN OF HIGHPOINTE PHASE 1 SECTION 3

Hays County Planner, Caitlyn Strickland spoke. Highpointe is a master planned community located off of Sawyer Ranch Road in Precinct 4. The developer is revising the Phase 1 Section 3 preliminary for minor changes to road configurations and the addition of 13 lots. The developer is requesting that the fees are waived, except for the additional new lots that are added. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept a variance from chapter 705.4.02 of the Hays County Development Regulations to waive the fees for the revised preliminary plan of Highpointe Phase 1 Section 3 SUB-982. All present voting "Aye". MOTION PASSED**

33506A NAME A PRIVATE DRIVEWAY IN PRECINCT 1, PARKERS POND PATH

Chief of Staff, Clint Garza spoke. The owners of property located off S Old Bastrop Hwy in Precinct 1, would like to name their private driveway, Parkers Pond Path. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to name a private driveway in Precinct 1, Parkers Pond Path. All present voting "Aye". MOTION PASSED**

33507A ACCEPT THE FISCAL YEAR 2017 HAYS COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AS AUDITED BY ABIP, PC CERTIFIED PUBLIC ACCOUNTANTS

Janet Pitman, CPA of ABIP, PC spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the Fiscal Year 2017 Hays County Comprehensive Annual Financial Report (CAFR) as audited by ABIP, PC Certified Public Accountants. All present voting "Aye". MOTION PASSED**

33508A AUTHORIZE EXECUTION OF A LICENSE AGREEMENT RELATED TO THE ESTABLISHMENT OF DEMONSTRATION GARDENS AND EDUCATIONAL EXHIBIT BY THE HAYS COUNTY MASTER GARDENERS AT THE JACOB'S WELL NATURAL AREA

Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a License Agreement related to the establishment of demonstration gardens and educational exhibit by the Hays County Master Gardeners at the Jacob's Well Natural Area. All present voting "Aye". MOTION PASSED**

33509A EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND HAYS COUNTY EMERGENCY SERVICES DISTRICT #4 (WIMBERLEY FIRE) FOR THE REPAIR OF AN EXISTING WATER TANK LOCATED IN PRECINCT 3 AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell spoke. In return for Hays County's access to water, on an as-needed basis, and occasional use of the property on which the tank is located, Hays County has agreed to provide \$18,000 toward the cost of repairing the existing water tank, which is located north of Wimberley in Precinct 3. Budget Amendment: Increase 020-710-00.5600 Project Contribution. Decrease 020-710-00.5351 Road Materials and Supplies. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve execution of an Interlocal Funding Agreement between Hays County and Hays County Emergency Services District #4 (Wimberley Fire) for the repair of an existing water tank located in Precinct 3 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33510A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HALFF AND ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO DRAINAGE ISSUES IN THE LEISUREWOODS, COVES OF CIMARRON, CIMARRON PARK, AND OXBOW TRAILS SUBDIVISIONS LOCATED IN PRECINCT 2; AMEND THE BUDGET ACCORDINGLY

Commissioner Jones spoke. Half Associates, Inc., will develop a 2-Dimensional model of the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails neighborhood. During the FEMA physical map revision for the Austin-Travis Lakes Basin, the riverine floodplains along the Little Bear Creek Tributary 1A and Garlic Creek Tributary 1 were revised. There appears to be some riverine flooding from these creeks, however the main drainage issues in these neighborhoods result from inadequate localized drainage networks. A 2D analysis is recommended to capture the dynamic nature of overland flows that traditional hydrologic and hydraulic models do not capture. The analysis will identify the areas of risk and propose mitigation projects to reduce the risk. This

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analysis will also be utilized for future grant opportunities including the Hazard Mitigation Grant Program. Budget Amendment: Increase Contract Consulting .5448_008. Decrease Materials .5351. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement with Half and Associates, Inc. for engineering services related to drainage issues in the Leisurewoods, Coves of Cimarron, Cimarron Park, and Oxbow Trails subdivisions located in Precinct 2; amend the budget accordingly. 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 TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:51a.m. and reconvened into open court at 10:54a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley and Director of Transportation Jerry Borcharding. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:54a.m. and reconvened into open court at 11:52a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chief of Staff, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, Director of Transportation Jerry Borcharding and Alex Flores. No action taken.

CLERK'S NOTE AGENDA ITEM #32 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*

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update. Per recommendation of Hays County Fire Marshall, the Burn Ban will remain lifted.

CLERK'S NOTE AGENDA ITEM #34 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:57 a.m.

I, **LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT**, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on March 27, 2018.



Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3RD DAY OF APRIL 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
OSCAR MEJIA JR	DEPUTY COUNTY CLERK

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

Vilma Resendiz, Pentecostal Church 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, Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, and Craig Young, Wimberley resident made public comments.

33511A ADOPT A PROCLAMATION RECOGNIZING APRIL 3, 2018 AS NATIONAL SERVICE RECOGNITION DAY

A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a Proclamation recognizing April 3, 2018 as National Service Recognition Day. All present voting "Aye". MOTION PASSED

33512A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,032,119.69 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33513A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror Checks in the amount of \$696.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33514A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of Humana Claims in the amount of \$0.00 and United Healthcare Claims in the amount of \$256,226.29 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33515A APPROVE COMMISSIONERS COURT MINUTES OF MARCH 27, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of March 27, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33516A AUTHORIZE COMMERCIAL OSSF PERMIT AT 3600 BELL SPRINGS ROAD, DRIPPING SPRINGS, TEXAS 78620

BSR DSTX 2017 LLC is proposing an OSSF to serve the Lucky Arrow Retreat located at 3600 Bell Springs Road. This system will serve an event center, which will accommodate up to 100 daily customers, lodging for another 41 cabins, an office, a bath house, and an existing house. This 15.01-acre tract of land will be served by a public water well. The system designer, Derrick Lormand, 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 4400 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize



Commercial OSSF Permit at 3600 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33517A ACCEPT A DONATION TOTALING \$600.00 TO THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Community Outreach Division received 6 donations totaling \$600 from members of the Radha Madhav Dham Temple. The members request to have donations used for the following programs. Junior Deputy Academy \$300 Sunshine Kids \$150 Citizen's Academy \$150 Budget Amendment: Special Projects Fund Increase 052-618-00.4610 Contributions \$600.00 Increase 052-618-00.5222 Crime Prevention \$600.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a donation totaling \$600.00 to the Sheriff's Office Community Outreach Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33518A APPROVE OUT OF STATE TRAVEL FOR THE ELECTIONS ADMINISTRATOR TO ATTEND THE CERA (CERTIFIED ELECTION/REGISTRATION ADMINISTRATORS) CONFERENCE IN LOUISIANA

Dan Lyon, a resident of San Marcos and Harvey Jenkins, a resident of San Marcos spoke. Election Administrator has been attending CERA (Certified Election/Registration Administrators), which is a national program for Elections Administrators, and has completed the first 8 classes. In order to graduate next year, she will have to attend their national conference as an attendee this year. The conference is being held in New Orleans this year on August 27-29. They only hold one conference per year. It was in San Antonio two years ago, and isn't planned to come back to Texas anytime soon at this point. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for the Elections Administrator to attend the CERA (Certified Election/Registration Administrators) Conference in Louisiana. All present voting "Aye". MOTION PASSED**

33519A APPROVAL TO AWARD IFB 2018-B05 ROAD IMPROVEMENTS - HOT MIX OVERLAY TO ALPHA PAVING INDUSTRIES, LLC AND AUTHORIZE THE EXECUTION OF CONTRACT DOCUMENTS

Purchasing received 5 bids from Alpha Paving Industries, LLC, Lone Star Paving, Austin Materials, LLC, Clark Construction Company of Texas, Inc. and Angel Brothers Enterprises. Staff recommends award of a contract to Alpha Paving Industries, LLC. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approval to award IFB 2018-B05 Road Improvements – Hot Mix Overlay to Alpha Paving Industries, LLC and authorize the execution of Contract documents. All present voting "Aye". MOTION PASSED**

33520A AUTHORIZE THE EXECUTION OF A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND COSTELLO, INC. FOR DRAINAGE IMPROVEMENTS ALONG FM 2770 IN PRECINCT 2

As provided in the Professional Services Agreement, Costello, Inc. has requested an extension to complete the culvert drainage improvements of FM2770. The extension will allow additional working days, extending the project completion to 7/4/18. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Second Amendment to the Professional Services Agreement between Hays County and Costello, Inc. for drainage improvements along FM 2770 in Precinct 2. All present voting "Aye". MOTION PASSED**

33521A APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT DAVID BURNS, CAPTAIN MARK CUMBERLAND, AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS CLINT GARZA TO ATTEND THE NAFA FLEET MANAGEMENT ASSOCIATION 2018 INSTITUTE AND EXPO IN ANAHEIM, CA BEGINNING APRIL 24-27 AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, a resident of San Marcos, Rodrigo Amaya, a resident of San Marcos, and Harvey Jenkins, a resident of San Marcos spoke. The Sheriff's Office is requesting out of state travel to send Captain Cumberland, Lieutenant Burns and Executive Director of Countywide Operations Clint Garza to attend the NAFA 2018 Institute and Expo in Anaheim, CA beginning April 24-27, 2018. The expo will provide information regarding fleet management, the latest technology, new vehicle updates, and advancements in providing the safest vehicles on the road. Total cost to send all three employees is an estimated \$10,800; funding of \$7,320 for Captain Cumberland and Lieutenant Burns will be expensed from the Sheriff's Drug Forfeiture Fund. Director Garza has



agreed to use approximately \$1,250 from his county budget; the remaining expense of \$2,230 will be paid from the Sheriff's Office Continuing Ed g/l. Budget Amendment: Sheriff Drug Forfeiture Fund, 053-618-00.5362 Criminal Investigation (\$7,300) 053-618-00.5501 Travel \$7,300. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Lieutenant David Burns, Captain Mark Cumberland, and Executive Director of Countywide Operations Clint Garza to attend the NAFA Fleet Management Association 2018 Institute and Expo in Anaheim, CA beginning April 24-27 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33522A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 98 REBEL DR, BUDA, TX, 78610

Hays County Holdings, LLC is proposing an OSSF to serve two warehouses with ten employees and no public restroom. The type of business will be an HVAC business. This site is located in Possum Trot Park Subdivision and lies outside the City of Buda. Water will be supplied by a public water supply. The system designer, John Haag, PE, has designed a system, which consists of a 500 gallon equalization tank and an aerobic treatment unit with dispersal by surface application. The maximum daily usage rate is 40 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 98 Rebel Dr., Buda, TX, 78610. All present voting "Aye". MOTION PASSED**

33523A AMEND THE COUNTY COURT AT LAW TEXAS VETERAN'S COMMISSION (TVC) GRANT BUDGET RELATED TO VETERAN'S SERVICES OPERATING EXPENDITURES AND CONTINUING EDUCATION FOR VETERAN'S COURT STAFF

The TVC Office has authorized a budget adjustment for the veteran's program for court staff to attend the National Drug Court Professionals conference in Houston Texas in May as well as expenditures for a color printer and telephone expenses. No County matching funds are needed. Budget Amendment: Increase Telephone .5489 - \$437 Increase Cont. Ed .5551 - \$2,513 Increase Comp Eqpt .5712_400 - \$2,487 Decrease Staff Salaries .5021 - (\$3,250) Decrease Fringe .5101] - (\$678) Decrease Supplies .5211 - (\$1,509). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the County Court at Law Texas Veteran's Commission (TVC) Grant Budget related to Grant Budget related to Veteran's Services Operating Expenditures and Continuing Education for Veteran's Court Staff. All present voting "Aye". MOTION PASSED**

33524A AMEND THE COUNTY COURT AT LAW CRIMINAL JUSTICE DIVISION (CJD) GRANT BUDGET RELATED TO VETERAN'S SERVICES CONTINUING EDUCATION EXPENDITURES FOR VETERAN'S COURT STAFF

The CJD Division has authorized a budget adjustment for the veteran's program for seven court staff to attend the National Drug Court Professionals conference in Houston Texas in May. No County matching funds are needed. Budget Amendment: Increase Cont. Ed .5551 - \$9,057 Decrease Insurance .5160_400 - (\$9,057). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the County Court at Law Criminal Justice Division (CJD) Grant Budget related to Veteran's Services Continuing Education Expenditures for Veteran's Court Staff. All present voting "Aye". MOTION PASSED**

33525A RATIFY THE EXECUTION OF THE RESOLUTION FOR THE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TEXAS CONVERSION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes, as well as arrests made and property stolen. Incident Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Currently, the CAD and RMS are through different providers. It is the desire of staff to have a CAD and RMS from the same provider. A new CAD system has been requested in the grant application along with upgrades to the current RMS to comply with House Bill 11 requirements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify the execution of the Resolution for the Grant Application**



to the Office of the Governor, Criminal Justice Division, Texas Conversion to the National Incident-Based Reporting System (NIBRS). All present voting "Aye". MOTION PASSED

33526A RATIFY THE PURCHASE OF A 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM FOR THE TRANSPORTATION DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

On 2/27/18 the Commissioner's Court authorized the Transfer Station to purchase a replacement heating and cooling system for the Driftwood location. At the time the Facilities Manager identified this to be a unit for the Transfer Station, however, it has since been discovered that the unit is for the Driftwood Road Yard. The unit has been received and installed by SI Mechanical the vendor under contract for HVAC issues and the invoice has been presented for payment. Funds should be identified in the Transportation Budget for this capital expenditure, not the Building Maintenance budget. This amendment will move the necessary funds within the Transportation budget to cover this expense, and reverse the previous budget amendment in the Building Maintenance budget that is no longer needed. Budget Amendment: Increase Building Maintenance and Repair 001-695-00.5451 Decrease Transfer Station Misc. Equipment_Operating 001-716-00.5719_400 Decrease Transportation Road Materials 020-710-00.5351 Increase Transportation Misc. Equipment Operations 020-710-00.5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to ratify the purchase of a 3.5-ton SEER Split Heating and Cooling System for the Transportation Department and amend the Budget accordingly. All present voting "Aye". MOTION PASSED**

33527A AUTHORIZE EXECUTION OF A FIRST AMENDMENT TO THE HAYS COUNTY INDIGENT CARE AFFILIATION AGREEMENT BETWEEN HAYS COUNTY AND SETON FAMILY OF HOSPITALS

Commissioner Shell, General Counsel, Mark Kennedy, Matt Gilbert, Consultant for Seton Family Hospitals, and Parker Pridgen, CFO of CTMC spoke. This amended Affiliation Agreement will allow more latitude in the hospitals' efforts to attain Medicaid funding for the Medicaid population of the County and to access local and federal funding to which the Hospital is entitled under the Section 1115 Demonstration Waiver for the Texas Healthcare Transformation and Quality Improvement Program. As the Court already knows, reductions in reimbursement under the Medicaid program and the growing uninsured population have created a gap between the costs the Hospital incurs for treating Medicaid patients and the Indigent and the reimbursement the Hospital actually receives. The multiplication of local dollars through an Intergovernmental Transfer (IGT) associated with the Waiver Program ensures that the hospitals with which Hays County is affiliated will come closer to bridging that gap between costs and Medicaid funding. Seton Family of Hospitals wishes to add two of their hospitals to the Agreement. The attached amendment "affiliates" Dell Children's Medical Center, a facility in Austin, Texas, and Seton Highland Lakes, a facility in Burnet, Texas, to help allocate some of the UC funds being held by Hays County, which were received from the Seton Family of Hospitals, in upcoming IGTs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a First Amendment to the Hays County Indigent Care Affiliation Agreement between Hays County and Seton Family of Hospitals. All present voting "Aye". MOTION PASSED**

33528A APPROVE SPECIFICATIONS FOR RFQ 2018-P15 RELATED TO BOND COUNSEL SERVICES AND AUTHORIZE THE AUDITOR'S OFFICE TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Specifications for RFQ 2018-P15 related to Bond Counsel Services and authorize the Auditor's Office to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED**

33529A AUTHORIZE THE ORDER OF A DODGE CARAVAN FOR THE JUVENILE PROBATION DEPARTMENT AS A PART OF THE FY'18 VEHICLE LEASE PROGRAM

On 10-3-2017, Commissioners Court approved a recommendation on quantities and types of vehicles for the FY '18 lease program. At the time, the approved budget included funds for 1 - 2018 Ford Fusion and 1 - 2018 Dodge Caravan. An additional Dodge Caravan would better meet the transportation needs of the Juvenile Probation Department. The 2018 Ford Fusion will be transferred to another department already approved in the FY '18 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Order of a Dodge Caravan for the Juvenile Probation Department as a part of the FY'18 Vehicle Lease Program. All present voting "Aye". MOTION PASSED**

33530A APPROVAL TO REJECT ALL PROPOSALS RECEIVED RELATED TO RFP 2018-P11 COUNTYWIDE LAWN & LANDSCAPE SERVICES

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Nicholas Purvis, a New Braunfels resident spoke. As stated in the RFP documents, "Hays County reserves the right to accept or reject any and/all proposals as it shall deem to be in the best interest of Hays County". **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approval to reject all Proposals received related to RFP 2018-P11 Countywide Lawn & Landscape Services. All present voting "Aye". MOTION PASSED**

33531A ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR GREAT HILLS SUBDIVISION, SECTION 4

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. A maintenance bond was not issued by the contractor for this project, so the County does not need to release anything. The roads include: Boxcar Path (1,170 ft.), Depot Drive (538 ft.), Fiat Court (155 ft.), and a segment of Railyard Drive (1,067 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the roads into the County Road Maintenance System for Great Hills Subdivision, Section 4. All present voting "Aye". MOTION PASSED**

33532A RELEASE THE MAINTENANCE BOND #0685942 FOR \$43,000.00, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR GREAT HILLS SUBDIVISION, SECTION 5

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. The roads include: Duchess Pass (1,416 ft.), Marley Way (412 ft.), Jimmy Court (327 ft.), Storm Court (296 ft.), and a segment of Railyard Drive (337 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release the Maintenance Bond #0685942 for \$43,000.00 and accept the roads into the County Road Maintenance System for Great Hills Subdivision, Section 5. All present voting "Aye". MOTION PASSED**

33533A RELEASE THE MAINTENANCE BOND #006119 FOR \$167,324.00, AND ACCEPT THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 3

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of this segment of road into the county maintenance system. This road segment is 1,064 feet in length that we requested an additional year of maintenance from the contractor. The road segment includes: Sunbright Boulevard (1,064 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the Maintenance Bond #006119 for \$167,324.00 and accept the roads into the County Road Maintenance System for Sunfield Subdivision, Phase 2, Section 3. All present voting "Aye". MOTION PASSED**

33534A ABANDON A PORTION OF CR # 208 IN PRECINCT 4 OF HAYS COUNTY PURSUANT TO SECTION 251.057 OF THE TEXAS TRANSPORTATION CODE

Commissioner Whisenant, and General Counsel, Mark Kennedy spoke. This portion of CR #208, was not formally abandoned when the Commissioners Court closed the CR #208 Union Pacific Railroad crossing to through traffic on June 7, 1993. This portion of the road continues to exist as a paper street although the county does not maintain the road and is closed off by gates. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to abandon a portion of CR #208 in Precinct 4 of Hays County pursuant to Section 251.057 of the Texas Transportation Code. All present voting "Aye". MOTION PASSED**

33535A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE THE CONSTRUCTION/SUBDIVISION BOND #E235960 IN THE AMOUNT OF \$248,827.25, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #CA2370398 IN THE AMOUNT OF \$74,231.70 FOR WINDY HILL 24 AC SUBDIVISION

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond and engineer's concurrence letter has been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept Road Construction and Drainage Improvements, release the Construction/Subdivision Bond #E235960 in the amount of \$248,827.25, and accept the 2-Year Maintenance Bond #CA2370398 in the amount of \$74,231.70 for Windy Hill 24 ac. Subdivision. All present voting "Aye". MOTION PASSED**



33536A SUB-901; REPLAT OF LOT 14, HIGHLANDS SECTION A SUBDIVISION APPROVE FINAL PLAT; HOLD PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco, gave staff recommendation. Highlands Section A Subdivision is a recorded subdivision located off of Alpine Trail in Precinct 4. The proposed re-plat will divide the original 15.19 acre Lot 14 tract into two tracts. Water service will be provided by private wells and rainwater collection. 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 for SUB-901 Replat of Lot 14, Highlands Section A Subdivision. All present voting "Aye". MOTION PASSED**

33537A APPROVE A PRELIMINARY HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2019

County Auditor, Marisol Villarreal-Alonzo spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Preliminary Hays County Budget Calendar for Fiscal Year 2019. All present voting "Aye". MOTION PASSED**

33538A AUTHORIZE EXECUTION OF AN INDIGENT CARE AFFILIATION AGREEMENT BETWEEN HAYS COUNTY AND ROLLINS BROOK COMMUNITY HOSPITAL

Commissioner Shell, General Counsel, Mark Kennedy, Matt Gilbert, Consultant for Seton Family Hospitals, and Parker Pridgen, CFO of CTMC spoke. This additional Affiliation Agreement will allow more latitude in the hospitals' efforts to attain Medicaid funding for the Medicaid population of the County and to access local and federal funding to which the Hospital is entitled under the Section 1115 Demonstration Waiver for the Texas Healthcare Transformation and Quality Improvement Program. As the Court already knows, reductions in reimbursement under the Medicaid program and the growing uninsured population have created a gap between the costs the Hospital incurs for treating Medicaid patients and the Indigent and the reimbursement the Hospital actually receives. The multiplication of local dollars through an Intergovernmental Transfer (IGT) associated with the Waiver Program ensures that the hospitals with which Hays County is affiliated will come closer to bridging that gap between costs and Medicaid funding. Rollins Brook Community Hospital is an affiliate of the Adventist Hospitals. On request of Central Texas Medical Center and the Adventist Health System, the attached agreement "affiliates" Rollins Brook Community Hospital, a facility in Lampasas, Texas, to help allocate some of the UC funds being held by Hays County, which were received from the Adventist System, in upcoming IGTs. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of an Indigent Care Affiliation Agreement between Hays County and Rollins Brook Community Hospital. All present voting "Aye". MOTION PASSED**

33539A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 01 BETWEEN HAYS COUNTY AND PERFORMANCE SERVICES INC. (PSI) FOR ADDITIONAL WORK UNDER THE EXISTING ENERGY SAVINGS PERFORMANCE CONTRACT AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, a resident of San Marcos, and Harvey Jenkins, a resident of San Marcos and Director of Countywide Operations, Clint Garza spoke. Performance Services, Inc. was selected through a formal RFQ process in 2016 for the County Wide Energy Efficiency Project. Contract amendments are allowable up to 25% of the total award. Change Order No. 1 will increase the contract by 5.67%. Change Order No. 01: * Replace the existing 10 ton AAON unit with a new, high efficiency 10 ton unit at the Yarrington Building. \$35,787 * HVAC Optimization of all Government Center units with the exception of unit RTU-7. The Optimization will address inefficient cooling and heating, excessive compressor failure, supply temperature control issues, and low airflow issues. \$732,185 * Remove from the PPF Funded projects the proposed 210 kWdc solar PV system to be installed on the roof of the new fleet maintenance building adjacent to the Hays County Jail. (\$448,800) Attachment: PSI Change Order No. 1 Savings within the County Wide Operations budget have been identified to fund the difference needed for CO No1. Budget Amendment: Decrease County Wide Operations Misc. Capital Improvements - 001-712-00.5741 Increase Building Maintenance Misc. Capital Improvements - 001-695-00.5741. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 01 between Hays County and Performance Services Inc. (PSI) for additional work under the existing Energy Savings Performance Contract and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 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



33540A 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 HAYS COUNTY SHERIFF'S OFFICE AND MATTERS RELATED TO THE RENOVATION AND EXPANSION OF THE HAYS COUNTY JAIL

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:17 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Legal Support Services Specialist Janice Jones, Hays County Sheriff Gary Cutler, Capt. Julie Villalpando, and Shelby Eskew. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the Sheriff's Office proposed staffing structure for the Jail Expansion as presented utilizing salary savings. Adding the following new positions effective May 1, 2018: One (1) Lieutenant, One (1) Corrections Specialist, and Two (2) Corporals and Adding the following new positions effective June 1, 2018: Three (3) Corrections Officers and Two (2) Corrections Specialists. Proposed staffing fiscal impact for FY18 will be a remaining savings of \$40,413. All present voting "Aye". MOTION PASSED**

33541A 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 HAYS COUNTY AUDITOR'S OFFICE

Court convened into Executive session at 10:42 a.m. and reconvened into open court at 11:34 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Hays County Auditor Marisol Villarreal-Alonzo, Assistant County Auditor Vickie Dorsett, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the Auditor's Office proposed re-organization as presented: Creating one new Internal Audit Manager position, Grade 117, Re-titling the Accounting/Auditing Manager, Grade 117 to Accounting Manager Grade 117, Re-Titling the Administrative Assistant III, Grade 110 to Fixed Asset/Accounting Specialist Grade 110. Proposed re-structure fiscal impact for FY18 will be a savings of \$2,513. 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 PURPLE MOUNTAIN AND PROJECT GOLDFISH

Court convened into Executive session at 10:19 a.m. and reconvened into open court at 10:37 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Legal Support Services Specialist, Janice Jones, Diane Torres-Blank, and Mike Kamerland, Greater San Marcos Partnership. No action taken.

Clerk's Note Agenda Item #34 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 Marshall, the Burn Ban will remain lifted. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while conducting outdoor burning.

Clerk's Note Agenda Item #36 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

ADJOURNMENT

A motion was made by Commissioner Ingalsbe to adjourn court at 11:40 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 April 3, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF APRIL 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:

Nahum Melendez 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 made public comment.

33542A 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 \$966,998.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: *APPROVE PAYMENTS OF JUROR CHECKS – was pulled*

33543A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Humana Claims in the amount of \$0.00 and United Healthcare Claims in the amount of \$117,185.33 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33544A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 3, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of April 3, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33545A APPROVE THE PAYMENT OF THE APRIL 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE APRIL 13, 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 April 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective April 13, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33546A AUTHORIZE COMMERCIAL OSSF PERMIT AT 500 VISTA WEST RANCH ROAD, DRIPPING SPRINGS, TEXAS 78620

Paola McKee is proposing an OSSF to serve the McKee Tipi Campground located at 500 Vista West Ranch Road. This system will serve a bath house that will be used by customers renting 10 tipis. This 10.907-acre tract of land will be served by a private water well. The system designer, Kyle DeHart, R.S., has designed a standard treatment system using flow equalization. After treatment, the effluent will be dispersed via low-pressure pipe for a maximum daily rate of 200 gallons. **A motion was made by Commissioner Whisenant,**



seconded by Commissioner Jones to authorize Commercial OSSF Permit at 500 Vista West Ranch Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33547A APPROVE SPECIFICATIONS FOR IFB 2018-B06 AUXILIARY SPILLWAY REPAIRS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

General Counsel, Mark Kennedy spoke of post modification. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Specifications for IFB 2018-B06 Auxiliary Spillway Repairs and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED

33548A APPROVE THE OCTOBER - DECEMBER 2017 TREASURER'S AND INVESTMENT REPORTS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the October – December 2017 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

33549A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE AND MAINTAIN A STOCK OF AID AND RELIEF SUPPLIES FOR USE OF FIRST RESPONDERS DURING EMERGENCY INCIDENTS

The Hays County Community Emergency Response Team (CERT) is activated by Public Safety departments throughout the county to respond to emergency scenes and assist in supporting the first responders working the incident. Multiple responses trailers are staged throughout the county for easy deployment. These trailers house supplies for first responders such as bottled water, protein and granola bars, ice packs and cooling stations, and minor medical supplies. The quick deployment of these assets is imperative to the success of the event. No budget request is needed; operating funds will be utilized. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to purchase and maintain a stock of Aid and Relief Supplies for use of First Responders during emergency incidents. All present voting "Aye". MOTION PASSED

33550A AUTHORIZE THE EXECUTION OF AMENDMENT NUMBER 01 WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) PROGRAM

On February 6, 2018 the Commissioners Court authorized the submission of a grant application with the Department of State Health Services, Public Health Emergency Preparedness program. The Contract Amendment reflects a continuation to the current PHEP grant contract. This program will provide support for the salary and benefits for the Emergency Preparedness Coordinator and a portion of an epidemiologist's salary. The grant requirements include a 10% match which will be met through contributions from the health department operating funds. Funding is in the amount of \$122,790 and the grant term is July 1, 2018 - June 30, 2019. The contract will be signed electronically. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment Number 01 with the Texas Department of State Health Services (DSHS) Public Health Emergency Preparedness (PHEP) Program. All present voting "Aye". MOTION PASSED

33551A AUTHORIZE THE CONSTABLE PRECINCT 1 OFFICE TO PURCHASE TWO (2) BULLET PROOF VESTS FOR DEPUTY CONSTABLES AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, San Marcos resident, Vickie Dorsett, Assistant County Auditor, David Peterson, Constable Pct. 1 spoke. The Constable has two new hires filling vacant slots that require a fitted Bullet Proof Vests for officer safety. Bullet Proof Vests are fitted per specific measurements of the officer, therefore, previous employee's vests are not usable. Funds have been identified in the Constable's operating budget and will be moved to the Department of Justice (DOJ) grant cost center which may provide 50% of the cost for the vests. Budget Amendment: Increase DOJ Grant 001-618-99-001.5717_400 - \$947 Decrease Constable 1 - 001-635-00.5717_400 - (\$947). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 1 Office to purchase two (2) Bullet Proof Vests for Deputy Constables and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33552A APPROVAL TO AWARD IFB 2018-B04 WATER TREATMENT SYSTEM TO SI MECHANICAL, LLC; AUTHORIZE THE EXECUTION OF CONTRACT DOCUMENTS AND AMEND THE BUDGET ACCORDINGLY



General Counsel, Mark Kennedy spoke of address change for SI. Rodrigo Amaya, San Marcos resident spoke. Purchasing received 2 bids from B.A. Marbach Plumbing Services, Inc. and SI Mechanical, LLC. Staff recommends award of a contract to the lowest bidder SI Mechanical, LLC. Attachment: Bid Tabulation Funds were budgeted (\$175k) during the FY18 budget process for this project in County Wide Operations. Due to the complexity of this job, additional funds are required. Savings within the County Wide Operations capital improvements budget is available to fund the additional costs. Budget Amendment: Increase Building Maintenance Misc. Capital Improvements 001-695-00.5741 Decrease County Wide Operations Misc. Capital Improvements 001-712-00.5741. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approval to award IFB 2018-B04 Water Treatment System to SI Mechanical, LLC; authorize the execution of contract documents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33553A AUTHORIZE PAYMENT TO HART INTERCIVIC FOR THE ELECTION'S OFFICE RELATED TO PREVIOUS ELECTION EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Election's Office secured Hart Intercivic for professional services during the May 2017 election in which no purchase order was obtained per County Purchasing Policy. Funds are budgeted in the Elections operating budget for this expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Hart Intercivic for the Election's Office related to previous election expenses in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33554A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY2017 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

This is a grant that the County has been receiving for a number of years to recover some jail operations expenses associated with incarceration of undocumented criminal aliens. The FY2016 amount received was \$41,386.00 and the FY2017 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before March 13, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY2017 funding under the State Criminal Alien Assistance Program (SCAAP). All present voting "Aye". MOTION PASSED**

33555A AUTHORIZE OUT OF STATE TRAVEL FOR DETECTIVE HERMAN ADAIR TO ATTEND A FREE AUTO THEFT COURSE IN HARVEY, LA

The Sheriff's Office is requesting approval to send Detective Herman Adair to attend an Auto Theft Course in Harvey, LA. Detective Adair will receive training in heavy equipment, motorcycles, ATV's, trailers, boats and watercrafts. The training is being funded by the Sheriff's Combined Auto Theft Task Force and will be free of charge to the agency and investigator. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize out of state travel for Detective Herman Adair to attend a Free Auto Theft Course in Harvey, LA. All present voting "Aye". MOTION PASSED**

33556A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION #2 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. RELATED TO ENGINEERING MANAGEMENT SERVICES AND AMEND THE BUDGET ACCORDINGLY

This Work Authorization will be effective Oct.2, 2017 in order to catch some work that PSI already performed for the Transportation Dept. WA#2 divides the responsibility for projects between PSI and Hays County agents, with Bond funded projects being managed by PSI. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Work Authorization #2 related to an Agreement between Hays County and Prime Strategies, Inc. related to Engineering Management Services and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33557A AUTHORIZE THE DISTRICT ATTORNEY TO USE DRUG FORFEITURE FUNDS TO HIRE TWO (2) TEMPORARY FULL-TIME ADMINISTRATIVE ASSISTANT II POSITIONS EFFECTIVE MAY 1, 2018 THROUGH SEPTEMBER 30, 2018 AND AMEND THE BUDGET ACCORDINGLY

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Hays County District Attorney, Wes Mau spoke. The District Attorney is requesting the Courts authorization to hire two temporary full-time Admin II positions, effective May 1st and ending September 30th to be funded with Drug Forfeiture funds received. These temporary full-time positions are needed to assist the Intake and Civil Division with evidence management and other duties. The Intake Division currently has a 5 month backlog of cases that are in need of processing. The increased case load is due to law enforcement agencies adding a combined total of 16 new officers and almost every officer in each agency utilizes a body worn camera that is then uploaded into Evidence.com. The increased evidence collected has become burdensome to the Intake Division and in order to ensure each case has all of the evidence available to collect, additional manpower is needed. The Civil Division Admin will be responsible for gathering all of the evidence needed immediately from Quetel, Evidence.com, COBAN, Odyssey, CIS and Video Oversight as the CPS cases come in. This evidence will also be shared with the Intake Division to help streamline their intake duties. In addition the new admin will be responsible for organizing all open record request deadlines, communicate with the District Clerk's Office when filing emergency cases, and answering phone calls when attorney-paralegal teams are in court or prepping for trial. Additionally, equipment needed for the temporary staff to function will be purchased and utilized for intern positions as needed. Funds are available within the DA Drug Forfeiture fund to process this request. Budget Amendment: Increase Revenue for Forfeiture Proceeds - (\$30,205) Increase Staff Salaries - \$23,478 Increase FICA - \$1,456 Increase Medicare - \$341 Increase 5712_400 - \$3,268 Increase 5202 - \$882 Increase 5429 - \$780. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Attorney to use Drug Forfeiture Funds to hire two (2) Temporary Full-Time Administrative Assistant II Positions effective May 1, 2018 through September 30, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

HOLD A PUBLIC HEARING TO CONSIDER THE AMENDMENT OF THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO APPROVING A RESOLUTION AMENDING THE HAYS COUNTY PACE PROGRAM, AND ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

Commissioner Ingalsbe opened the public hearing. Public Comments - Lee McCormick, Lone Star PACE, Roger Bordon, David Parker, Dan Lyon, Tim Crocket, Cliff Kellogg, Jonathan Blackburn, George Hittner, William (Dub) Taylor, Charlene Heydinger, David Matiella, Vince Drieling, Joe Edgar, Steve Brown, Michael Kamalander, and Peter Aguirre, spoke. Commissioner Ingalsbe closed the public hearing. Hays County established a PACE program in January 2017. PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more dwelling units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment collected together with their property taxes. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed. PACE financing enables businesses to align the costs of energy and water efficiency improvements with the utility savings provided by the improvements. PACE financings are paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements. Currently Hays County has one PACE administrator. The proposed amended Resolution and Program Report allows additional PACE administrators to accept applications from owners of property within the County's territory for financing of qualified improvements. It also authorizes additional administrators to conduct assessment proceedings to levy assessments against the property of participating owners within the territory of the County. Court took no action.

AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LONE STAR PACE, RELATED TO THE ADMINISTRATION OF THE PACE PROGRAM IN HAYS COUNTY

David Parker, Charlene Heydinger, Dan Lyon, Vince Drieling, Joe Edgar, Mike Kamalander, and Peter Aguirre, spoke. The amended PACE Resolution and Program Report allow for additional PACE administrators. Lone Star PACE has expressed interest in participating in Hays County PACE projects. In order for Lone Star PACE to have the authority to provide PACE financing in the County, it is necessary for the County to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the County executing such agreement. There are no costs to the County associated with participation in the Hays County PACE Program. Court took no action.

Clerk's Note Agenda Item #20 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**

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Clerk's Note Agenda Item #21 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 KDBI – 137. Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #23 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*

ADJOURNMENT

Court adjourned at 10:56 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on April 10, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 17TH DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Esperanza Baltazar-Ramirez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

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

33558A ADOPT A PROCLAMATION DECLARING APRIL 21-28, 2018 AS NATIONAL INFANT IMMUNIZATION WEEK

Eric Schneider, Epidemiologist of the Hays County Local Public Health Department spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring April 21-28, 2018 as National Infant Immunization Week. All present voting "Aye". MOTION PASSED

33559A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,974,870.04 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33560A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$3,570.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33561A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of Humana claims in the amount of \$16,012.90 and United Healthcare claims in the amount of \$78,354.29 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33562A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 10, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioners Court Minutes of April 10, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33563A RATIFY THE EXECUTION OF THE TEXAS WORKFORCE COMMISSION INFORMATION RELEASE CONTRACT

The contract term is from March 1, 2018 until February 28, 2019. The total amount of this Contract will not exceed the sum of \$1,500 which covers up to and including 10 online users. Funds are budgeted in the Sheriff Drug Forfeiture Fund. A motion was made by Commissioner Jones, seconded by Commissioner Shell to ratify the execution of the Texas Workforce Commission Information Release Contract. All present voting "Aye". MOTION PASSED



33564A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE THREE REPLACEMENT TICKET WRITERS AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. At this time the Sheriff's Office, with IT's recommendation, is requesting approval to replace three out of warranty ticket writers. The out of warranty ticket writers have current licenses that will be transferred to the new devices. The purchase also includes a replacement printer and wall charger. The Sheriff's Office is requesting an exemption from the County purchasing policy requiring three quotes for the replacement ticket writers and component parts. The total cost for replacements is \$6,858; funds have been identified in the Sheriff's Office Law Enforcement Equipment g/l. Budget amendment Decrease 001-618-00.5717_400 Law Enforcement Equipment (\$129.00) Increase 001-618-00.5202 Data Processing Supplies \$129.00 Decrease 001-618-00.5717_400 Law Enforcement Equipment (\$6,729) Increase 001-618-00.5712_400 Computer Equipment Operating \$6,729 **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase three replacement ticket writers and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33565A APPROVE THE JANUARY AND FEBRUARY 2018 TREASURER'S AND INVESTMENT REPORTS

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

33566A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #6 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33567A ACCEPT THE 2017 NORTH HAYS COUNTY EMERGENCY SERVICES DISTRICT #1 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept the 2017 North Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33568A APPROVE THE TRANSFER OF 1 VEHICLE FROM THE HAYS COUNTY PARKS DEPARTMENT TO THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES

The following vehicle has been taken out of service from the Parks Department and request is made for it to be transferred to the Hays County Office of Emergency Services: 2004 Chevrolet Silverado, VIN 1GCEC19V34Z248827, Hays County Tag # EH-05, Fixed Asset Tag#13366. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the transfer of 1 vehicle from the Hays County Parks Department to the Hays County Office of Emergency Services. All present voting "Aye". MOTION PASSED**

33569A APPROVE THE SELECTION OF DOUCET & ASSOCIATES TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE DARDEN HILL ROAD WIDENING AND TURN LANES PROJECT FROM FM 1826 TO SAWYER RANCH ROAD; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

The Darden Hill Road Widening and Turn Lanes project is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 4 and in the County. Approval of Doucet & Associates for schematic, environmental documentation and PS&E services would position this important safety project to move quickly to construction and allow the County to program construction funding in the County's Fiscal Year 2019 budget and seek additional construction funding through CAMPO. Doucet & Associates has been pre-qualified by Hays County for the requested services. The process to initially select an engineering consultant to negotiate a scope of work and fee proposal, with subsequent action by the Hays County Commissioners Court to approve the contract integrating the negotiated scope of work and fee proposal, follows the process set forth in the Hays County Purchasing Policy and Procedures Manual, revised May 30, 2017. **A motion was made by**



Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the selection of Doucet & Associates to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Darden Hill Road Widening and Turn Lanes project from FM 1826 to Sawyer Ranch Road; and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED

33570A AUTHORIZE PAYMENT TO BECKWITH ELECTRONICS SYSTEMS, LLC FOR REPAIRS TO COURTROOM EQUIPMENT IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Beckwith Electronic Systems, LLC recently underwent an audit and discovered an invoice for work performed in June of 2016 in which no payment had been received. During the processing of the referenced invoice it was discovered that a purchase order had not been obtained. Funds are available within the building maintenance budget to cover the expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment to Beckwith Electronics Systems, LLC for repairs to courtroom equipment in which no purchase order was obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33571A APPROVE OUT OF STATE TRAVEL FOR CORPORAL NELSON WRAY TO ATTEND THE MOBILE DEVICE EXAMINER COURSE IN HOOVER, ALABAMA

The Sheriff's Office is requesting out of state travel for Corporal Nelson Wray to attend a Mobile Examiner Course in Hoover, Alabama beginning July 8 – August 3, 2018. This training will allow for Cpl. Wray to have a hands on experience on mobile devices such as cell phones, GPS units, tablets, and will be able to generate reports for law enforcement. Cpl. Wray will be able to utilize techniques learned at this training while investigating cases involving mobile devices. There is no cost to the Sheriff's Office; all fees will be paid by the U.S. Secret Service. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Corporal Nelson Wray to attend the Mobile Device Examiner Course in Hoover, Alabama. All present voting "Aye". MOTION PASSED**

33572A APPROVE AN INCREASE OF \$150 IN THE CHANGE FUND FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS GOVERNMENT CODE 130.902 (D)

A new employee was hired at the San Marcos Tax Assessor-Collector office location and will need a change fund to process cash receipts. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve an increase of \$150 in the change fund for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Government Code 130.902 (d). All present voting "Aye". MOTION PASSED**

33573A APPROVE OUT OF STATE TRAVEL FOR JUSTIN MCINNIS TO ATTEND THE NATIONAL SECURITY AND PUBLIC SAFETY SUMMIT - ESRI USER CONFERENCE IN SAN DIEGO, CA ON JULY 7-10, 2018 AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. County Auditor, Marisol Villarreal-Alonzo spoke. Requesting approval for Justin McInnis to attend the National Security and Public Safety Summit at the ESRI User Conference in San Diego, CA on July 7-10, 2018. Travel dates July 6 to July 11, 2018. This conference provides public safety personnel with the unique opportunity to learn and experience new GIS techniques and tools that can be implemented at the local level to help prepare for, respond to and recover from emergencies to include natural and manmade. Registration cost \$475, estimated airfare will be \$300.00, estimated hotel costs will \$800, estimated per diem will be \$216 Budget Amendment: 001-656-00.5448 - Contract Services (\$2,000.00) 001-656-00.5551 - Continuing Education \$2,000.00 **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Justin McInnis to attend the National Security and Public Safety Summit - Esri User Conference in San Diego, CA on July 7-10, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33574A AMEND THE TRANSPORTATION DEPARTMENT'S OPERATING BUDGET FOR CONTRIBUTIONS RECEIVED FROM THE HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (HCISD) FOR EXPENDITURES RELATED TO THE OLD SAN ANTONIO ROAD & HIGH ROAD PROJECTS

On 1/23/18 the Commissioner's Court authorized an agreement for road improvements as follows: HCISD Uhland Elementary (ES #14) Proposed Road Improvements: Hays County shall construct left/right turn lanes on



High Road at or near the construction site of Umland Elementary (ES#14), pursuant to a design approved by the County. Elementary School #15 (ES#15) Proposed Road Improvements: Hays County shall construct left/right turn lanes on Old San Antonio Road at or near the construction site of Elementary School #15 (ES#15), pursuant to a design approved by the County. HCISD committed \$250k for each project and has submitted their payment to the Transportation Department as required per Section II of the contract. The funds received from HCISD need to be budgeted in order for the Transportation to complete the work. Budget Amendment: Increase Intergovernmental Revenue .4301 - (\$500,000) Increase Contract Consulting 5448_008 - \$385,000 Increase Contract Road Work .5448_010 - \$115,000 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Transportation Department's operating budget for contributions received from the Hays Consolidated Independent School District (HCISD) for expenditures related to the Old San Antonio Road & High Road projects. All present voting "Aye". MOTION PASSED**

33575A AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET RELATED TO THE PURCHASE OF A SURFACE PRO I5 TABLET

Funding for a laptop was allocated during the FY18 budgetary process; however it has been determined that staff could better utilize the Surface Pro for existing and new software. Additional funds are needed to cover the increased equipment costs and are available in the departments operating budget. Budget Amendment: Increase Computer Equipment .5712_400 - \$528 Increase Data Supplies .5202 - \$87. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Office of Emergency Services operating budget related to the purchase of a Surface Pro i5 Tablet. All present voting "Aye". MOTION PASSED**

33576A RATIFY A PERMANENT UTILITY EASEMENT AGREEMENT BETWEEN CARSON HAYSCO HOLDINGS, LP AND HAYS COUNTY

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify a Permanent Utility Easement Agreement between Carson Haysco Holdings, LP and Hays County. All present voting "Aye". **MOTION PASSED**

33577A AUTHORIZE THE EXECUTION OF CHANGE ORDER #2 WITH BOWMAN CONSULTING FOR ADDITIONAL WORK ON THE FM 150 CENTER TURN LANE PROJECT

Commissioner Ingalsbe spoke. This section of RM150 was excluded from the original project due to environmental concerns. These concerns have been reevaluated thoroughly and the project can now move forward. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order #2 with Bowman Consulting for additional work on the FM 150 Center Turn Lane project. All present voting "Aye". MOTION PASSED**

33578A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DOUCET & ASSOCIATES, INC. REGARDING ROAD AND DRAINAGE IMPROVEMENTS AT THE INTERSECTION OF OLD SAN ANTONIO ROAD AND MANCHACA SPRINGS ROAD IN PRECINCT 2

Commissioner Jones spoke. Jerry Borcharding, Director of Transportation gave staff recommendation. The project encompasses widening and improving at Old San Antonio Road and Manchaca Springs Road to provide proper turn lanes at the driveways to the new Hays ISD school site that is under construction west of the Old San Antonio Road intersection with Manchaca Springs Road. The work entailed will improve alterations to the actual intersection of Old San Antonio & Manchaca Springs Road. This project will include survey of the existing road and necessary drainage improvements as well. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Service Agreement (PSA) with Doucet & Associates, Inc. regarding road and drainage improvements at the intersection of Old San Antonio Road and Manchaca Springs Road in Precinct 2. All present voting "Aye". MOTION PASSED**

33579A ACCEPT SUBDIVISION IMPROVEMENTS PERFORMANCE BOND NO.800016443 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BELTERRA SUBDIVISION SECTION 21-2 IN THE AMOUNT OF \$962,823.75

Jerry Borcharding, Director of Transportation spoke and gave staff recommendation. Belterra Section 21-2 is a proposed 84 lot portion, across 104.35 acres, in the master planned Belterra Subdivision. Water and wastewater services will be provided by the WCID #2. The final plat for the Belterra Subdivision Section 21-2 have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required



by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept Subdivision Improvements Performance Bond No.800016443 for street and drainage improvements for Belterra Subdivision Section 21-2 in the amount of \$962,823.75. All present voting "Aye". MOTION PASSED**

33580A SUB-973; CALL FOR A PUBLIC HEARING ON MAY 1ST, 2018 TO APPROVE FINAL PLAT OF THE REPLAT OF LOT 108, ROLLING OAKS SECTION 4

Rolling Oaks is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 4.376 acre lot 108 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Call for a public hearing on May 1st, 2018 to approve final plat of SUB-973; Replat of Lot 108, Rolling Oaks Section 4. All present voting "Aye". MOTION PASSED**

33581A SUB-962; EL DORADO SUBDIVISION (12 LOTS) APPROVE PRELIMINARY PLAN

County Planner, Caitlyn Strickland spoke and gave staff recommendation. The proposed El Dorado Subdivision is a 52 lot subdivision located off of FM 21 in Precinct 2. The subdivision crossing three county boundaries: Hays, Travis, and Caldwell. Only 12 lots are going to be inside Hays County. The subdivision will be served by GoForth SUD. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan of SUB-962; El Dorado Subdivision (12 Lots). All present voting "Aye". MOTION PASSED**

33582A EXECUTE AN AMENDED AND RESTATED HAYS COUNTY PROPERTY USE POLICY AND APPLICATION, EFFECTIVE IMMEDIATELY

General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to execute an amended and restated Hays County Property Use Policy and Application, effective immediately. All present voting "Aye". MOTION PASSED**

33583A AUTHORIZE PAYMENT TO THE CITY OF SAN MARCOS FOR THE IMPACT FEES FOR THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM

General Counsel, Mark Kennedy spoke. Director of Countywide Operations, Clint Garza spoke. Commissioner Shell spoke. City of San Marcos Impact Fees for the Public Safety Bond Program. The total fee is \$400,486.00 – see breakdown per project below. The TPC included a budget of \$231,147.00 for this fee; therefore, the remaining \$169,339 will be funded from Owner's Contingency. The attached document outlines the calculations used to determine the fees verses the actual costs billed by the city. PSB: Fees are \$110,936; thus, \$1,184 will be funded from contingency. Uhland: Fees are \$289,550; thus, \$168,155 will be funded from contingency. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to the City of San Marcos for the Impact Fees for the Hays County Public Safety Bond Program. All present voting "Aye". MOTION PASSED**

33584A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH HALFF AND ASSOCIATES FOR ADVANCEMENTS TO THE HAYS COUNTY FLOOD WARNING SYSTEM

Office of Emergency Management Director, Kharley Smith spoke. Through the partnership with the Texas Water Development Board in a grant allocation, the Office of Emergency Services is requesting to advance the Flood Warning System with the development of stage-discharge rating curves, frequency based flood inundation mapping for the Blanco River and Cypress Creek, and web enhancement tools allowing for better situational awareness during flood events. Funding is available through an existing grant, no additional funds are being requested. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Professional Services Agreement (PSA) with Halff and Associates for advancements to the Hays County Flood Warning System. All present voting "Aye". MOTION PASSED**

33585A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH WATER AND EARTH TECHNOLOGIES FOR THE INSTALLATION OF FIVE LOW WATER CROSSING GAGES/WARNING SYSTEMS THROUGHOUT HAYS COUNTY

Office of Emergency Management Director, Kharley Smith spoke. General Counsel, Mark Kennedy spoke. Requesting the execution of a PSA to move into the next phase of the Hays Flood Warning project through the installation of five new sites providing situational awareness during flood events. These sites are an addition to

HAYS COUNTY COMMISSIONERS' COURT MINUTES



the monitors at 22 low water crossings and 5 dams that currently make up the Hays County Flood Warning System. Project was budgeted in FY18, no additional funds are being requested. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant authorize the execution of a Professional Services Agreement (PSA) with Water and Earth Technologies for the installation of five low water crossing gages/warning systems throughout Hays County. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #29 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**

Clerk's Note Agenda Item #30 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

Yesterday's Drought Index – 186. Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #32 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**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:53 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on April 17, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24TH DAY OF APRIL A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Jarrell Sharp gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon- resident of San Marcos, Harvey Jenkins- resident of San Marcos, Rodrigo Amaya- resident of San Marcos, and Roger Gordon- resident of Austin, made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller gave the Hays County Service Awards. 5-Years – Andres (Arron) Vega – Sheriff Office, Rosalinda Blodgett – Constable Pct. 5, William J. Dundon – Transportation, Amanda Kristin Calvert – DA's Office, Haley Campbell – Sheriff's Office, Darryl White – District Court's Office, 15-Years – Curtis S. Jackson – Sheriff's Office, 20-Years – Phillip Taylor – Sheriff's Office, 25- Years – Pedro C. Hernandez – Sheriff's Office, Lisa Rodriguez – Sheriff's Office, Michael Chance – Sheriff's Office, Alfredo T. Nino – Sheriff's Office

33586A ADOPT A PROCLAMATION DECLARING APRIL 22 - 29, 2018 AS SOIL & WATER STEWARDSHIP WEEK

Former Hays County Agriculture Extension Agent, Cliff Caskey spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring April 22 - 29, 2018 as Soil & Water Stewardship Week. All present voting "Aye". MOTION PASSED

33587A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,777,433.51 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33588A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$384.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33589A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$1,895.04 and United Healthcare claims in the amount of \$169,820.65. All present voting "Aye". MOTION PASSED

33590A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 17, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of April 17, 2018 as submitted by County Clerk. All present voting "Aye". MOTION PASSED



33591A APPROVE THE PAYMENT OF THE APRIL 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE APRIL 30, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Harvey Jenkins, resident of San Marcos spoke. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the April 30, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective April 30, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED**

33592A APPROVE UTILITY PERMITS

Permit: 1069 Road Name: Old Martindale Road Utility: Enterprise Texas Pipeline (gas line). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1069 located on Old Martindale Road to Enterprise Texas Pipeline (gas line) as presented by Transportation Director. All present voting "Aye". MOTION PASSED**

33593A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 506 BURNETT RANCH ROAD WIMBERLEY, TX 78620

Marilyn and Bill Orr are proposing an OSSF at 506 Burnett Ranch Road to serve a 3600 square foot event center with 4 bathrooms and a separate shed with an employee bathroom. Stan Burrier, P.E. has designed a system to accommodate a peak event of 250 people and a peak week of 325 people. The system can handle a maximum day's flow of 2150 gallons and a maximum weekly flow of 3100 gallons. Effluent will flow to a 4500 gallon septic tank and then to a 5500 gallon pump tank before being pumped to the multipipe drain field. The system will use flow equalization and will dose the drain field at 450 gallons per day throughout the week to avoid large doses during events. There will be no food preparation or dishwashing onsite. Water will be supplied by a private well, and the event center will not surpass the threshold where the TCEQ requires a public water supply. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 506 Burnett Ranch Road Wimberley, TX 78620. All present voting "Aye". MOTION PASSED**

33594A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins, resident of San Marcos spoke. The Sheriff's Office is requesting court approval to utilize countywide funds for vehicle repairs of three law enforcement vehicles that were damaged due to accidents. Unit number 1408 ran over a deer causing the side curtain airbags to deploy. Three quotes were obtained with All Makes Collision offering the lowest bid for repairs, a total of \$4,439.00. Unit number 1509 hit a culvert while dodging a deer causing damage to the front and left side of the vehicle. Three quotes were obtained with ACM Body & Frame offering the lowest bid for repairs, a total of \$6,601.00. Unit number 1715 drove through a fence on Hwy 21 and Harris Hill Road causing damage to front body, suspension, and rear bumper. Three quotes were obtained with All Makes Collision offering the lowest bid for repairs, a total of \$6,357.00. The total cost of repairs for all three vehicles is \$17,397. The Sheriff's Office does not have maintenance funds to cover these repairs and maintain the existing fleet for the remainder of the fiscal year. The Sheriff's Office is requesting the court to transfer funds from Countywide Self-Insurance to the Sheriff's Office Vehicle Maintenance g/l. Budget Amendment Increase Sheriff's Office Vehicle Maintenance & Repair: 001-618-00.5413 Decrease CW Self Insurance: 001-645-00.5342 **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33595A AUTHORIZE PAYMENT TO HANNAH RIFKIN FOR SERVICES RELATED TO THE MAY 2015 FLOOD DOCUMENTARY IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Historical Commission Director secured Ms. Rifkin for professional services for research related to the May 2015 flood documentary in which no purchase order was obtained per County Purchasing Policy. Funds are available in the Historical Publication Fund for this expense. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Hannah Rifkin for services related to the May 2015 Flood Documentary in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



33596A AUTHORIZE THE FIRE MARSHAL TO ACCEPT LEOSE FUNDS DISTRIBUTED FROM THE STATE COMPTROLLER AND AMEND THE BUDGET ACCORDINGLY

The County Fire Marshal receives funds annually from the State Comptroller's Office per Texas Occupations Code 1701.156 for expenses related to the continuing education of licensed peace officers. Budget Amendment Increase LEOSE Revenue: 001-656-00.4310 (\$679) Increase LEOSE Expense: 001-656-00.5552 \$679 **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Fire Marshal to accept LEOSE Funds distributed from the State Comptroller and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33597A AUTHORIZE ADDITIONAL WORK NEEDED IN RELATION TO THE INSTALLATION OF THE FIRE PANEL AND SMOKE DETECTORS AT THE COURTHOUSE AND AMEND THE BUDGET ACCORDINGLY

The Commissioners Court authorized the purchase of a replacement fire panel and smoke detectors for the Courthouse on February 27, 2018. Once the work began it was discovered that 7 additional duct detectors would be required in order to make the system fully functioning. Funds have been identified within the Building Maintenance Department budget to cover the expenses. Budget Amendment: Decrease 001-695-00.5451 (\$3,449) Increase 001-695-00.5719_400 \$3,449 **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize additional work needed in relation to the installation of the fire panel and smoke detectors at the Courthouse and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33598A ACCEPT THE FISCAL YEAR 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #9 FINANCIAL STATEMENT LETTER PER TEXAS HEALTH AND SAFETY CODE 775.0821

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the Fiscal Year 2017 Hays County Emergency Services District #9 Financial Statement Letter per Texas Health and Safety Code 775.0821. All present voting "Aye". MOTION PASSED

33599A AUTHORIZE THE INSTALLATION OF 17- 30 AMP POWER CONNECTIONS FOR NEW UPS SYSTEMS AT DIFFERENT SERVER LOCATIONS THROUGHOUT HAYS COUNTY OWNED BUILDINGS AND AMEND THE BUDGET ACCORDINGLY

Work is to be performed in 17 different Server Room locations to provide new UPS Systems with dedicated 30 AMP power. Server Rooms being upgraded are located on Government Center 1st, 2nd, and 3rd floors, Precinct 2, 3, 4, and 5 as well as Yarrington Rd Facilities. Increase : 001-680-00.5712_400 \$8,672 Decrease: 001-712-00.5741 (\$8,672) Additional Funds needed total \$8,672. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the installation of 17- 30 AMP power connections for new UPS systems at different server locations throughout Hays County owned buildings and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33600A APPROVE AN AMENDMENT TO THE HAYS COUNTY HAZARD MITIGATION PLAN UPDATE TO INCLUDE DRAINAGE PROJECTS FOR THE OXBOW TRAILS, LEISUREWOODS, AND COVES OF CIMARRON AREA

On January 16, 2018 a Resolution was adopted for the revised Hays County Hazard Mitigation Plan. FEMA approved of the plan on February 1, 2018 and will expire in five years on January 31, 2023. A current plan is required to remain eligible for Unified Hazard Mitigation Grant funding. In order to move forward with this project and apply for funding through the Hazard Mitigation Grant Program the Drainage Projects for the Oxbow Trails, Leisurewoods, and Coves of Cimarron area must be specifically identified in the Mitigation Action Plan. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve an Amendment to the Hays County Hazard Mitigation Plan Update to include Drainage Projects for the Oxbow Trails, Leisurewoods, and Coves of Cimarron area. All present voting "Aye". MOTION PASSED**

33601A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FROM HARTMANN FINE ART CONSERVATION SERVICES, INC. FOR ADDITIONAL SERVICES RELATED TO THE BUCK WINN MURAL



RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY

On November 5, 2016 the Commissioner's Court approved a contract with Hartmann in response to RFP 2016-P02 for the restoration of the historical Buck Winn Murals. Additional funds are requested in order to facilitate movement, transport, stretching, installation and final treatment of the murals that will be placed at the Government Center. The contract amendment is less than the 25% allowed per Texas Local Government Code Ch. 262.031 (original contract award = \$125,415). The Historical Commission Director has funds available in the Historical Publication Fund for the additional cost associated with this change order. Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Misc Equipment_Capital .5719_700 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 1 from Hartmann Fine Art Conservation Services, Inc. for additional services related to the Buck Winn Mural Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33602A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FROM TRANS TEXAS RAIL SHOP FOR ADDITIONAL SERVICES RELATED TO THE KYLE DEPOT RESTORATION PROJECT AND AMEND THE BUDGET ACCORDINGLY

On August 15, 2017 the Commissioner's Court approved a contract with Trans Texas Rail Shop in response to RFP 2017-P06 for the restoration of the wooden caboose at the Kyle Depot. Additional funds are requested to build a deck extension from the Depot to the Caboose, build a tool box/bunk and panel rail for hand cart, and for additional electrical work needed. The contract amendment is less than the 25% allowed per Texas Local Government Code Ch. 262.031 (original contract award = \$94,250). The Historical Commission Director has funds available in the Historical Publication Fund for the additional cost associated with this change order. Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Contract Services .5448 **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 1 from Trans Texas Rail Shop for additional services related to the Kyle Depot Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33603A AUTHORIZE THE EXECUTION OF AMENDMENT 2 TO THE GRANT AWARD FROM THE TEXAS VETERANS COMMISSION - FUND FOR VETERANS ASSISTANCE, HAYS COUNTY VETERANS TREATMENT COURT PROGRAM

On November 15, 2016 the Commissioners Court approved submission of a grant application to the Texas Veterans Commission for \$100,000.00 to fund operations within the Hays County Veterans Treatment Court program. An original amendment request on August 22, 2017 was made to remove the expunction costs per the new state law, HB 322, and add new services under Client Services. This amendment was not counted towards the three amendments per grant period due to it being required by the new law. In addition, a budget amendment was submitted in September 2017 to move the probation officer (salaries/wage and fringe benefits) to Client Services. However, management through TVC Fund for Veterans Assistance was not aware of this budget amendment request and was recently discovered upon review of the November and December reports. This budget amendment is to move the unspent funds from salary/fringe, due to a mentor coordinator not being hired until October 31, 2017 to travel/registration for 2 additional staff to attend the National Drug Court Conference in Houston. Two copies of the amended Notice of Grant Award with required signatures will be returned to the Texas Veterans Commission. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of Amendment 2 to the grant award from the Texas Veterans Commission - Fund for Veterans Assistance, Hays County Veterans Treatment Court program. All present voting "Aye". MOTION PASSED**

33604A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 1 TO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DANNENBAUM ENGINEERING COMPANY - AUSTIN, LLC FOR PROFESSIONAL ENGINEERING SERVICES NECESSARY TO COMPLETE SCHEMATIC, ENV APPROVAL AND FINAL PLANS SUBMITTAL, AS WELL AS PROVIDE FOR CONSTRUCTION PHASE SERVICES, ON THE POSEY AT I-35 PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

Harvey Jenkins, resident of San Marcos spoke. Dan Lyon, resident of San Marcos spoke. Rodrigo Amaya, resident of San Marcos spoke. Laura Harris of HNTB spoke. Additional funds are for the completion of the Schematic Design, Interstate Access Justification Report (IAJR), Environmental Re-evaluation and Final Design changes related to FHWA comments that resulting in revising the locations of two ramps south of Posey Road, requiring multiple round of traffic modeling and analysis, revised drainage report and new area and culvert calculations, additional geotechnical investigations for the revised ramp retaining wall locations. The funds also



cover addressing additional TxDOT District comments to add additional frontage road widenings south of Posey Road to the Hays County line, changes from conventional freeway lighting to high-mast lighting and updates to aesthetics to match Mobility35 Aesthetics Guidelines, including updates to current TxDOT forms and requirements for final design. Finally, these funds will cover a new work authorization for construction phase services that will allow for the review of structural shop drawings and contractor requests for information related to the structural design. TxDOT has increased construction funding of the Posey at I-35 Project from the original budget of \$19M to the current estimated construction budget of \$29M and will be responsible for any construction overruns. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to discussion and possible action to authorize the Court to execute a Supplemental No. 1 to a Professional Service Agreement (PSA) with Dannenbaum Engineering Company - Austin, LLC for professional engineering services necessary to complete schematic, ENV approval and final plans submittal, as well as provide for construction phase services, on the Posey at I-35 project as part of the Hays County/TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

33605A SUB-974; CALL FOR A PUBLIC HEARING ON MAY 8TH, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOTS 7 & 8, STAGECOACH RANCH, SECTION 1

Stagecoach Ranch, Section 1 is a recorded subdivision located off of Stagecoach Ranch Rd. in Precinct 4. The proposed re-plat will divide the 10.003 acre Lot 8 and the 10 acre lot 7 into 4 lots. Water service will be provided by individual water wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Call for a public hearing on May 8th, 2018 to discuss final plat approval of SUB-974; the Replat of Lots 7 & 8, Stagecoach Ranch, Section 1. All present voting "Aye". MOTION PASSED**

33606A AUTHORIZE THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH KYLE THREE PARTNERS, LP FOR SUBDIVISION AND DEVELOPMENT OF THE PROPOSED SUNSET OAKS SUBDIVISION PRECINCT 1

Marcos Pacheco, Hays County Planner gave staff recommendation. The Sunset Oaks Subdivision is proposed 2,326 planned development in Precinct 1. The developer anticipates a 20 year build out for the 10 phases currently planned. The execution of this agreement will ensure the project is allowed to move forward with current development regulations and fees while allowing Hays County to adopt reasonable timelines for approvals for all final phases. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Development Agreement with Kyle Three Partners, LP for subdivision and development of the proposed Sunset Oaks Subdivision Precinct 1. All present voting "Aye". MOTION PASSED**

33607A APPROVAL OF THE AMENDED AND RESTATED PHASING AGREEMENT FOR HEADWATERS AT BARTON CREEK SUBDIVISION

The Headwaters at Barton Creek Subdivision is an approximately 1000 residential lot planned development in Precinct 4. A previous phasing agreement was authorized on September 24, 2014, the execution of this amended and restated agreement will allow the project to implement changes to the phasing schedule and clarify expiration terms for proposed phases. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve of the amended and restated phasing agreement for Headwaters at Barton Creek Subdivision. All present voting "Aye". MOTION PASSED**

33608A AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND HUTSON GALLAGHER, INC. RELATED TO ARCHITECTURAL SERVICES ON THE OLD COUNTY JAIL IN PCT. 1 AND AMEND THE BUDGET ACCORDINGLY

Kate Johnson, Chairman of the Hays County Historical Commission spoke. On December 19, 2017 the Commissioner's Court authorized staff to negotiate a contract with Hutson-Gallagher related to their response to RFQ 2018-P05. The Old Hays County Jail is listed in the National Register of Historic Places (1983) and is a State Archeological Landmark (2008). This agreement will allow for the restoration of the interior of the jail which will function as a museum devoted to the history of law enforcement in Central Texas. Contract award includes the following: \$99,810 - Basic Architectural Services \$ 4,500 - Misc Reimburseables (as needed) Additional Services: \$ 3,500 - Site Survey (required if county cannot provide in current CAD records) \$ 500 - Texas Historical Commission Report (required by Antiquities Permit) Museum Design Services: \$32,000 - Museum Exhibit Design Services \$ 3,000 - Museum Fundraising Booklet Landscape Design Services: \$ 9,200/\$15,400 - Option A or B \$ 3,000 - Required landscape permit The Historical Commission Director has Budget Amendment: Decrease Contract Services .5448 Increase Misc Capital Improvements .5741 received donations for this phase of the project which is available in the Historical Jail Restoration Fund. **A motion was**



made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of a Professional Services Agreement (PSA) between Hays County and Hutson Gallagher, Inc. related to Architectural Services on the Old County Jail in Pct. 1 and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33609A AUTHORIZE THE DISTRICT ATTORNEY TO UTILIZE SALARY SAVINGS TO HIRE ONE (1) PERMANENT FULL-TIME ATTORNEY II POSITION FOR THE CIVIL DIVISION EFFECTIVE MAY 16, 2018 AND AMEND THE BUDGET ACCORDINGLY

Wes Mau, District Attorney spoke. Angie Roberts Chief District Attorney spoke. The Hays County District Attorney's Office is requesting a full-time Civil Prosecutor effective May 16, 2018 as well as the necessary office equipment. The Civil Division has undergone an explosion of growth in every area of the law for which the division is responsible, including but not limited to Child Protection Services cases (30% increase in 2017), Asset Forfeitures (100% increase in 2017), Bond Forfeitures (70% increase in 2017), Open Records Requests (13% increase in 2017), and Mental Health (9% increase in 2017). With 303 abused and neglected children currently in Child Protective Services Cases represented by Hays County District Attorney's office, each of the four civil prosecutor-paralegal teams are assigned to represent the Department in over 800 contested Child Protective Services hearings held each year during the course of these cases. The Hays County Child Protection Court has permanently added two extra docket days for a minimum of six full-day dockets a month in Hays County, and the civil prosecutors are also expected to be available for numerous special settings in Family Law Court and District Court for other area of law. For each contested hearings, the prosecutors are required to prepare the evidence for each case and subpoena witnesses to testify. In the month of March of 2018, the Department subpoenaed over 150 witnesses for multiple final trials and adversary hearings. Due to the additional flux of cases and increased time in the courtroom, the Civil Division has had to divert attention from less time sensitive areas of the law, including Asset Forfeitures and Bond Forfeitures. The four civil prosecutors have been forced to limit the time of day that is available for filing emergency removals for cases pertaining to abused and neglected children. The four current civil prosecutors have repeatedly asked the Misdemeanor and Felony prosecutors for assistance in second chairing cases due to the increased number of contested hearings. At this point, the work load in the Civil Division can no longer be managed by four prosecutors and immediate relief is required. The DA has salary savings due to attrition available to fund this request, (\$34,522 salary & \$1,963 equipment) for the remainder of FY18. Annualized salary cost for FY 19 budget will be \$80,259. Budget Amendment (for equipment): Decrease Staff Salaries: .5021 - \$(\$1,963) Increase Data Supplies: .5202 - \$469 Increase Computer Eqpt: .5712_400 - \$944 Increase Telephone: .5489 - \$550 **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the District Attorney to utilize salary savings to hire one (1) permanent full-time Attorney II position for the Civil Division effective May 16, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #26 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – **was pulled**

Clerk's Note Agenda Item #27 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW– **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted an additional week. 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 #29 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**

ADJOURNMENT

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 10:11 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 April 24, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 1ST DAY OF MAY 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:

Reverend Vilma Resendiz, of the Pentecostal Church, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident all made public comments.

33610A ADOPT A PROCLAMATION DECLARING MAY 1, 2018 AS ANNA VE STEVENS FARR DAY

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a proclamation declaring May 1, 2018 as Anna Ve Stevens Farr Day. All present voting "Aye". MOTION PASSED

33611A ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 6-12, 2018 AS NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Hays County Sheriff Gary Cutler spoke. Captain Julie Villalpando spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a proclamation declaring the week of May 6-12, 2018 as National Correctional Officers and Employees Week. All present voting "Aye". MOTION PASSED

33612A ADOPT A PROCLAMATION DECLARING MAY 15, 2018 AS PEACE OFFICERS MEMORIAL DAY AND MAY 13-19, 2018 AS NATIONAL POLICE WEEK

Hays County Sheriff Gary Cutler spoke. Lieutenant Dennis Gutierrez spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring May 15, 2018 as Peace Officers Memorial Day and May 13-19, 2018 as National Police Week. All present voting "Aye". MOTION PASSED

33613A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$1,178,162.37 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33614A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$3,360.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33615A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$0.00 and United Healthcare claims in the amount of \$210,177.67 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33616A APPROVE COMMISSIONERS COURT MINUTES OF APRIL 24, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of April 24, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33617A AUTHORIZE COMMERCIAL OSSF PERMIT AT 7090 WEST HIGHWAY 290, DRIPPING SPRINGS, TEXAS 78620

James Reid of Texas Bulk Water is proposing an OSSF located at 7090 West Hwy 290. This system will serve two small offices and a future apartment. This 2.66-acre tract of land will be served by rainwater collection. The system designer, Kyle DeHart, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via surface application for a maximum daily rate of 180 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 7090 West Highway 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33618A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 5 FROM HOK FOR ADDITIONAL PARKING AT THE PUBLIC SAFETY BUILDING FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Services include providing complete civil, landscape, and electrical drawings for the future parking lot north of the existing Government Center northeast parking lot and east of the proposed Public Safety Building parking lot for use during construction activities of the PSB and for future additional parking for the Government Center. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Additional Services No. 5 from HOK for additional parking at the Public Safety Building for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

33619A ACCEPT A DONATION IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00) FROM THE REMME FAMILY TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

Kaare & Brenda Remme have graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation in the amount of ten thousand dollars (\$10,000.00) from the Remme Family to be used for the Child Protective Board services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33620A AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PRIME STRATEGIES, INCORPORATED FOR THE PASS-THROUGH FINANCE PROGRAM MANAGEMENT EFFORT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$425,500.00 FROM \$6,965,000.00 TO \$7,390,500.00 AND EXTENDING THE TERMINATION DATE OF THE CONTRACT TO SEPTEMBER 30, 2019

The execution of this supplemental to the program management contract will extend the termination date to September 30, 2019. The time extension and budget should carry the program management effort to the anticipated construction completion, close out and turn-over of the final pass through project FM 1626 South to TxDOT. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the execution of a Supplemental Agreement No. 5 to the Professional Services Agreement with Prime Strategies, Incorporated for the Pass-Through Finance Program Management effort in Hays County, increasing the Compensation Cap by \$425,500.00 from \$6,965,000.00 to \$7,390,500.00 and extending the termination date of the contract to September 30, 2019. All present voting "Aye". MOTION PASSED

33621A APPROVE THE MARCH 2018 AND AMENDED DECEMBER 2017 TREASURER'S AND INVESTMENT REPORTS



A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the March 2018 and Amended December 2017 Treasurer's and Investment Reports. All present voting "Aye". MOTION PASSED

33622A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE EIGHT (8) PERMANENT RADAR SIGNS FROM CENTERLINE SUPPLY AND AMEND THE BUDGET ACCORDINGLY

The Commissioner's Court authorized the Transportation Department to purchase two (2) permanent radar signs during the 2018 budget process. However, there has since been an interest for Hays County to install additional signs in the TxDOT ROW areas that are historically crash/accident locations and to help with traffic calming. The proposed radar signs are the same make/model of the current signs utilized around the County. Adding these will allow for integration with the current radar software system which has reporting options for monitoring purposes. TxDOT has approved of the radar signs within their ROW and will provide the poles and installation. The County will purchase the units and accompanying solar panels. Funds needed for the additional six units are available in their operating budget. Buy Board Contract #534-17 Budget Amendment: Decrease Road Materials .5351 Increase Misc. Equipment .5719_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase eight (8) permanent radar signs from Centerline Supply and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33623A AMEND THE JUSTICE OF PEACE, PCT. 1-1 OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION FUNDS NEEDED FOR CLERKS TO ATTEND THE TEXAS JUSTICE COURT TRAINING SEMINAR IN SAN MARCOS, TX ON JUNE 4-6 2018

The JP 1-1 Office is in need of additional training funds in order to allow her clerks to attend the annual Texas Justice Court Training Seminar held in San Marcos, Tx. This course will provide court personnel legal resources including Texas Statutes and Rules of Civil Procedure as well as an overview of the fundamentals of civil, eviction and truancy cases. Savings are available within the JP 1-1 operating budget to fund this request. Budget Amendment: Decrease Postage .5212 - (\$171) Decrease Books .5213 - (\$200) Increase Cont. Ed .5551 - \$371. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Justice of Peace, Pct. 1-1 operating budget for additional continuing education funds needed for Clerks to attend the Texas Justice Court Training Seminar in San Marcos, TX on June 4-6 2018. All present voting "Aye". MOTION PASSED**

33624A AUTHORIZE THE VETERAN ADMINISTRATION OFFICE TO PURCHASE VETRASPEC SOFTWARE, A VETERAN'S CLAIMS MANAGEMENT SOFTWARE SOLUTION AND AMEND THE BUDGET ACCORDINGLY

VetraSpec is a client and claims management system that will be the primary system used by Texas Veterans Commission for the foreseeable future. It is highly secure and can be integrated at the state level with all other County Veteran Services Officers and TVC Claims Counselors using the program. This system will significantly increase the efficiency of the office and reduce costs in the long run. The costs for the software program include a one-time setup fee of \$599 and three annual recurring licenses at \$449 each (\$1347) for a FY18 fiscal impact of \$1,946. Savings within continuing education are available to fund this request due to the Texas Veterans Commission's decision to do away with an annual training conference in favor of more online training and localized training sessions. Budget Amendment: Decrease Continuing Education .5551 Increase Software License/Maint. 5429. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Veteran Administration Office to purchase VetraSpec Software, a Veteran's Claims Management Software Solution and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33625A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH DOUCET & ASSOCIATES, INC. REGARDING THE CONSTRUCTION OF A RIGHT TURN LANE ON FM 967 AT THE CANYON WREN DRIVE INTERSECTION IN PRECINCT 2

Harvey Jenkins, San Marcos resident and Jerry Borcharding, Hays County Engineer spoke. The project encompasses the construction of a right turn lane off the existing west bound lanes of FM 967 leading up to its intersection with Canyon Wren Drive in Buda, Texas. The work includes schematic design, survey, engineered drawings, cost estimates, bid services, QA/QC reviews, coordination with Texas Department of Transportation (TxDOT) and Hays County, and construction phase services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Professional Service Agreement (PSA) with Doucet & Associates, Inc. regarding the construction of a right turn lane on FM 967 at the Canyon Wren Drive intersection in Precinct 2. All present voting "Aye". MOTION PASSED**



33626A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FOR CLEARFIELD CONSTRUCTION, LLC RELATED TO IMPROVEMENTS ON THE RATTLER ROAD PROJECT

Jerry Borcharding, Hays County Engineer spoke. Clearfield Construction was awarded the contract for the Rattler Road Improvements through a formal procurement process (IFB 2018 B-02). The Change Order will address the following needs: CO No. 1: \$1,323 - properly core the headwall curb in order to prevent water ponding on the pathway where the handrail will be placed. CO No. 1 will be effective 4/25/2018 as the County Engineer verbally approved the work to allow the work to progress without causing delays with the contractor's and the sub-contractor's in the field. Funds needed for the additional work are available within the Transportation Departments operating budget. Attachment: Clearfield Construction Change Order No. 1. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 for Clearfield Construction, LLC related to improvements on the Rattler Road project. All present voting "Aye". MOTION PASSED**

33627A AUTHORIZE THE EXECUTION OF A CONTRACT WITH LJA ENGINEERING, INC. FOR FINAL PLANS, SPECIFICATIONS AND CONSTRUCTION ESTIMATES ON THE DACY LANE (BEBEE ROAD TO HILLSIDE TERRACE) PROJECT IN HAYS COUNTY, PRECINCT 2

Commissioner Jones and Commissioner Ingalsbe spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of a contract with LJA Engineering, Inc. for final Plans, Specifications and Construction Estimates on the Dacy Lane (Beebe Road to Hillside Terrace) project in Hays County, Precinct 2. All present voting "Aye". MOTION PASSED**

33628A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT (ILA) WITH BEXAR COUNTY RELATED TO A COOPERATIVE PURCHASING PROGRAM

Jerry Borcharding, Hays County Engineer spoke. Per Local Government Code 271.101, the Transportation Department would like to enter into a purchasing cooperative agreement with Bexar County in order to utilize their slurry seal contractor. This would allow for a quicker turn around as the contractor is planning to be in Bexar County between June and July and would be able to add Hays County to their schedule. Attachment: Bexar County ILA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an Interlocal Agreement (ILA) with Bexar County related to a cooperative purchasing program. All present voting "Aye". MOTION PASSED**

33629A SUB-973; REPLAT OF LOT 108, ROLLING OAKS SECTION 4 (2 LOTS) GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. Mary Ann Overby, Roxie McInnis, Assistant Director of Countywide Operations – Planning and Health, Nick Woodruff, John McJunkin, property owner, and Clint Garza, Director of Countywide Operations, spoke. Commissioner Ingalsbe closed the public hearing. Rolling Oaks is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 4.376 acre lot 108 into 2 lots - Lot 108A being 2.371 acres and Lot 108B being 2.005 acres. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual advanced on-site sewage facilities. Lot 108A is currently served by a conventional OSSF and an existing private well. Should the existing OSSF need replacement it will be replaced by an advanced system. The Hays County minimum lot size for a lot served by a private well is 3.00 acres with a conventional OSSF and 2.00 acres with an advanced OSSF. Due to the current configuration of the property, it would not be possible to meet the minimum lot size requirements without replacement of the septic system. The property owner feels that replacing the existing functioning system would be an undue burden. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Table 10-1 of the Hays County Rules for On-Site Sewage Facilities and approve final SUB-973; Replat of Lot 108, Rolling Oaks Section 4 (2 lots). All present voting "Aye". MOTION PASSED**

33630A SUB-998; CALL FOR A PUBLIC HEARING ON MAY 15, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 22, RIVER OAKS OF WIMBERLEY SUBDIVISION

River Oaks of Wimberley is a recorded subdivision located off of Windmill Oaks in Precinct 3. The proposed re-plat will divide the 4.8 acre lot 22 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on May 15, 2018**



to discuss final plat SUB-998; Replat of Lot 22, River Oaks of Wimberley Subdivision. All present voting "Aye". MOTION PASSED

33631A GRANT A VARIANCE FROM TABLE 10-C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND ALLOW THE DEVELOPMENT SERVICES DEPARTMENT TO ISSUE PERMITS ON LOT 1 IN THE RYAN HILL SECTION 2 SUBDIVISION

Caitlyn Strickland, Hays County Planner spoke. Ryan Hill is a recorded subdivision located off of Harmon Hills Dr. in precinct 4. The Ryan Hill Subdivision was originally intended to use the Ryan Hill Water Supply for all lots that were created. However, when the water supply was tested, it was found to be unsuitable for a public water supply. The Hays County health department required a plat note on the Ryan Hill Sections 1 & 2 plats, which stated that all lots would be required to use the Ryan Hill Water Supply. However, the water was never found to be suitable to be a public water supply, so Ryan Hill Water Supply does not exist. The plat note on Ryan Hill 2 does not allow our development services department to issue a permit, until the property hooks up to the Ryan Hill Water Supply (which does not exist). The property owner is requesting a variance that would allow him to hook up to a rain water collection system, instead of the Ryan Hill Water Supply, so he can develop lot 1 in Ryan Hill Section 2. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from Table 10-C-1 of the Hays County Rules for On-Site Sewage Facilities and allow the Development Services Department to issue permits on lot 1 in the Ryan Hill Section 2 Subdivision. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #23 RE: *AUTHORIZE THE EXECUTION OF A REMOTE BIRTH ACCESS CONTRACT BETWEEN HAYS COUNTY AND DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS UNIT RELATED TO STATE WIDE BIRTH CERTIFICATES – was pulled*

33632A AUTHORIZE BUILDING MAINTENANCE TO HIRE THE FACILITY MAINTENANCE WORKER, SLOT 200-004 AT THE 20TH PERCENTILE EFFECTIVE MAY 2, 2018 AND AMEND THE BUDGET ACCORDINGLY

Clint Garza, Director of Countywide Operations is requesting the Court's approval to hire a new Facility Maintenance Worker at the 20th percentile. The applicant has over 10 years' experience in the facility maintenance field. His wide-ranging knowledge and experience in all aspects of facilities maintenance will allow building maintenance to provide a greater level of service to the County. Financial Impact: Base Salary Increase: \$3,409 Fringe: \$ 702 Total: \$4,111 (annualized) \$1,884 (FY18 impact for 5.5 months) Funds from the county wide salary adjustments can be moved to fund this request. Budget Amendment: Increase Bldg. Maint. Salaries .5021: \$1,562 Increase Bldg. Maint. FICA .5101_100: \$ 97 Increase Bldg. Maint. MED .5101_100: \$ 23 Increase Bldg. Maint. RET .5101_100: \$ 202 Decrease Co-Wide Salary Adj., .5091: (\$1,884). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Building Maintenance to hire the Facility Maintenance Worker, slot 200-004 at the 20th percentile effective May 2, 2018 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #25 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 10:20 a.m. and reconvened into open court at 11:04 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, Mike Shaunessy, Legal Support Services Specialist Janice Jones and Samantha Jones. No action taken.

Clerk's Note Agenda Item #27 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 – 263. 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 #29 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:06 a.m.

I, **LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT**, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 1, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Commissioner Ingalsbe gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, and Harvey Jenkins resident of San Marcos made public comments.

33633A ADOPT A PROCLAMATION DECLARING THE WEEK OF MAY 7-11, 2018 AS JURY APPRECIATION WEEK

District Clerk, Beverley Crumley spoke. County Clerk, Liz Q. Gonzalez spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a Proclamation declaring the week of May 7-11, 2018 as Jury Appreciation Week. All present voting "Aye". MOTION PASSED

33634A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$5,701,249.25 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #3 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33635A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$2,510.69 and United Healthcare claims in the amount of \$169,033.64 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33636A APPROVE COMMISSIONERS COURT MINUTES OF MAY 1, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of May 1, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33637A APPROVE THE PAYMENT OF THE MAY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE MAY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of the May 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective May 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33638A APPROVE UTILITY PERMITS

Permit 1070 Posey Road Century Link (Communication Line), Permit 1071 Jasper Trail (Stonefield Subd.) Goforth Water Supply (Water Line), Permit 1072 Main Street Texas Gas Service (Gas Line). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Utility Permits #1070 Posey Road issued to CenturyLink (Communication Line), Permit #1071 Jasper Trail (Stonefield Subd.)



issued to Goforth Water Supply (Water Line), and Permit #1072 Main Street Texas Gas Service (Gas Line), as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED

33639A APPROVE THE TRANSFER OF 2008 DODGE CHARGER FROM HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT TO HAYS COUNTY CONSTABLE PCT 2 OFFICE, AND 2005 DODGE RAM PICKUP FROM HAYS COUNTY CONSTABLE PCT 2 OFFICE TO THE HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT

The following asset is being requested for transfer from the Building Maintenance Inventory to be utilized by the PCT 2 Constable: 2008 Dodge Charger, VIN: 2B3KA43R97H714594, Hays County Tag 15611 The following asset is being requested for transfer from the Constable PCT 2 Inventory to be utilized by Building Maintenance: 2005 Dodge Ram Pickup, VIN: 1D7HA18DO5JS56541, Hays County Tag 013451 **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve the transfer of 2008 Dodge Charger from Hays County Building Maintenance Department to Hays County Constable PCT 2 Office, and 2005 Dodge Ram Pickup from Hays County Constable PCT 2 Office to the Hays County Building Maintenance Department. All present voting "Aye". MOTION PASSED**

33640A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

This grant application is for the 'Hays County Community Flood Mitigation Project.' The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This project was submitted to FEMA for Flood Mitigation Assistance funding, but was not awarded. The Notice of Intent for this project was submitted to TDEM on March 13, 2018. The proposed project was approved April 12, 2018 to move forward with the application process. The total project cost is \$10,588,950. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All present voting "Aye". MOTION PASSED**

33641A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE FUNDS FROM COUNTYWIDE OPERATIONS DEPARTMENT FOR BUILDING MAINTENANCE AND REPAIRS AS NEEDED FOR THE REMAINDER OF FY' 18 AND AMEND THE BUDGET ACCORDINGLY

Additional funds will be needed for building maintenance and repairs for the remainder of fiscal year 2018. This is due to numerous unforeseen repairs on various equipment located throughout the County. The funds requested will be used towards pending repairs that are currently needed as well as general operating expenses for the remainder of year. Possible funding source: Countywide Operations Misc. Capital Improvements 001-712-00.5741. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Building Maintenance Department to utilize funds from Countywide Operations Department for building maintenance and repairs as needed for the remainder of FY' 18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33642A AMEND THE INFORMATION TECHNOLOGY (IT) OPERATING BUDGET FOR FUEL EXPENSES RELATED TO COUNTY WIDE TRAVEL FOR THE IT STAFF TO ASSIST DEPARTMENTS AT SATELLITE OFFICES WITH REPAIRS

The IT Department received an Enterprise Lease vehicle this fiscal year to utilize when traveling to satellite offices to assist departments with technical computer related repairs. Funds are available in their operating budget to fund this request. Budget Amendment: Decrease Continuing Education .5551 Increase Fuel .5271. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Information Technology (IT) operating budget for fuel expenses related to county wide travel for the IT Staff to assist departments at satellite offices with repairs. All present voting "Aye". MOTION PASSED**

33643A APPROVE OUT OF STATE TRAVEL FOR TOM POPE FOR THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS ANNUAL CONFERENCE JUNE 17-21, 2018 IN PHOENIX, ARIZONA



After receiving The Floodplain Manager of the Year award, Tom Pope was invited to attend The Association of State Floodplain Managers Annual Conference. The conference fees and all travel expenses are at no cost to the county. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve out of state travel for Tom Pope for The Association of State Floodplain Managers Annual Conference June 17-21, 2018 in Phoenix, Arizona. All present voting "Aye". MOTION PASSED**

33644A RATIFY THE EXECUTION OF THE THIRD AMENDMENT OF THE EMERGENCY WATERSHED PROTECTION GRANT AWARD # 68-7442-17-203 BETWEEN HAYS COUNTY AND THE U.S. DEPARTMENT OF AGRICULTURE- NATURAL RESOURCES CONSERVATION SERVICE

The purpose of this amendment is to extend the period of performance for the Emergency Watershed Protection Project #5098. The project is related to repairs at the 5 Upper San Marcos Watershed Dam Sites. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of the third amendment of the Emergency Watershed Protection Grant award # 68-7442-17-203 between Hays County and the U.S. Department of Agriculture- Natural Resources Conservation Service. All present voting "Aye". MOTION PASSED**

33645A APPROVAL TO AWARD IFB 2018-B06 AUXILIARY SPILLWAY REPAIRS TO HD ROCK SOLID, INC., AUTHORIZE EXECUTION OF CONTRACT DOCUMENTS AND AMEND THE BUDGET ACCORDINGLY

On April 10th the Court authorized Purchasing to solicit bids for the Auxiliary Spillway Repairs to four (4) sites located in San Marcos. Hays County in partnership with the US Department of Agriculture, Natural Resources Conservation Service (NRCS) and the Texas State Soil and Water Conservation Board (TSSWCB) will repair the damages and mitigate the erosion potential on the spillways. Purchasing received five (5) bids from the following contractors: 1. Austin Filter Systems, 2. ERS, Inc., 3. HD Cooks Rock Solid, Inc., 4. MAC, Inc., 5. Smith Contracting. HD Cooks Rock Solid, Inc. submitted the lowest bid and the evaluating committee reviewed the detailed bid specifications submitted, checked references and is making a recommendation to the Court that this is a responsible bid and the contractor has the necessary resources to complete the required work. Recommendation Letters. Funding for this project is being provided through approved grants from NRCS (75%); with matching funds provided by the TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$981,890.01, Increase Construction: .5611_400 - \$994,319, Decrease Co-Wide Contingencies: .5399 - (\$12,428.99). A letter of acceptance is included with the contract documents for execution. A pre-construction meeting will be held on or about May 22nd to provide contractor with additional project instructions. Upon completion of a successful pre-con meeting and confirmation of all necessary financial & bonding requirements, the OES Director and staff will issue a Notice to Proceed (NTP) and authorize the contractor to mobilize. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to award IFB 2018-B06 Auxiliary Spillway Repairs to HD Rock Solid, Inc., authorize execution of contract documents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33646A AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL NO. 4 TO THE PROFESSIONAL SERVICE AGREEMENT (PSA) (AS WELL AS WORK AUTHORIZATION #1 AND WORK AUTHORIZATION #2) WITH HDR ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES ON THE ROBERT S. LIGHT BLVD. EXTENSION (BUDA TRUCK BYPASS) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

Commissioner Jones spoke. Additional funds will be used for completion of schematic design, environmental assessment and final design changes related to additional TxDOT comments and new TxDOT templates, forms and documentation now required for final project approvals. Also, the additional funds will support the completion of ROW acquisition services and will cover a new work authorization for construction phase services that will allow for the review of structural shop drawing/material submittals and contractor requests for information related to the structural design. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a Supplemental No. 4 to the Professional Service Agreement (PSA) (as well as Work Authorization #1 and Work Authorization #2) with HDR Engineering, Inc. for professional engineering services on the Robert S. Light Blvd. Extension (Buda Truck Bypass) project as part of the Hays County/TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

33647A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION ONE (WA1) WITH AMERICAN STRUCTUREPOINT, INC. REGARDING THE DESIGN OF THE RELOCATION OF THE INTERSECTION OF RM 150 & RM 12



**INTERSECTION IN PRECINCT 4 AND AMEND THE BUDGET
ACCORDINGLY**

Commissioner Whisenant spoke. General Counsel Mark Kennedy spoke. The Engineer will prepare the Plans, Specifications, and Estimate (PS&E) for the realignment of FM 150 and relocation of the FM 150 & RR 12 intersection in Dripping Springs, Texas. The project consists of relocating the FM 150 intersection approximately 300 feet south of its existing location along RR 12. Budget Amendment: Increase 020-710-00-873.5621_400 Decrease 020-710-00.5448_008. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of Work Authorization One (WA1) with American Structurepoint, Inc. regarding the design of the relocation of the intersection of RM 150 & RM 12 intersection in Precinct 4 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33648A AUTHORIZE EXECUTION OF AN EMERGENCY ACCESS AGREEMENT AND A LIMITED USE EASEMENT AGREEMENT FOR EMERGENCY ACCESS, RELATED TO THE ESTABLISHMENT OF A POINT OF EMERGENCY INGRESS AND EGRESS AT THE END OF HORACE HOWARD DRIVE, IN PRECINCT 1

Commissioner Ingalsbe spoke. Clint Garza, Executive Director of Countywide Operations spoke. General Counsel, Mark Kennedy spoke. Ryan Thomason spoke. Commissioner Whisenant spoke. In order to meet the requirements of plat approved by the City of San Marcos, Texas, Developer of the Parkers Pond Subdivision (Thomason) must establish (predevelopment) at least one additional point of ingress and egress for Lot 2 of the Lodges at Parkers Pond Subdivision. The point of ingress and egress may be for emergency access only, and need not be open to through traffic at all times. Jerrold Peters owns property that is uniquely situated (adjacent to the Development and at the end of Horace Howard Drive) to provide a point of emergency ingress and egress (hereinafter "Emergency Access Point") to the Development and has stated a willingness to provide a route for such an Emergency Access Point if certain conditions are met, conditions which are incorporated into this Agreement. County Staff and the Precinct 1 Commissioner believe that there is value and public purpose in the establishment of an Emergency Access Point, not only for residents in the Development, but also for the existing residents along Horace Howard Drive, which is an existing public roadway with a single point of ingress and egress. So, in return for the County's no-cost participation in establishing the Emergency Access Point, Developer has agreed to perform certain Neighborhood Improvements that would benefit the orderly and healthful development of the area around the Development. The Parties agree that the County would be the best entity to hold the easement rights to the Emergency Access Point, ensuring that it remains only an Emergency Access Point, and not a thoroughfare, in perpetuity. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize execution of an Emergency Access Agreement and a Limited Use Easement Agreement for Emergency Access, related to the establishment of a point of emergency ingress and egress at the end of Horace Howard Drive, in Precinct 1. All present voting "Aye". MOTION PASSED**

33649A AUTHORIZE EXECUTION OF AN ADVANCED FUNDING COMMITMENT AGREEMENT BETWEEN HAYS COUNTY AND LODGES AT PARKER'S POND, LLC, RELATED TO CONSTRUCTION OF AN EMERGENCY POINT OF INGRESS AND EGRESS AT THE END OF HORACE HOWARD DRIVE, IN PRECINCT 1

Commissioner Ingalsbe spoke. General Counsel, Mark Kennedy spoke. In order to meet the requirements of plat approved by the City of San Marcos, Texas, Developer of the Parkers Pond Subdivision (Thomason) must establish (predevelopment) at least one additional point of ingress and egress for Lot 2 of the Lodges at Parkers Pond Subdivision. The point of ingress and egress may be for emergency access only, and need not be open to through traffic at all times. Jerrold Peters owns property that is uniquely situated (adjacent to the Development and at the end of Horace Howard Drive) to provide a point of emergency ingress and egress (hereinafter "Emergency Access Point") to the Development and has stated a willingness to provide a route for such an Emergency Access Point if certain conditions are met, conditions which are incorporated into this Agreement. County Staff and the Precinct 1 Commissioner believe that there is value and public purpose in the establishment of an Emergency Access Point, not only for residents in the Development, but also for the existing residents along Horace Howard Drive, which is an existing public roadway with a single point of ingress and egress. So, in return for the County's no-cost participation in establishing the Emergency Access Point, Developer has agreed to perform certain Neighborhood Improvements that would benefit the orderly and healthful development of the area around the Development. The Parties agree that the County would be the best entity to hold the easement rights to the Emergency Access Point, ensuring that it remains only an Emergency Access Point, and not a thoroughfare, in perpetuity. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize execution of an Advanced Funding Commitment Agreement between Hays County and Lodges at Parker's Pond, LLC, related to construction of an emergency point of ingress and egress at the end of Horace Howard Drive, in Precinct 1. All present voting "Aye". MOTION PASSED**



33650A SUB-974; REPLAT OF LOTS 7 & 8, STAGECOACH RANCH, SECTION 1. DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT; HOLD PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco spoke and gave full staff recommendation. Stagecoach Ranch, Section 1 is a recorded subdivision located off of Stagecoach Ranch Rd. in Precinct 4. The proposed re-plat will divide the 10.003 acre Lot 8 and the 10 acre lot 7 into 4 lots. Water service will be provided by individual water wells and rainwater collection. Wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell hold a public hearing and to approve final plat of SUB-974. All present voting "Aye". MOTION PASSED**

33651A APPOINT TWO HAYS COUNTY COURT MEMBERS TO REPRESENT HAYS COUNTY, ON THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO), TO REPLACE COMMISSIONER DEBBIE INGALSBE AND FORMER COMMISSIONER WILL CONLEY

Hays County currently has 2 vacant positions on the Capital Area Regional Transportation Planning Organization (CARTPO). Please refer to attached CARTPO responsibilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to appoint Commissioner Jones with Roxie McInnis as Commissioner Jones representative and appoint Commissioner Shell with Jerry Borcharding and Alex Flores as representatives for Commissioner Shell as the Hays County Court Members to represent Hays County, on the Capital Area Regional Transportation Planning Organization (CARTPO), to replace Commissioner Debbie Ingalsbe and former Commissioner Will Conley. All present voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM #21 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled

Clerk's Note Agenda Item #22 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW – was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index – 109. 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.

DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR

Commissioner Jones spoke. Last night at CAMPO's Meeting, the Transportation Improvement plan was approved and Hays County will receive over \$68,000,000.00 for road projects. No Action Taken.

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:45 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 8, 2018.

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES





HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 15TH DAY OF MAY 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:

Pastor, Esperanza Baltazar Ramirez of El Buen Pastor UMC, gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon San Marcos resident, Dwain York, Superintendent, Wimberley ISD, made public comments.

33652A ADOPT A PROCLAMATION DECLARING MAY 2018 AS DRUG COURT MONTH

County Court at Law #2, Judge David Glickler spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation declaring May 2018 as Drug Court Month. All present voting "Aye". MOTION PASSED

33653A 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 \$1,200,534.05 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33654A 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 \$504.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33655A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Humana claims in the amount of \$9,297.20 and United Healthcare claims in the amount of \$111,112.61 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33656A APPROVE COMMISSIONERS COURT MINUTES OF MAY 8, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of May 8, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33657A AMEND THE JUSTICE OF PEACE, PCT. 1-2 OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION FUNDS NEEDED FOR CLERKS TO ATTEND THE TEXAS JUSTICE COURT TRAINING SEMINAR IN SAN MARCOS, TX ON JUNE 4-6 2018

The JP 1-2 Office is in need of additional training funds in order to allow her clerks to attend the annual Texas Justice Court Training Seminar held in San Marcos, Tx. This course will provide court personnel legal resources including Texas Statutes and Rules of Civil Procedure as well as an overview of the fundamentals of civil, eviction and truancy cases. Savings are available within the JP 1-2 operating budget to fund this request. Budget Amendment: Decrease Membership Fees .5302 - (\$173), Decrease Time Pymt. .5325 - (\$120), Increase

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Cont. Ed .5551 - \$293. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Justice of Peace, Pct. 1-2 operating budget for additional continuing education funds needed for Clerks to attend the Texas Justice Court Training Seminar in San Marcos, TX on June 4-6 2018. All present voting "Aye". MOTION PASSED

33658A AUTHORIZE PAYMENT TO MILLER UNIFORMS FOR THE DISTRICT COURT BAILIFF'S UNIFORM EXPENSES IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The District Court purchased uniforms for bailiffs in which no purchase order was obtained per County Purchasing Policy. Funds are available in their operating budget for this expense. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Miller Uniforms for the District Court Bailiff's uniform expenses in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33659A AUTHORIZE THE HAYS COUNTY COMMISSIONERS COURT TO SUBMIT A REQUEST FOR FUNDS TO THE TEXAS COMPTROLLER'S OFFICE FOR UNCLAIMED CAPITAL CREDITS PURSUANT TO THE TEXAS PROPERTY CODE, SECTION 74.602 AND CERTIFY ANY AVAILABLE FUNDING WILL BE USED PER LOCAL GOVERNMENT CODE, SECTION 381.004

The County Auditor's office has received notification from the Texas Comptroller of Public Accounts regarding possible available funding through unclaimed capital credits received from electric cooperatives in this area. The County must request these funds and certify that funds will be used for purposes as specified under section 381.004 of the Local Government Code. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602 and certify any available funding will be used per Local Government Code, Section 381.004. All present voting "Aye". MOTION PASSED

33660A APPROVE THE CANCELLATION OF THE HAYS COUNTY COMMISSIONERS COURT ON JULY 3, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the cancellation of the Hays County Commissioners Court on July 3, 2018. All present voting "Aye". MOTION PASSED

33661A APPROVE UTILITY PERMITS

Permit: 1073, Road Name: CR 158, Utility: CenterPoint Energy (gas line). A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Utility Permit #1073 on CR 158 issued to CenterPoint Energy as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33662A AUTHORIZE AAA FENCE COMPANY TO FABRICATE AND INSTALL A FRONT ENTRY GATE AND GAME FENCE FOR THE DAHLSTROM RANCH NATURE PRESERVE

The Parks Department is needing to have a front entry gate fabricated and installed at the front entry gate at the Dahlstrom Ranch Nature Preserve. In addition to the installation of the gate, an 8' game fence will be installed. Per county purchasing policy, 3 bids were received with AAA Fence Company being the lowest bid. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize AAA Fence Company to fabricate and install a front entry gate and game fence for the Dahlstrom Ranch Nature Preserve. All present voting "Aye". MOTION PASSED

33663A AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO PURCHASE ONE AUTOMATED EXTERNAL DEFIBRILLATOR (AED) FOR THE DEVELOPMENT SERVICES DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The HR Department would like to purchase one AED unit for the Development Services Department located at Yarrington Road. The units are designed to assist with life-threatening cardiac arrhythmias through defibrillation, allowing the heart to reestablish an effective rhythm. With simple audio and visual commands, the units are easy to operate and have proven to be effective in saving lives. This portion of the building does not currently have a unit available; therefore the HR Director would like to utilize savings within their safety budget to fund this



request. Budget Amendment: Decrease Safety .5332, Increase Misc Eqpt .5719_400. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Human Resources Department to purchase one Automated External Defibrillator (AED) for the Development Services Department and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33664A REAPPROVE THE EXECUTION OF AN INTERLOCAL FUNDING AGREEMENT BETWEEN HAYS COUNTY AND HAYS COUNTY EMERGENCY SERVICES DISTRICT #4 (WIMBERLEY FIRE) FOR THE REPAIR OF AN EXISTING WATER TANK LOCATED IN PRECINCT 3

This item and the funds associated with it were originally approved in Commissioners Court on March 27, 2018. This is just to approve the edited document. In return for Hays County's access to water, on an as-needed basis, and occasional use of the property on which the tank is located, Hays County has agreed to provide \$18,000 toward the cost of repairing the existing water tank, which is located north of Wimberley in Precinct 3. Budget Amendment: Increase 020-710-00.5600 Project Contribution, Decrease 020-710-00.5351 Road Materials and Supplies. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to reapprove the execution of an Interlocal Funding Agreement between Hays County and Hays County Emergency Services District #4 (Wimberley Fire) for the repair of an existing water tank located in Precinct 3. All present voting "Aye". MOTION PASSED**

33665A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE TYLER TECHNOLOGY TRANSPARENCY PORTAL AGREEMENT AND AMEND THE BUDGET ACCORDINGLY

The Auditor's Office is currently working on implementation of a new Citizen Transparency software program. This is a hosted service that integrates with NWS to organize our financial data into graphs and charts allowing public access to up to date financial data and clarity. The current term is from April 2018 to March 2019. The attached amendment will change the term to line up with the County fiscal year, April to September 2018 with future annual maintenance beginning October 1st. Funds were budgeted during the FY18 budget process for this program and will be amended to the appropriate g/l account. Attachment: Tyler Technology Amendment, Budget Amendment: Decrease Software Capital .5718_700, Increase Software Maint. .5429. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of an Amendment to the Tyler Technology Transparency Portal Agreement and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33666A AUTHORIZE THE EXECUTION OF THE EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY2019 IMMUNIZATION/LOCAL GRANT PROGRAM IN THE AMOUNT OF \$192,341.00

On January 2, 2018 the Commissioners Court approved the submittal of a renewal grant application to the Department of State Health Services. Funds will be utilized to provide support of the salary and benefits to the staff involved in the program. The grant period is from September 1, 2018 to August 31, 2019. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the execution of a contract with the Department of State Health Services (DSHS) for the FY2019 Immunization/Local Grant Program in the amount of \$192,341.00. All present voting "Aye". MOTION PASSED**

33667A AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO PUBLISH NOTICE OF HAYS COUNTY'S OFFER AND INTENTION TO EXCHANGE REAL PROPERTY, THE FIRST PROPERTY BEING A PORTION OF 401 REBEL DRIVE IN KYLE, TEXAS AND THE SECOND BEING RIGHT OF WAY AT THE END OF PAUL'S VALLEY ROAD IN PRECINCT 4, THE PUBLICATION BEING MADE PURSUANT TO SECTION 272.001 OF THE TEXAS LOCAL GOVERNMENT CODE

Section 272.001 requires that "before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county." The 1st property on Rebel Drive represents a portion of the old Constable property at 401, Rebel Drive. Hays County is proposing to convey the "back" of that property to the City of Kyle for use with Gregg Park in exchange for title to the "Silverado" property, further north on Rebel Drive (which is currently co-owned by Hays County and the City of Kyle). The 2nd property is an exchange between Hays County and a landowner at the end of Paul's Valley Road, in an effort to straighten out the ROW and provide a cul-de-sac for safer use by emergency response vehicles. Both of these transactions will come back to Court for consideration after publication of notice. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of General Counsel to publish notice of Hays**



County's offer and intention to exchange real property, the first property being a portion of 401 Rebel Drive in Kyle, Texas and the second being Right of Way at the end of Paul's Valley Road in Precinct 4, the publication being made pursuant to Section 272.001 of the Texas Local Government Code. All present voting "Aye". MOTION PASSED

33668A APPROVAL TO PRE-QUALIFY ALL RESPONDENTS OF RFQ 2018-P08 ENGINEERING SERVICES & RFQ 2018-P09 LAND SURVEYING SERVICES TO DEVELOP A POOL OF QUALIFIED FIRMS TO UTILIZE ON AN AS NEEDED BASIS FOR PROJECTS THROUGHOUT HAYS COUNTY

Mark Kennedy, General Counsel, Marisol Villarreal-Alonzo, Hays County Auditor, Jerry Borcharding, County Engineer and Vickie Dorsett, Assistant County Auditor spoke. On January 9th Commissioner's Court authorized the Purchasing Office to solicit for qualifications for Engineering and Land Surveying Services. We received responses from 61 Engineering Firms and 19 Land Surveying Firms. The County Engineer and staff reviewed the qualifications and are recommending that all new firms be added to the existing list of pre-qualified vendors (established with RFQ 2016-P03 for surveying RFQ 2016-P13 for engineering). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant approval to pre-qualify all listed respondents of RFQ 2018-P08 Engineering Services & RFQ 2018-P09 Land Surveying Services to develop a pool of qualified firms to utilize on an as needed basis for projects throughout Hays County. All present voting "Aye". MOTION PASSED**

33669A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE

The District Attorney's legal staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney (approved on April 24, 2018) to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the DA's Office operating budget to fund this request. Attachment: Thomson Reuters Westlaw Contract Amendment #DIR-LGL-CALIR-02. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Contract Modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

33670A AMEND THE CONSTABLE PCT. 3 BUDGET FOR INSTALLATION COSTS RELATED TO GRAPHICS AND LAW ENFORCEMENT EQUIPMENT FOR NEW LEASED VEHICLES

The Constable requests the courts authorization to have law enforcement equipment installed in the new leased vehicles. Savings within their operating budget is available to fund this request. Budget Amendment: Increase .5413 - \$801 (graphics install), Increase .5411 - \$1,299 (equipment install), Decrease 5717_400. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Constable Pct. 3 budget for installation costs related to graphics and law enforcement equipment for new leased vehicles. All present voting "Aye". MOTION PASSED**

33671A AUTHORIZE PAYMENT TO PAUL SINCLAIR FOR FENCE REPLACEMENT EXPENSES RELATED TO THE MT. GAINOR ROAD PROJECT

Mark Kennedy, General Counsel spoke. The Court had previously authorized a purchase contract with Mr. Sinclair to purchase right of way (ROW) and provide a fence replacement as part of the prior Mt. Gainor road bond program. The ROW was purchased, however, due to delays on the re-design and construction of this project, the fence replacement was not completed. The property owner has now requested that payment be made to him so that he may hire the contractor and warranty the work. The Transportation Department secured quotes and has negotiated payment of the lowest quote with Mr. Sinclair. This will complete the County's obligation related to the previously approved purchase contract. Funding for this project is available within the Transportation Department's operating budget. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize payment to Paul Sinclair for fence replacement expenses related to the Mt. Gainor Road Project. All present voting "Aye". MOTION PASSED**

33672A SELECT HEWITT-ZOLLARS FOR A PRELIMINARY ENGINEERING STUDY OF THE REALIGNMENT OF ELDER HILL ROAD IN PRECINCT 4 AND AUTHORIZE THE PCT. 4 COMMISSIONER AND COUNTY STAFF TO NEGOTIATE A PROFESSIONAL SERVICE AGREEMENT (PSA) AND FEE STRUCTURE



Commissioner Whisenant spoke. Elder Hill Road has several 90 degree turns. The effort will enhance the safety of the roadway. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to select Hewitt-Zollars for a preliminary engineering study of the realignment of Elder Hill Road in Precinct 4 and authorize the Pct. 4 Commissioner and County staff to negotiate a Professional Service Agreement (PSA) and fee structure. All present voting "Aye". MOTION PASSED**

33673A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 FOR CLEARFIELD CONSTRUCTION, LLC RELATED TO IMPROVEMENTS ON THE RATTLER ROAD PROJECT

Jerry Borcharding, Hays County Engineer spoke. Clearfield Construction was awarded the contract for the Rattler Road Improvements through a formal procurement process (IFB 2018 B-02). The Change Order will address the following needs: CO No. 2: \$5,800 - remove warning pavers from the curb ramp and fill with concrete to ensure ramp is continuous. Funds needed for the additional work are available within the Transportation Departments operating budget. Attachment: Clearfield Construction Change Order No. 2. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order No. 2 for Clearfield Construction, LLC related to improvements on the Rattler Road project. All present voting "Aye". MOTION PASSED**

33674A SUB-998; REPLAT OF LOT 22, RIVER OAKS OF WIMBERLEY (2 LOTS) APPROVE FINAL PLAT; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Caitlyn Strickland, Hays County Planner gave staff recommendation. River Oaks of Wimberley is a recorded subdivision located off of Windmill Oaks in Precinct 3. The proposed re-plat will divide the 4.8 acre lot 22 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve final plat of SUB-998 Replat of Lot 22, River Oaks of Wimberley (2 lots). All present voting "Aye". MOTION PASSED**

33675A SUB-837; YULI-POSADA SUBDIVISION (3 LOTS) APPROVE THE FINAL PLAT

Caitlyn Strickland, Hays County Planner gave staff recommendation. Yuli-Posada is a proposed 3 lot subdivision located along Mathias Lane in PCT 2. Water service will be provided by GoForth SUD and wastewater service will be accomplished by individual OSSFs. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve final plat of SUB-837 Yuli-Posada Subdivision (3 Lots). All present voting "Aye". MOTION PASSED**

33676A SUB-634; TRIPLE R RANCHETTES - AMENDED LOT 15 (4 LOTS) GRANT A VARIANCE FROM SECTION 721.6.0.1 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Caitlyn Strickland, Hays County Planner spoke. Triple R Ranchettes is a recorded subdivision located off of S Turnersville Road in Precinct 2. The property owner is wanting amend the lot lines for the lot 15D and 15C, which would allow for a water line to come down the property. Water will provided by Creedmoor - Maha Water Corporation and wastewater service will be accomplished by individual OSSF. The property owners are requesting a variance from Chapter 721.6.0.1 -- Right of way dedication for road facility per Hays County Transportation Plan. The reservation of 75 feet would have the right of way going through a portion of the owner of lot 15A's house. The owner is concerned of not being able sell the property, should the ROW go through the middle of their house. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to grant a variance from Section 721.6.0.1 of the Hays County Development Regulations for SUB-634; Triple R Ranchettes - Amended Lot 15 (4 lots) All present voting "Aye". MOTION PASSED**

33677A AUTHORIZE THE EXECUTION OF A LICENSE AGREEMENT BETWEEN HAYS COUNTY AND THE WIMBERLEY FIRE DEPARTMENT ESD#4 FOR THE USE OF A TRAINING FIELD AND BUILDINGS LOCATED AT 1691 CARNEY LANE, WIMBERLEY, TX, PCT 3

Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a License Agreement between Hays County and the Wimberley Fire Department ESD#4 for the use of a training field and buildings located at 1691 Carney Lane, Wimberley, TX, Pct 3. All present voting "Aye". MOTION PASSED**



33678A RECEIVE RECOMMENDATION OF STAFF REGARDING SELECTION AND TO MAKE SELECTION OF BOND COUNSEL PURSUANT TO RFQ 2018-P15; AND TO AUTHORIZE GENERAL COUNSEL TO NEGOTIATE AND EXECUTE AN ENGAGEMENT LETTER WITH THE SELECTED CANDIDATE

Mark Kennedy, General Counsel spoke. RFQ 2018-P15 yielded multiple Statements of Qualification. The SOQ's were reviewed by the Office of General Counsel, the County Auditor's Office, and staff-members responsible for the County-wide budget. Deliberation among those staff members resulted in the selection of one candidate, which shall be brought to the Commissioners Court for consideration. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive recommendation of staff regarding selection and to select Orrick, Herrington & Sutcliffe, LLP. as Bond Counsel pursuant to RFQ 2018-P15; and to authorize General Counsel to negotiate and execute an engagement letter with the selected candidate. All present voting "Aye". MOTION PASSED**

33679A AUTHORIZE THE SHERIFF'S OFFICE TO HIRE THE ADMINISTRATIVE ASSISTANT III, SLOT 0271-003 AT THE 50TH PERCENTILE EFFECTIVE MAY 17, 2018

Gary Cutler, Hays County Sheriff spoke. This position is the direct executive assistant to the Sheriff as well as his Chief Deputy and three Captains. The Sheriff currently has a candidate for this position with over two years direct management experience as well as customer service related experience. Her back ground experience will benefit the office staff and will allow cross training as needed. If approved, this candidate will begin on 5/17 to enable a two-week double fill with the current staff member for training purposes. The Sheriff feels that she exceeds the qualifications necessary to meet the job functions of the position to support the staff. This position is currently budgeted for \$44,322; the 50th percentile of grade 110 is \$42,613. No additional funds are needed. Financial Impact: Base Salary Increase: \$ 8,523, Fringe: \$ 1, 755, Total: \$10,278 (annualized), \$ 3,854 (FY18 impact for 4.5 months covered through attrition). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to hire the Administrative Assistant III, slot 0271-003 at the 50th percentile effective May 17, 2018. All present voting "Aye". MOTION PASSED**

33680A AUTHORIZE THE COUNTY CLERK TO INCREASE THE DEPUTY CLERK II, SLOT 0454-008 SALARY UP TO THE 25TH PERCENTILE UPON SUCCESSFUL COMPLETION OF AN INTERNAL TRAINING PROGRAM

Liz Gonzalez, Hays County Clerk spoke. She is requesting authorization to increase a new hire salary up to the 25th percentile once cross trained. She anticipates this to occur no sooner than 3 months from employment date, with an effective date of August 16, 2018. The applicant has greater than 12 years County Clerk Deputy experience in another similar Texas county and will require very little training to adapt to the work in the Hays County Clerk's office. Savings within the Records Management Fund are available to fund this request. Financial Impact: Base Salary Increase: \$3,522, Fringe: \$ 725, Total: \$4,247 (annualized), \$531 (FY18 impact for 1.5 months for an 8/16/18 salary increase). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Clerk to increase the Deputy Clerk II, slot 0454-008 salary up to the 25th percentile upon successful completion of an internal training program. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 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*

DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY

Harvey Jenkins, Commissioner Shell and Director of Countywide Operations, Clint Garza spoke. No action taken.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshall, the Burn Ban will remain lifted.

Clerk's Note Agenda Item #33 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*



ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 9:59 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 15, 2018.



Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 22ND DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments.

33681A ADOPT A PROCLAMATION RECOGNIZING MAY 2018 AS HAYS COUNTY ELDER ABUSE AWARENESS MONTH

Jennifer Alvarado, supervisor of the Adult Protective Services spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation recognizing May 2018 as Hays County Elder Abuse Awareness Month. All voting "Aye". MOTION PASSED

33682A ADOPT A PROCLAMATION DECLARING MAY 21-MAY 25, 2018 AS FLOOD AWARENESS WEEK IN HAYS COUNTY

Justin McInnis, Asst. Emergency Management Coordinator spoke. A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a proclamation declaring May 21-May 25, 2018 as Flood Awareness week in Hays County. All voting "Aye". MOTION PASSED

PRESENTATION OF THE 2019-2022 CAMPO PROJECTS APPROVED FOR HAYS COUNTY

Commissioner Jones presented the Court with a power point presentation of the CAMPO Projects in Hays County Precinct 1, Hays County Precinct 2, Hays County Precinct 4, City of Buda, City of Kyle, City of San Marcos and Travis County.

33683A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$1,143,149.66 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33684A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment of Juror checks in the amount of \$2,862.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33685A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$18,376.92 and United Healthcare claims in the amount of \$132,037.98 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33686A APPROVE COMMISSIONERS COURT MINUTES OF MAY 15, 2018

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A motion was made by Commissioner Shell seconded by Commissioner Whisenant to approve Commissioner Court Minutes of May 15, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33687A AUTHORIZE THE EXECUTION OF THE 3RD AMENDMENTS TO THE EXISTING LEASES BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS FOR THE WOMEN, INFANTS AND CHILDREN ("WIC") PROGRAM OFFICES LOCATED AT 150 LOCKHART STREET IN KYLE AND 401C BROADWAY IN SAN MARCOS

These proposed amendments make modifications to lease term. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the 3rd Amendments to the existing leases between Hays County and the City of San Marcos for the Women, Infants and Children ("WIC") Program offices located at 150 Lockhart Street in Kyle and 401C Broadway in San Marcos. All voting "Aye". MOTION PASSED

33688A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

This grant application is for the 'Hays County Acquisition and Demolition Project'. The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This project was submitted to FEMA for Flood Mitigation Assistance funding, but was not awarded. The Notice of Intent for this project was submitted to TDEM on April 19, 2018. The proposed project was approved April 25, 2018 to move forward with the application process. The total project cost is \$3,838,012.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All voting "Aye". MOTION PASSED

33689A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE PUBLIC SAFETY FOUNDATION FOR PORTABLE AUTOMATED EXTERNAL DEFIBRILLATORS (AED) FOR THE HAYS COUNTY CONSTABLE OFFICES

The Firehouse Subs Public Safety Foundation was founded in 2005 in the aftermath of Hurricane Katrina. The mission is to impact the life-saving capabilities, and the lives, of local heroes and their communities. This grant application is for the purchase of 22 portable Automated External Defibrillators (AED) for each of the constable offices. This is a quarterly grant opportunity that is due on May 24, 2018 through an online portal and the requested amount of funding is \$29,427.20. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Public Safety Foundation for portable Automated External Defibrillators (AED) for the Hays County Constable Offices. All voting "Aye". MOTION PASSED

33690A APPROVE UTILITY PERMITS

Permit: 1074, Road Name: Mathias Lane, Utility: Goforth SUD (Water line). Permit: 1075, Road Name: Peaceful Valley Road, Utility: Goforth SUD (Water Line). Permit: 1076, Road Name: High Road, Plum Creek Utility Comp (Wastewater Line). Permit: 1077, Road name: South Plum Creek Road, Utility: Plum Creek Utility Comp (Wastewater Line). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permits # 1074 Mathias Lane issued to Goforth SUD (Water Line), Permit #1075 Peaceful Valley Road issued to Goforth SUD (Water Line), Permit #1076 High Road issued to Plum Creek Utility Comp. (Wastewater Line), Permit #1077 South Plum Creek Road issued to Plum Creek Utility Comp. (Wastewater Line). All voting "Aye". MOTION PASSED

33691A ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE SHERIFF'S OFFICE JAIL COMMISSARY ACCOUNT, SHERIFF'S OFFICE FEDERAL DISCRETIONARY ACCOUNT, SHERIFF'S OFFICE DRUG FORFEITURE FUND, TAX ASSESSOR-COLLECTOR OFFICE, AND THE DISTRICT ATTORNEY'S FORFEITURE FUND ACCOUNT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the delivery of the Internal Examination Reports for the Sheriff's Office Jail Commissary Account, Sheriff's Office Federal Discretionary Account, Sheriff's Office Drug Forfeiture Fund, Tax Assessor-Collector Office, and the District Attorney's Forfeiture Fund Account. All voting "Aye". MOTION PASSED



33692A APPROVE RENEWAL OF IFB 2017-B06 FOR COUNTYWIDE AIR CONDITIONING AND HEATING SERVICES WITH SI MECHANICAL, LLC FOR ONE (1) ADDITIONAL YEAR AS OUTLINED IN THE ORIGINAL BID SPECIFICATIONS

Pricing and all terms and conditions remain unchanged and in full force and effect as stated in the original bid. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B06 for Countywide Air Conditioning and Heating Services with SI Mechanical, LLC for one (1) additional year as outlined in the original bid specifications. All voting "Aye". MOTION PASSED

33693A AMEND THE HEALTH DEPARTMENT OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO THE 2018 TEXAS EMERGENCY MANAGEMENT CONFERENCE IN SAN ANTONIO, TEXAS

The Emergency Management Coordinator attends the Texas Division of Emergency Management each year, per grant requirements. Funds have been identified within the Health Departments operating budget to fund this request. Budget Amendment: Decrease 120-675-99-058.5501 (Travel), Increase 120-675-99-058.5551 (Continuing Education). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Health Department operating budget for continuing education expenses related to the 2018 Texas Emergency Management Conference in San Antonio, Texas. All voting "Aye". MOTION PASSED

33694A AUTHORIZE THE PURCHASE OF A SURFACE PRO I5 AND A DELL LATITUDE 7490 FOR THE DEVELOPMENT SERVICES DEPARTMENT AND AMEND THE BUDGET ACCORDINGLY

The Development Services Department is needing to replace two existing devices with a Surface Pro i5 and a Dell Latitude 7490. Funds within their budget have been identified to cover the cost of both devices. Budget Amendment: Increase 001-657-00.5712_400 \$1,410, Decrease 001-657-00.5429 (\$1,410). A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of a Surface Pro i5 and a Dell Latitude 7490 for the Development Services Department and amend the budget accordingly. All voting "Aye". MOTION PASSED

33695A APPROVE CHANGE ORDER #1 FOR PARTNERS REMODELING, RESTORATION AND WATERPROOFING FOR DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENTS

On January 23, 2018 Commissioner's Court approved a contract for Partner's Remodeling in response to IFB 2018-B03. Additional funds are needed due to design issues for road base materials as well as safety control during project construction. Additionally, the contract term will be extended to June 22, 2018 due to delays and unforeseen circumstances. Attachment: Change Order #1. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Change Order #1 for Partners Remodeling, Restoration and Waterproofing for the Dahlstrom Ranch Public Access Development project. All voting "Aye". MOTION PASSED

33696A APPROVE THE TRANSFER OF A 2007 DODGE CHARGER FROM THE HAYS COUNTY BUILDING MAINTENANCE DEPARTMENT TO THE JUVENILE DETENTION OFFICE

The following vehicle has been taken out of service from Building Maintenance and request is made for it to be transferred to Juvenile Detention: 2007 Dodge Charger, VIN#2B3KA43R87H714604 Hays County Asset Tag #16110. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the transfer of a 2007 Dodge Charger from the Hays County Building Maintenance Department to the Juvenile Detention Office. All voting "Aye". MOTION PASSED

33697A AMEND THE CONSTABLE PRECINCT 3 OPERATING BUDGET FOR ADDITIONAL FUEL RELATED EXPENSES AS REQUIRED FOR THE REMAINDER OF THIS FISCAL YEAR

The Constable Pct. 3 has had an increase in staffing as well as a realignment of duties and assignments that have resulted in additional law enforcement travel throughout the precinct. The Constable's monthly consumption has continued to increase and it is estimated that an average of \$1,700 per month will be needed for the remainder of the year based on current usage. Potential Funding Source: Funds are budgeted in a County Wide fuel line item for potential price increases/increases in consumption and are available to fund this

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request. Budget Amendment: Increase Constable 3 Fuel, Decrease County Wide Fuel 001-645-00.5271. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Constable Precinct 3 operating budget for additional fuel related expenses as required for the remainder of this fiscal year. All voting "Aye". MOTION PASSED

33698A AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES (PS&E) FOR IMPROVEMENTS TO THE SH 80/OLD BASTROP HIGHWAY (CR 266) AND SH 80/MILITARY DRIVE INTERSECTIONS IN PRECINCT 1 AS PART OF THE 2016 ROAD BOND PROGRAM

Commissioner Ingalsbe spoke. The SH 80/Old Bastrop Highway (CR 266) and SH 80/Military Drive intersections project is included in the County's 2016 Road Bond Program. Design services by Cobb Fendley will be partially funded with \$300,000.00 from Road & Bridge budget and the remaining \$400,000.00 from the project Road Bond budget. Construction of the project improvements is partially funded by \$600,000 of Category 7 funding (CAMPO) with the remainder funded out of 2016 Road Bonds designated project for SH 80/Military Drive Intersection Improvements. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Court to execute a Professional Service Agreement with Cobb, Fendley & Associates, Inc. to provide engineering design services (PS&E) for improvements to the SH 80/Old Bastrop Highway (CR 266) and SH 80/Military Drive intersections in Precinct 1 as part of the 2016 Road Bond Program. All voting "Aye". MOTION PASSED

33699A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND #PB03010404346 IN THE AMOUNT OF \$1,148,837.50, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1060750 IN THE AMOUNT OF \$188,961.00 FOR SUNFIELD SUBDIVISION. PHASE 2, SECTION 8

Harvey Jenkins, resident of San Marcos made public comment. Clint Garza, Executive Director of Countywide Operations spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond and engineer's concurrence letter has been received. The Transportation Department has inspected and approved the improvements. A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the construction bond #PB03010404346 in the amount of \$1,148,837.50, and acceptance of the 2-year maintenance bond #1060750 in the amount of \$188,961.00 for Sunfield subdivision, Phase 2, Section 8. All voting "Aye". MOTION PASSED

33700A EXECUTE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN HAYS COUNTY, THE CITY OF SAN MARCOS, AND LAZY OAKS RANCH, LP, RELATED TO THE PROPOSED LA CIMA SUBDIVISION IN PRECINCT 3

Commissioner Shell spoke, Clint Garza, Executive Director of Countywide Operations spoke. Eric Willis of La Cima spoke. The original Development Agreement was executed on September 16, 2014. In this second amendment, the owner has acquired an additional 390.52 acres with acreage now totaling 2,422.99 to develop the Existing Property and the Additional Property (collectively, the "Property") as a single family residential, limited nonresidential and conservation, preservation and open space development. A motion was made by Commissioner Shell seconded by Commissioner Whisenant to execute a second amendment to the Development Agreement between Hays County, the City of San Marcos, and Lazy Oaks Ranch, LP, related to the proposed La Cima Subdivision in Precinct 3. All voting "Aye". MOTION PASSED

33701A APPROVE THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE HAYS COUNTY NARCOTICS TASK FORCE AND THE OFFICE OF THE CRIMINAL DISTRICT ATTORNEY OF COMAL COUNTY

Captain Mark Cumberland spoke. Mark Kennedy, General Counsel spoke. Approve the execution of an Interlocal Agreement for the Hays County Task Force to include the Comal County Criminal District Attorney. Pursuant to Texas Code of Criminal Procedures, this agreement is necessary to regulate the disposition of property seized by law enforcement officers and forfeited contraband. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the execution of an Interlocal Agreement between the Hays County Narcotics Task Force and the office of the Criminal District Attorney of Comal County. All voting "Aye". MOTION PASSED



33702A EXECUTE AN INTERLOCAL AGREEMENT WITH THE TEXAS STATE UNIVERSITY RELATED TO THE RE-DEVELOPMENT OF A STANDARD RESPONSE PROTOCOL (SRP) TRAINING VIDEO

Justin McInnis, Asst. Emergency Management Coordinator spoke. Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. Over the past five years Hays County Officials have trained well over 100,000 students, teachers, and first responders on the Standard Response Protocols for school safety utilizing a single, internally created video. At the request of community members, school faculty, and through our own observation, the Office of Emergency Services would like to create a more kid friendly version of the training video for the elementary students and add closed captioning to the existing video. No additional funding is requested for this project as we will utilize existing operating funds. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute an Interlocal Agreement with the Texas State University related to the redevelopment of a Standard Response Protocol (SRP) training video. All 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 TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:05 a.m. and reconvened into open court at 10:19 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, and Legal Support Services Specialist Janice Jones. No action taken.

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 RENEW AND PROJECT KING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:19am a.m. and reconvened into open court at 11:02 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley, County Engineer, Jerry Borcharding, Assistant County Engineer, Alex Flores, and Legal Support Services Specialist Janice Jones. No action taken.

DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY

Harvey Jenkins, resident of San Marcos made public comment. No action taken.

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshall, the Burn Ban will remain lifted.

Clerk's Note Agenda Item #28 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*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:12a.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 May 22, 2018.

Liz Q Gonzalez

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



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STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 29TH DAY OF MAY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Esperanza Baltazar-Ramirez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos, Dan Lyon, resident of San Marcos made public comments. Mayor of Wimberley Susan Jagers and Mayor Pro-term of Wimberley, Gary Barchfeld introduced the Court with the returning and new City of Wimberley Council Members: Craig Fore, Allison Davis, Patricia Kelly, Mike McCoullough and City Administrator Shawn Cox.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Specialists, Kim Jeter, gave presentation of Hays County Service Awards. 5 Years – Aaron C. Jones – Transportation, James L. Parman – Transportation, Victoria Velasquez – Treasurer's Office, Elizabeth Shahan – Tax Office, Kristi White – Sheriff's Office, 10 Years –Erica A. Clark – Sheriff's Office, Lisa M. Deleon – JP 1-1 Office, Jessica Gonzales – Tax Office, Alfredo Munoz Jr. – Sheriff's Office, Retirement –Ricky Crews –County Court at Law, Jackie Jones – Juvenile Probation. Chief Juvenile Probation Officer, Shelly Williams spoke of Jackie Jones.

33703A 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 \$1,610,745.66 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33704A 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 \$3,002.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33705A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United Healthcare claims in the amount of \$231,652.61 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33706A APPROVE COMMISSIONERS COURT MINUTES OF MAY 22, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of May 22, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33707A APPROVE THE PAYMENT OF THE MAY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE MAY 31, 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 May 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective



May 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33708A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION & CONTROL GRANT FOR FY 2019 STATE FUNDS IN THE AMOUNT OF \$25,875.00

On February 13, 2018, the court authorized the submission of a grant application to the Department of State Health Services for the Tuberculosis Prevention and Control FY 2019 State funds. This grant provides funding to local health departments for the identification and treatment of those persons with, or exposed to, tuberculosis (TB). The state funding is \$25,875, with a 20% match (\$5,175.00) required of the County for participation in the program, for a total project amount of \$31,050.00. The match will be budgeted within the Health Department for fiscal year 2019 from existing salaries, benefits, and operating expenses. The funding period for this program is from September 1, 2018 through August 31, 2019. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of Amendment No. 1 to a contract with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention & Control Grant for FY 2019 State Funds in the amount of \$25,875.00. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #8 RE: AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE THREE (3) SOLAR SCHOOL SYSTEMS FROM ELTEC (ELECTROTECHNICS CORPORATION) FOR THE NEW UHLAND ELEMENTARY SCHOOL ON HIGH ROAD AND AMEND THE BUDGET ACCORDINGLY – was pulled

33709A AUTHORIZE THE REAPPOINTMENT OF JOHN "CLINT" BROWNING AS COUNTY FIRE MARSHAL, A TWO YEAR TERM ENDING ON MAY 29, 2020

Request the reappointment of John Browning to the position of County Fire Marshal as required by Texas Local Government Code 352.011 (b). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the reappointment of John "Clint" Browning as County Fire Marshal, a two year term ending on May 29, 2020. All present voting "Aye". MOTION PASSED**

33710A AMEND THE OFFICE OF EMERGENCY SERVICES OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION AND TRAINING COURSES FOR NEWLY HIRED EMERGENCY PLANNING STAFF

Due to the increase in department staffing, the OES Director is requesting additional continuing education funds in order to procure emergency related training for all new hires. Savings within the operating budget are available to fund this request. Budget Amendment: Decrease .5411 - Equipment Maintenance and Repair Increase .5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend the Office of Emergency Services operating budget for additional continuing education and training courses for newly hired emergency planning staff. All present voting "Aye". MOTION PASSED**

33711A AUTHORIZE THE SHERIFF'S OFFICE, JAIL DIVISION, TO UTILIZE EXISTING FUNDS TO PURCHASE MISCELLANEOUS EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office, Jail Division is requesting court approval for the purchase of warehouse shelving for the new maintenance building. Shelving was not approved in the bond package and is needed to store supplies and materials. The total cost for new shelving is \$8,156. In addition to shelving, the Jail is also in need of a new caged ladder for access to the roof. At this time, staff currently uses an extension ladder posing employee safety issues. The total cost of a new caged ladder is \$4,100. A total of \$11,654 is needed for both purchases and has been identified in the Jail budget. Budget Amendment 001-618-03.5207 Building Maintenance & Supplies (\$11,654) 001-618-03.5719_400 Miscellaneous Equipment Operating \$11,654. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office, Jail Division, to utilize existing funds to purchase miscellaneous equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33712A AUTHORIZE THE NOMINATION AND REAPPOINTMENT OF WILL CONLEY AS THE COUNTY REPRESENTATIVE TO THE SOUTH



CENTRAL TEXAS REGIONAL WATER PLANNING GROUP (REGION L), A FIVE YEAR TERM ENDING ON AUGUST 3, 2023

Harvey Jenkins resident of San Marcos and Dan Lyon resident of San Marcos made public comment. General Counsel Mark Kennedy spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. The purpose of the South Central Texas Regional Water Planning Group (SCTRWPG), Region L, is to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law. Foremost among those responsibilities is the development of a regional water plan for the planning area. The plan identifies both short and long-term water supply needs and recommends water management strategies for addressing them. The plan is updated every five years. The board is composed of members representing various interest groups from 21 Counties in the region. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the nomination and reappointment of Will Conley as the County representative to the South Central Texas Regional Water Planning Group (Region L), a five year term ending on August 3, 2023. All present voting "Aye". MOTION PASSED**

33713A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 2580 KYLE CROSSING, KYLE, TX 78640

Jason's Custom Paint and Body Shop is proposing an OSSF to serve a paint shop with 6 office personnel, 10 factory workers and 28 customers. This permit was originally approved on 8/4/15 and this is a renewal application. This site is located inside the City Limits of Kyle and the site plan has been approved. Water will be supplied by a public water supply. The system designer, Clifford Conner, R.S., has designed a system, which consists of a 1500 gallon three compartment tank and a low pressure dose drainfield. The maximum daily usage rate is 200 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 2580 Kyle Crossing, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

33714A APPROVE UTILITY PERMITS

Permit Road Name Utility 1078 Old Black Colony Rd Alliance Regional Water (water main line) 1079 Cole Springs Road Alliance Regional Water (water main line) 1080 Graef Road PEC (electric line pole) 1081 Saddlerock Ridge R&B Ventures (water service line). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Utility Permits # 1078 Old Black Colony Rd. to Alliance Regional Water (Water Main Line), Permit # 1079 Cole Springs Road, Permit # 1080 Graef Road to PEC (Electric Line Pole), and Permit # 1081 Saddlerock Ridge to R&B Ventures (Water Service Line). All present voting "Aye". MOTION PASSED**

33715A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE A REPLACEMENT SHREDDER AND TWO NEW CIS AND NET MOTION LICENSES AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting approval to utilize savings to purchase a replacement shredder for the Warrants Division; the cost of the shredder is \$1,550. The existing shredder is a shredder that was retrofitted to mount to a 50-gallon trash can and has reached its lifespan. In addition to the shredder, two new CIS and Net Motion licenses are needed for a Patrol Sergeant and a Crime Analyst. The total cost of all items is \$4,160. No additional funds are needed; funds have been identified in the Sheriff's Office operating budget. Budget Amendment: Shredder: Decrease 001-618-00.5717_400 Law Enf Eqpt Op (\$1,550) Increase 001-618-00.5711_400 Office Eqpt Op \$1,550 CAD & Net Motion Licenses: Decrease 001-618-00.5717_400 Law Enf Eqpt Op (\$2,610) Increase 001-618-00.5718_400 Software Op \$2,000 Increase 001-618-00.5429 Software Maint \$ 610. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize savings to purchase a replacement shredder and two new CIS and Net Motion licenses and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33716A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE ASSISTANCE, BULLETPROOF VEST PARTNERSHIP (BVP) TO PURCHASE BULLETPROOF VESTS FOR COUNTY LAW ENFORCEMENT OFFICERS

The grant application is for assistance in the purchase of bulletproof vests for County law enforcement officers. The grant program provides a reimbursement for 50% of the cost of each vest and the County must pay the remainder of the cost. The application includes needs for both new officers and the replacement of existing bulletproof vests. Vests are replaced based on a five-year usable protective wear cycle. We will be requesting up to 35 vests and the current cost of each vest is \$758.75 male and \$748.75 female. The total amount of the grant is \$26,526.25 and the county match is \$13,263.15. Matching funds will be allocated accordingly. Submission of the application is done electronically and is due on May 29, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the Department of Justice, Office of Justice Assistance, Bulletproof Vest Partnership**



(BVP) to purchase bulletproof vests for county law enforcement officers. All present voting "Aye".
MOTION PASSED

33717A AUTHORIZE THE PURCHASE OF REPLACEMENT EQUIPMENT FOR THE SHARED BREAKROOM AT THE PRECINCT 2 BUILDING AND AMEND THE BUDGET ACCORDINGLY

The Precinct 2 Offices are in need of a replacement refrigerator for the shared breakroom. The Commissioner has agreed to transfer funds within their community program expense budget to cover the cost. Budget Amendment: Decrease Commissioner Pct. 2 Community Program Expense - 001-602-00.5353 Increase Building Maintenance Misc Equipment - 001-695-00.5719_400. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of replacement equipment for the shared breakroom at the Precinct 2 Building and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33718A AUTHORIZE THE PARKS DEPARTMENT TO ENTER INTO AN AGREEMENT WITH CHECKFRONT FOR VISITOR RESERVATIONS AT JACOB'S WELL NATURAL AREA AND DAHLSTROM NATURE PRESERVE

For the 2018 summer swim season, Parks staff had requested to enter into an agreement with RecDesk and GovPortal for a new online reservations and payment system to allow for pre-payments of entrance fees and streamlined financial reporting. The system went live at the end of April and Parks staff have encountered many issues with the user interface, payment reconciliation and the acceptance of international payments. In addition, the current system is not user-friendly to JWNA visitors wanting to make a reservation on-site so the Parks staff would like to request that they return to the previous reservation system, Checkfront. The Checkfront reservation system will also be able to accommodate reservations and payments at the Dahlstrom Nature Preserve once the site is open for public access. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Parks Department to enter into an agreement with Checkfront for visitor reservations at Jacob's Well Natural Area and Dahlstrom Nature Preserve. All present voting "Aye". MOTION PASSED**

33719A AUTHORIZE THE CONSTABLE PRECINCT 4 OFFICE TO ACCEPT DONATED SUPPLIES THROUGH THE TEXAS LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Constable submitted a request and received supplies through the Texas LESO Program. The supplies received were twenty five (25) tourniquets and two (2) collagen, hemostatic agents. These are first aid items that will be issued to the deputies to assist in their role as first responders when necessary. The Constable had to cover the shipping costs (\$617.23) through this program. LESO Program Overview: The National defense Authorization Act authorizes the Secretary of Defense to transfer excess Department of Defense (DoD) personal property to Federal, state and local Law Enforcement Agencies (LEA). The LESO Program (formerly the 1033 Program) allows LEAs to receive DoD excess property. Budget Amendment: Increase .4301 - Intergovernmental Revenue Increase .5206 - Law Enforcement Supplies. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Constable Precinct 4 Office to accept donated supplies through the Texas Law Enforcement Support Office (LESO) Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33720A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER AND SETON MEDICAL CENTER HAYS FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY7 UC 1115 waiver funds was announced on May 18, 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 6-1-18): \$1,469,321.34 **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for Central Texas Medical Center and Seton Medical Center Hays for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**



33721A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXAS A&M AGRILIFE EXTENSION SERVICE FOR THE FERAL HOG ABATEMENT PROGRAM

Dan Lyon, resident of San Marcos made public comment. Commissioner Jones spoke. Clint Garza, Executive Director of Countywide Operations spoke. The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The grant will provide \$7,850 in funding assistance for this program. The grant period is from October 1, 2017 to August 31, 2018 and the county will work with the Texas State University Meadows Center for Water and Environment to provide professional services for this grant program. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an Interlocal Agreement with the Texas A&M Agrilife Extension Service for the Feral Hog Abatement Program. All present voting "Aye". MOTION PASSED**

33722A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE TWO (2) ONKEN 500 GALLON WASTE OIL STORAGE TANKS AND ADDITIONAL ROAD MAINTENANCE TOOLS AND AMEND THE BUDGET ACCORDINGLY

The County Engineer is requesting to replace two 20+ year waste oil recycle tanks that are showing signs of rusting. The vendor is listed on the State Buy Board, contract #501-15. Additionally, they would like to amend for other small maintenance tools needed throughout the remainder of this fiscal year. Equipment savings within their operating budget have been identified to fund this request. Budget Amendment: Decrease .5713_700 \$4,389 Decrease .5714_700 \$3,904 Increase .5719_400 \$8,293. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Transportation Department to purchase two (2) Onken 500 Gallon Waste Oil Storage tanks and additional road maintenance tools and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33723A RELEASE OF THE MAINTENANCE BOND #1045283 FOR \$81,826.40, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR THE MEADOWS AT BUDA SUBDIVISION, SECTION 4B

Assistant Transportation Director, Alex Flores gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed. The roads include: Peacock Trail (330 ft.), Wake Grove (125 ft.), Clear Water Path (854 ft.), and a segment of Blossom Valley Stream (720 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Shell to release of the maintenance bond #1045283 for \$81,826.40, and acceptance of the roads into the county road maintenance system for the Meadows at Buda subdivision, Section 4B. All present voting "Aye". MOTION PASSED**

33724A ACCEPT SUBDIVISION BOND NO.K13533131 FOR STREET AND DRAINAGE IMPROVEMENTS FOR BURBA RANCH IN THE AMOUNT OF \$1,399,858.07

Assistant Transportation Director, Alex Flores gave staff recommendation. Burba Ranch is a proposed 78 lot subdivision located along Sawyer Ranch Rd. in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by Individual On-Site Sewage Facilities. The final plat for Burba Ranch Subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept subdivision bond No.K13533131 for street and drainage improvements for Burba Ranch in the amount of \$1,399,858.07. All present voting "Aye". MOTION PASSED**

33725A SUB-677; LA CIMA PH 1 SUBDIVISION (139 LOTS). DISCUSSION AND POSSIBLE ACTION TO ACCEPT AMENDMENT NO. 003 TO LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PH 1, REDUCING THE AMOUNT FROM \$272,254.10 TO \$65,860.00

Commissioner Shell spoke. La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is partially complete. The amendment will release \$206,394.90 back to the developer. The remaining amount is sufficient to complete the improvements, which have not yet been constructed. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant**



to accept Amendment No. 003 to Letter of Credit No 5132 for street and drainage improvements for SUB-677 La Cima PH 1 Subdivision (139 Lots), reducing the amount from \$272,254.10 to \$65,860.00. All present voting "Aye". MOTION PASSED

33726A ACTION TO ADOPT A POLICY ALLOWING CERTAIN ADMINISTRATIVE VARIANCES AND DEVELOPMENT AUTHORIZATIONS BE GRANTED TO OWNERS OF PROPERTY WITHIN HAYS COUNTY'S PERMITTING JURISDICTION

County Planners, Caitlyn Strickland and Marcus Pacheco presented the court with a power point. Commissioner Shell spoke. Commissioner Ingalsbe spoke. Commissioner Whisenant spoke. Clint Garza, Executive Director of Countywide Operations spoke. On July 1st, 1997, the Hays County Commissioners Court approved a policy for administrative variances to platting procedures. The Environmental Health Director and precinct commissioners were authorized to issue an administrative variance to platting procedures, provided that the division of land took place at least 10 years before the request for variance, and all resulting tracts meet the subdivision and on-site sewage facility requirements in place at the time of the division. Due to the continued growth within the County, the Development Services office has seen a significant increase in the number of non-compliant parcels, including those within platted subdivisions. Property owners are frequently faced with unforeseen surveying costs for divisions of property which took place long before they owned the property in order to construct their homes or make repairs to their existing septic systems. In order to prevent property owners from being blocked from the full use of their property, staff would like a process that authorizes the permitting of single family residential development authorizations. - Administrative variance procedures are authorized for single family residential purposes only. Developments on a tract of land other than one single family residence and appurtenances may not utilize the provisions of administrative variances. Administrative variances issued after the effective date of this policy may be invalidated if construction other than one single family residence occurs. - Portions of lots within recorded subdivisions are eligible for administrative variance procedures, provided that the division of land took place at least 10 years before the request for variance, and all resulting tracts meet the subdivision and on-site sewage facility requirements that were in place at the time of the division. - The authorization form must be signed by the precinct commissioner and the Executive Director of Countywide Operations (or his/her assigns). - The required written request for approval must be substituted with an application for a development authorization. The complete policy is attached as backup. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a policy allowing certain administrative variances and development authorizations be granted to owners of property within Hays County's permitting jurisdiction. All present voting "Aye". MOTION PASSED**

33727A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO SUBMIT AN APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR A CERTIFICATE OF AUTHORIZATION

Office of Emergency Management Director and EMC, Kharley Smith spoke. Director of Flight Team Training, John Buell spoke and introduced Director, IT/Equipment of Flight Team Training, Michael Joseph. Commissioner Shell spoke. Commissioner Whisenant spoke. Commissioner Ingalsbe spoke. The first responders are able to use the UAV to help the citizens in the County for response and recovery. The Office of Emergency Services, in conjunction with several emergency response agencies in Hays County, have identified the need to further aerial support capabilities throughout the county. In doing so, OES and all participating agencies have collaborated on the development of a countywide policy for minimum requirements of lifesaving missions as well as operating under a single Certificate of Authorization. The creation and adoption of a countywide policy will provide guidelines for authorized flights within each department and allow for a mechanism of shared resources. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to submit an application to the Federal Aviation Administration for a Certificate of Authorization. All present voting "Aye". MOTION PASSED**

33728A AUTHORIZE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN REAL ESTATE TRANSACTIONS BETWEEN HAYS COUNTY, TEXAS AND THE CITY OF KYLE, TEXAS

General Counsel, Mark Kennedy spoke. Commissioner Whisenant spoke. Commissioner Shell spoke. In the proposed MOU, the Parties agree that the County will convey to the City Lot 2 out of the County Property commonly known as the old Constable Property on Rebel Drive in Kyle, Texas; and the City will convey its joint interest in property on Rebel Drive in Kyle, Texas, located at the Northeast Corner of Rebel Drive (FM 150) and Silverado Drive, which is currently jointly-owned by the City and the County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of an Interlocal Cooperation Agreement and Memorandum of Understanding Regarding Certain Real Estate Transactions between Hays County, Texas and the City of Kyle, Texas. All present voting "Aye". MOTION PASSED**



Clerk's Note Agenda Item #29 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

Clerk's Note Agenda Item #30 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**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION.

Fire Marshal, Clint Browning spoke. The Drought Index is at 352. Burn Ban will remain lifted. No action taken.

Clerk's Note Agenda Item #32 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*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

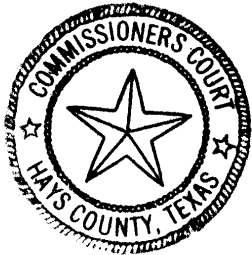
Fire Marshall gave the update. Today's Drought Index – 352 Burn Ban will remain lifted. Fire Marshall urged the citizens of Hays County to use extreme caution while conducting outdoor burning and to never leave it unattended. No action taken.

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 10:25 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on May 29, 2018.

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





STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 5TH DAY OF JUNE 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:

Commissioner Whisenant gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident and Rodrigo Amaya, San Marcos resident spoke.

33729A ADOPT A PROCLAMATION DECLARING JUNE 2018 AS JUNETEENTH MONTH

Ollie Giles, Rose Brooks, Constable Pct. 1, David Peterson and General Counsel, Mark Kennedy spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring June 2018 as Juneteenth month. All present voting "Aye". MOTION PASSED

PRESENTATION OF THE TEXAS PACE AUTHORITY'S 2017 ANNUAL REPORT

Charlene Heydinger, President of the Texas Pace Authority gave a PowerPoint presentation to the Commissioners Court to summarize the Texas PACE Authority's 2017 annual report.

33730A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of County invoices in the amount of \$1,375,663.21 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33731A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment of Juror checks in the amounts of \$1,838.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33732A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$0.00 and payment of United Healthcare claims in the amount of \$195,807.74 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33733A APPROVE COMMISSIONERS COURT MINUTES OF MAY 29, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of May 29, 2018 as presented by the County Court. All present voting "Aye". MOTION PASSED

33734A APPROVE THE PAYMENT OF THE JUNE 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JUNE 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Approve the June mid-month payroll disbursements not to exceed \$2,655,000.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the June 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective June 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33735A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #5 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the 2017 Hays County Emergency Services District #5 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33736A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #8 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2017 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33737A APPROVE THE APRIL 2018 TREASURER'S AND INVESTMENT REPORTS

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

33738A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 109 BUNTON LANE, KYLE, TX 78640

Peggy Jansen is proposing an OSSF to serve a commercial baseball park with four fields and a concession stand. This site is located in Kyle's ETJ and the site plan has been approved. Water will be supplied by a public water supply. The system designer, Keith Schoenfelt, P.E., has designed a system, which consists of a grease trap, 2000 gallon trash tank, 5000 flow equalization tank, a Bio-Microbics 1.5 unit, a 2000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 657 gallons. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 109 Bunton Lane, Kyle, TX 78640. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #12 RE: AUTHORIZE THE EXECUTION OF A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM – was pulled

33739A AUTHORIZE THE OFFICE OF GENERAL COUNSEL TO UTILIZE SALARY SAVINGS FOR ADDITIONAL TEMPORARY PERSONNEL RELATED TO THE FY2018 INTERN PROGRAM

Rodrigo Amaya and General Counsel, Mark Kennedy spoke. During the FY18 budget process, the Commissioner's Court authorized the Office of General Counsel to maintain an intern program and budgeted 1,040 hours for this purpose. The OGC has utilized special project interns as well as placed interns in several departments throughout the county. Due to the success of the program, General Counsel is requesting an additional 420 hours @ \$12 per hour to complete special projects throughout a summer intern program. Funds Requested: \$5,040 - Temp Salary for 420 hours, \$ 385 - FICA/ Medicare, \$5,425 - Total Fiscal Impact. Salary savings within the OGC operating budget are available to fund this request. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Office of General Counsel to utilize salary savings for additional temporary personnel related to the FY2018 intern program. All present voting "Aye". MOTION PASSED

33740A AUTHORIZE PAYMENT TO KENT POWERSPORTS OF AUSTIN RELATED TO MAINTENANCE AND REPAIRS TO A 2006 HONDA MOTORCYCLE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY



Rodrigo Amaya and Commissioner Whisenant spoke. The Constable had necessary repairs completed on a law enforcement motorcycle in which no purchase order was obtained per County Purchasing Policy. This is a marked police motorcycle unit for traffic enforcement within Pct. 4. Funds are available in their operating budget for this expense. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Kent Powersports of Austin related to maintenance and repairs to a 2006 Honda Motorcycle in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33741A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH LONGHORN COMMERCIAL ROOFING FOR REPAIRS TO THE GOVERNMENT CENTER ROOF AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell and Director of Countywide Operations, Clint Garza spoke. During the last heavy rain event, the Building Maintenance Department discovered multiple areas of the Government Center roof that are in need of repairs. Longhorn Commercial Roofing has identified the source of the damage and has proposed to repair a torn seam to the TPO membrane, repair and replace perimeter flashing with new mastic, remove and replace a section of damaged roof, pressure wash and do a thorough inspect seams for further tears. Funds to cover the repairs are being requested from Countywide Contingencies as a repair of this magnitude would significantly deplete the Building Maintenance operating budget. Budget Amendment: Decrease Countywide Contingency, Increase 001-695-00.5741 (Miscellaneous Capital Improvements). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an agreement with Longhorn Commercial Roofing for repairs to the Government Center roof and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33742A AUTHORIZE THE PURCHASE OF A REPLACEMENT 3.5-TON SEER SPLIT HEATING AND COOLING SYSTEM FOR THE PRECINCT 5 OFFICE AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins and Director of Countywide Operations, Clint Garza spoke. The PCT 5 Buda Office is in need of a replacement heating and cooling system. The current unit is over 20 years old and is not functioning. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and the high cost of the repair that is needed to get it running again. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease Building Maintenance and Repair 001-695-00.5451. Increase Misc. Equipment Operating 001-695-00.5719_400. Attachment: SI Mechanical Quote. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement 3.5-Ton Seer Split Heating and Cooling System for the Precinct 5 office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33743A ESTABLISH A CHANGE FUND OF \$150 FOR THE TAX ASSESSOR-COLLECTOR OFFICE AS RECOMMENDED BY THE COUNTY AUDITOR PER TEXAS LOCAL GOVERNMENT CODE 130.902 (A)

Harvey Jenkins and Hays County Auditor, Marisol Villarreal-Alonzo spoke. The Tax Assessor is requesting to establish a new change fund for the Dripping Springs Sub-station. Due to the increased volume at this sub-station it has become necessary to have a change fund available to process cash receipts at the beginning of the day. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to establish a change fund of \$150 for the Tax Assessor-Collector Office as recommended by the County Auditor per Texas Local Government Code 130.902 (a). All present voting "Aye". MOTION PASSED**

33744A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 FOR COBB, FENDLEY & ASSOCIATES, INC. ON THE WINTERS MILL INTERSECTION IMPROVEMENTS PROJECT

A change order requesting additional funds for the Winters Mill at RM 3237 Project to add the cost of TxDOT Coordination and Environmental Investigation (refer to Attachment A for detailed Scope of Services) and for Winters Mill at RM 12 Project add Intersection Planning Meetings (refer to Attachment A). To and additional time to the schedule accordingly. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 for Cobb, Fendley & Associates, Inc. on the Winters Mill Intersection Improvements project. All present voting "Aye". MOTION PASSED**

33745A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH K FRIESE & ASSOCIATES, INC. FOR ENGINEERING SERVICES ON RM 150 BETWEEN ARROYO RANCH RD AND YARRINGTON RD



Commissioner Whisenant spoke. PSA is for preparation of documentation in compliance with TxDOT requirements as delegated by the FHWA through assignment of National Environmental Policy Act (NEPA) responsibility, preparation of a design schematic, right-of-way determination, and right-of-way mapping for the relocation of a portion of Ranch to Market (RM) 150. This work will include participating in a scoping process, agency coordination including their consultant(s), subconsultant coordination, schematic development, a Preliminary Drainage Report, preliminary water quality design, traffic analysis, surveying, right-of-way mapping, and support for public involvement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement (PSA) with K Friese & Associates, Inc. for engineering services on RM 150 between Arroyo Ranch Rd and Yarrington Rd. All present voting "Aye". MOTION PASSED**

**33746A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS)
APPROVE PRELIMINARY PLAN**

Hays County Planner, Caitlyn Strickland gave staff recommendation. O'Neill Ranch is an unrecorded subdivision located off of Gatlin Creek Rd in Precinct 4. The proposed prelim will create lot 9A and 9B, both being 5.0 acres. The subdivision will be served by private wells, and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan for SUB-1021 O'Neil Ranch Tract 9 Subdivision. All present voting "Aye". MOTION PASSED**

**33747A AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFILE
TECHNOLOGIES FOR PHASE II OF THE PRESERVATION OF VITAL
RECORDS PROJECT**

Hays County Clerk, Liz Gonzalez spoke. On 9/5/17 the County Clerk began Phase I to preserve birth records utilizing Kofile Technologies for off sight management and preservation. This project was finished successfully and the Clerk would like to proceed with Phase II which will consist of scanning and indexing 20,392 Death and Marriage records. The proposed preservation services include conservation, deacidification, mending, encapsulation, binding, archival imaging, security backups on microfilm, and indexing. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. Attachment: Kofile Quote (requires Court signature if approved). GSA Schedule 70 Contract No: GS-35F-275AA. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Clerk to utilize Kofile Technologies for Phase II of the Preservation of Vital Records project. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #22 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**

Clerk's Note Agenda Item #23 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**

33748A IMPOSE THE 90 DAY BURN BAN

Clint Browning, Hays County Fire Marshal spoke. Today's KDBI is 439. Mr. Browning spoke of the drought forecast and recommended implementing the Burn Ban. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to impose the 90 Day Burn Ban. All present voting "Aye". MOTION PASSED**

Clerk's Notes Agenda Item #25 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**

ADJOURNMENT

Court adjourned at 10:02 a.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 June 5, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 19TH DAY OF JUNE 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 SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF DEPUTY COUNTY CLERK

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

Commissioner Jones gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

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

33749A ADOPT A PROCLAMATION COMMEMORATING THE 12TH ANNIVERSARY OF THE DEATH OF U.S. ARMY PRIVATE FIRST CLASS KRISTIAN MENCHACA

Gary Job Corps Business Community Liaison, Randolph Goodman spoke. US Army Captain, Tyler M. Reid spoke. Gary Job Corps Major Troy Oldbury, Army Recruiting Station Commander Staff Sgt. Robert Stallings, Hays County Emergency Preparedness Coordinator Mike Jones, Gary Job Corps Captain Sean Schultz and Gary Job Corps Captain Preston Smith, as well as the six cadets in front of the dais: Gary Job Corps Corrections Cadets Caleb Burreoo, Joseph Bailey, Micayla Poland and Kevin Viera, and Security Cadets Deonetavon Brooks and Jessina Johnson. Center Director Patty Lankfor, Student Volunteer Coordinator Irma Pardo, Business Community Liaison Randolph Goodman, Director of Marketing Homewood Suites Monica Ybarra, Gary CRC Member Ruben Becerra were all in attendance. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a proclamation commemorating the 12th Anniversary of the death of U.S. Army Private First Class Kristian Menchaca. All present voting "Aye". MOTION PASSED**

33750A PRESENTATION FROM BLANCO RIVER REGIONAL RECOVERY, BR3T, PROVIDING AN UPDATE ON THE RECOVERY EFFORTS FROM THE 2015 FLOODS AND THE FUTURE DIRECTION OF THE ORGANIZATION

Office of Emergency Management Director, Kharley Smith spoke. Executive Director Tre Bell spoke. Board of Directors President, Earl Bolls spoke. Board Member & Hays County Emergency Preparedness Coordinator, Mike Jones. Hays County Recovery Specialist, Denise Treadwell was in attendance. The Blanco River Regional Recovery Team is the long term recovery organization created to assist the citizens of Bastrop, Caldwell, Guadalupe and Hays Counties after the devastation of the Memorial Weekend Flood in 2015. Trey Bell, the current Executive Director, will speak on the help they have been able to provide to hundreds of citizens over the past three years.

33751A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$2,060,105.96 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33752A APPROVE PAYMENTS OF JUROR CHECKS



A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks invoices in the amount of \$2,313.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33753A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the United Healthcare claims in the amount of \$141,175.16 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33754A APPROVE COMMISSIONERS COURT MINUTES OF JUNE 5, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of June 5, 2018. All present voting "Aye". MOTION PASSED

33755A AUTHORIZE THE EXECUTION OF AMENDMENT 5 TO THE GRANT PROJECT AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) TO EXTEND THE COMPLETION DATE FOR THE DAHLSTROM RANCH TRAILS PROJECT TO JUNE 30, 2019

On January 25, 2011 the Commissioners Court accepted a grant award from the Texas Parks and Wildlife Department, Texas Recreational Trails Fund for \$100,000 for development of the Dahlstrom Ranch Public Access Area (trail construction and associated amenities). The original Project Agreement was set to expire on August 31, 2014 and Amendment 1 approved by Commissioners Court on April 1, 2014 extended the Agreement termination date to July 15, 2015. Amendment 2 was approved by the Commissioners Court on June 2, 2015 extended the project completion date to July 15, 2016. Amendment 3, approved by the Commissioners Court on May 31, 2016, extended the Agreement completion date to June 30, 2017. Amendment 4, approved by the Commissioners Court on May 16, 2017, extended the Agreement completion date to June 30, 2018. TPWD was contacted to request an extension to the grant agreement. Amendment 5, approved by TPWD on June 6, 2018, will extend the Project Agreement termination date to June 30, 2019. However, we only foresee needing an additional 2 months. All terms and conditions of the original agreement remain the same. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Amendment 5 to the grant project agreement with the Texas Parks and Wildlife Department (TPWD) to extend the completion date for the Dahlstrom Ranch Trails project to June 30, 2019.** All present voting "Aye". MOTION PASSED

33756A APPROVE OUT OF STATE TRAVEL FOR CAPTAIN JULIE VILLALPANDO TO ATTEND THE FBI NATIONAL ACADEMY IN QUANTICO, VA

Out of state travel is requested for Captain Julie Villalpando who has been accepted by the National Academy Unit (NAU) to attend the Federal Bureau of Investigation National Academy. Funding for travel, supplies and materials will be utilized from Sheriff's Federal Discretionary funds. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Captain Julie Villalpando to attend the FBI National Academy in Quantico, VA.** All present voting "Aye". MOTION PASSED

33757A RATIFY THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION AND CONTROL (FEDERAL) FOR FY 2019 IN THE AMOUNT OF \$22,297.00

The Department of State Health Services 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 will be budgeted within the Health Department for fiscal 2019 from existing salaries, benefits, and operating expenses. The funding period for the program is from January 1, 2019 through December 31, 2019 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the execution of an Interlocal Agreement with the Texas Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control (Federal) for FY 2019 in the amount of \$22,297.00.** All present voting "Aye". MOTION PASSED



33758A RECEIVE THE COUNTY JUDGE'S DELEGATION OF A COUNTY OFFICER PURSUANT TO SECTION 61.312 OF THE TEXAS ALCOHOLIC BEVERAGE CODE

Pursuant to Section 61.312 of the Texas Alcoholic Beverage Code, the County Judge may file an order with the Commissioners Court of the county delegating to another county officer the duty to hear applications for a license under this chapter. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to receive the County Judge's delegation of a county officer pursuant to Section 61.312 of the Texas Alcoholic Beverage Code. All present voting "Aye". MOTION PASSED**

33759A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 3100 WINDY HILL RD, BUDA, TX 78610

Buda (Kyle) DTP, LLC is proposing an OSSF to serve a Dollar General retail store. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Jerry Ince, P.E., has designed a system, which consists of a 1000 gallon trash tank, 1000 flow equalization tank, a Clearstream aerobic treatment unit, a 1000 gallon pump tank and a drip emitter system. The maximum daily usage rate on average is 320 gallons. **A motion was made by Commissioner Jones, seconded by Whisenant to authorize Institutional OSSF Permit at 3100 Windy Hill Rd, Buda, TX 78610. All present voting "Aye". MOTION PASSED**

33760A AUTHORIZE THE PRECINCT 1 CONSTABLE'S OFFICE TO ADMINISTER A RETIRED PEACE OFFICER'S PROGRAM AS REQUIRED BY SECTION 614.124 OF THE TEXAS GOVERNMENT CODE

Rodrigo Amaya resident of San Marcos made public comment. General Counsel Mark Kennedy spoke. Section 614.124 of the Texas Government Code requires the head of a law enforcement agency to issue a honorably retired peace officers identification card to those individuals who request and meet the qualifications listed in both the Texas Government Code and the Texas Occupations Code. Section 1701.357(g) of the Texas Occupations Code states, "A county law enforcement agency must obtain approval of the program authorized by this section from the Commissioners Court of the county before issuing a certificate of proficiency under this section." **A motion was made by Commissioner Jones, seconded by Whisenant to authorize the Precinct 1 Constable's Office to administer a Retired Peace Officer's Program as required by Section 614.124 of the Texas Government Code. All present voting "Aye". MOTION PASSED**

33761A APPROVE OUT OF STATE TRAVEL FOR ERICA CARPENTER AND MEGAN JONES TO ATTEND THE EMERGENCY TELECOMMUNICATOR INSTRUCTOR COURSE IN SALT LAKE CITY, UTAH

Approval for out of state travel is needed to send Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah beginning August 22-24, 2018. This training will teach Erica and Megan about how to train others to become Emergency Telecommunicators. This training will also allow Erica and Megan to improve personal training skills and abilities, and grow more familiar with Emergency Telecommunicator Course content, and to gain insight into ways to incorporate local policies and procedures. Funding for registration, travel and miscellaneous fees are identified in the Sheriff's Office Continuing Education general ledger. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Erica Carpenter and Megan Jones to attend the Emergency Telecommunicator Instructor Course in Salt Lake City, Utah. All present voting "Aye". MOTION PASSED**

33762A APPROVE UTILITY PERMITS

Permit: 1082 Road Name: Posey Road Utility: Fiber Optic Cable (Centurylink). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit # 1028 on Posey Road for a Fiber Optic Cable (Centurylink). All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #15 RE: RECEIVE AND RECOGNIZE ADOPTION OF A POLICY REGARDING HAYS COUNTY LAW ENFORCEMENT USE OF COUNTY EQUIPMENT AND VEHICLES BY THE FIVE HAYS COUNTY CONSTABLES - was pulled



33763A AMEND THE SHERIFF'S OFFICE OPERATING BUDGET FOR ADDITIONAL OVERTIME COMPENSATION FOR LAW ENFORCEMENT PERSONNEL

Rodrigo Amaya resident of San Marcos made a public comment. The Sheriff's Office is experiencing a shortage in law enforcement personnel which has caused an increase in overtime expenses to maintain the level of service needed for public safety. The Sheriff is requesting to utilize the salary savings due to attrition to cover the overtime shortages. Budget Amendment:001-618-00.5021 Staff Salaries (\$200,000), 001-618-00.5031 Overtime \$200,000. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office operating budget for additional overtime compensation for Law Enforcement personnel. All present voting "Aye". MOTION PASSED**

33764A AMEND THE SHERIFF'S OFFICE DRUG FORFEITURE FUND FOR SUPPLEMENTAL PAY FOR TWO LAW ENFORCEMENT POSITIONS RELATED TO TEMPORARY SUPERVISORY DUTY ASSIGNMENTS

The Sheriff is requesting supplemental pay for two positions in the Jail Division; Lieutenant, slot number 0473-006 and Sergeant, slot number 0620-005 due to the existing Captain attending a three and a half month FBI Training Course. Supervisory positions will temporarily be re-assigned to fill this gap effective July 1, 2018 through October 15, 2018. Sheriff Drug Forfeiture Funds are available to fund this request. Budget Amendment: Increase Salaries - \$9,116, Increase Fringe - \$1,897, Decrease Criminal Investigation - (\$11,013). Attachment: Financial Impact for duty reassignment **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Sheriff's Office Drug Forfeiture Fund for supplemental pay for two law enforcement positions related to temporary supervisory duty assignments. All present voting "Aye". MOTION PASSED**

33765A RATIFY THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE COURTHOUSE

The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Courthouse. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include snack & soda vending available to employees and public. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the execution of an agreement with Mcliff Coffee & Vending for vending services at the Courthouse. All present voting "Aye". MOTION PASSED**

33766A AMEND THE RECYCLING AND SOLID WASTE DEPARTMENT OPERATING BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO STAFF CERTIFICATIONS

Additional funds are needed to cover the cost of the Texas Commission on Environmental Quality (TCEQ) Exam (\$50) and a Compliance Solutions Hazwoper Refresher Course (\$119) in order for staff to maintain their current certifications. Savings within the operating budget are available to fund this request. Budget Amendment: Decrease 001-716-00.5201 General Supplies, Increase 001-716-00.5551 Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Recycling and Solid Waste Department operating budget for continuing education expenses related to staff certifications. All present voting "Aye". MOTION PASSED**

33767A AUTHORIZE THE EXTENSION OF THE TEXAS WATER DEVELOPMENT BOARD AND HAYS COUNTY CONTRACT FOR THE FLOOD WARNING SYSTEM GRANT TO SEPTEMBER 30, 2018

The requested amendment is meant to extend the period of performance between the Texas Water Development Board and Hays County to further develop the Hays County Flood Warning System. Hays County -TWDB Contract No. 160012045 Section I, Article I, Item 11 & 13 extension to September 30, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the extension of the Texas Water Development Board and Hays County contract for the Flood Warning System grant to September 30, 2018. All present voting "Aye". MOTION PASSED**

33768A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT AT TWO LOCATIONS AND AMEND THE BUDGET ACCORDINGLY



The master pole at Chapparral Rd was damaged during a vehicular accident on the evening of May 4, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, electronics box, solar panel, ALERT2 encoder board, ALERT2 decoder board, ALERT2 board back plate, and the GPS antenna cable. All of these items must be replaced before the station can be re-installed. The flasher #1 pole at York Creek Rd was damaged during a vehicular accident on the morning of May 17, 2018. The vehicle broke the pole base, causing the pole to fall over and damage the pole base, one of the batteries, and the 900Mhz antenna cable. All of these items must be replaced before the station can be re-installed. The Emergency Services Director has received quotes from our current LWC installation vendor to complete both repairs. Hays County will be seeking reimbursement from at fault parties; however it is imperative that these repairs are completed in a timely manner for safety reasons. Funding from County-Wide self-insurance is available to fund this request. Any reimbursements received will be deposited back into that g/l account. Attachments: Water & Earth Technologies Quotes: #A637-205 - \$9,983.07, #A637-206 - \$2,198.83. Budget Amendment: Increase OES Equipment Maint & Repairs Decrease Co-Wide Self Insurance. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment at two locations and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33769A AUTHORIZE COMMERCIAL OSSF PERMIT AT 12495 SILVER CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620

Hospital Housekeeping Services, LLC is proposing an OSSF to serve a business that includes an office building, a cafeteria, and 5 condominiums. This 120.177-acre tract of land will be served by a public water well. The system designer, Jon Maass, R.S., has designed a non-standard treatment system, which consists of a grease interceptor, pretreatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 4800 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 12495 Silver Creek Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #23 RE: AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) VACKER NPS CANTILEVER STYLE EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE – was pulled

33770A AUTHORIZE THE EXTENSION OF THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD AND HAYS COUNTY CONTRACT TO JULY 31, 2019

The purpose of this amendment is to extend the period of performance for the Texas State Soil and Water Conservation Board and Hays County Hays County -EWP-ST-50040. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the extension of the Texas State Soil and Water Conservation Board and Hays County contract to July 31, 2019. All present voting "Aye". MOTION PASSED**

33771A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH RPS INFRASTRUCTURE, INC. FOR ENGINEERING SERVICES AT THE INTERSECTION OF RR12 AND FM3237

Transportation Director Jerry Borcharding spoke. PSA is for engineering services of a proposed project at the RR 12 and FM 3237 intersection consisting of pavement widening to accommodate a westbound to north bound free right-turn lane; northbound acceleration lane; southbound to eastbound left-turn lane; and southbound to westbound right-turn lane. Pavement widening will require removal and replacement of the existing traffic and pedestrian signals with new traffic signal, safety lighting and related infrastructure. Driveways and drainage culverts will also be updated to accommodate the improvements. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement (PSA) with RPS Infrastructure, Inc. for engineering services at the intersection of RR12 and FM3237. All present voting "Aye". MOTION PASSED**

33772A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND



#K09568785 IN THE AMOUNT OF \$1,935,419.35, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1848963 IN THE AMOUNT OF \$180,609.38, AND ACCEPT THE 1-YEAR REVEGETATION BOND #1063822 IN THE AMOUNT OF \$12,600.00 FOR SHADOW CREEK SUBD., PHASE 9, SECTION 2

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 maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the construction bond #K09568785 in the amount of \$1,935,419.35, acceptance of the 2-year maintenance bond #1848963 in the amount of \$180,609.38, and accept the 1-year revegetation bond #1063822 in the amount of \$12,600.00 for Shadow Creek subd., Phase 9, Section 2. All present voting "Aye". MOTION PASSED**

33773A ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE PERFORMANCE BOND #1155049 IN THE AMOUNT OF \$84,080.96, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1048985 IN THE AMOUNT OF \$76,578.77, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #1048985 IN THE AMOUNT OF \$70,783.20 FOR CALITERRA SUBD., PHASE 2, SECTION 8

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Transportation Director Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. A maintenance bond, revegetation bond, and engineer's concurrence letter have been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the performance bond #1155049 in the amount of \$84,080.96, acceptance of the 2-year maintenance bond #1048985 in the amount of \$76,578.77, and acceptance of the 2-year revegetation bond #1048985 in the amount of \$70,783.20 for Caliterra subd., Phase 2, Section 8. All present voting "Aye". MOTION PASSED**

33774A RENAME THE ROAD TULIP GARDEN TRAIL TO SPLIT ROCK PATH IN THE LA CIMA, PH 1, WEST CENTERPOINT ROAD PLAT

Attached letter describes the road in question. A copy of the original plat has been attached. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to rename the road Tulip Garden Trail to Split Rock Path in the La Cima, PH 1, West Centerpoint Road Plat. All present voting "Aye". MOTION PASSED**

32775A SUB-1002; ACOSTA ADDITION SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN

County Planner Marcus Pacheco spoke and gave staff recommendation. Acosta Addition Subdivision is located off of Mussey Rd in Precinct 3. The proposed prelim will create 1 lot across 4.72 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant approve preliminary plan of SUB-1002; Acosta Addition Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33776A SUB-1021; O'NEILL RANCH TRACT 9 SUBDIVISION (2 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT

County Planner Caitlyn Strickland spoke and gave staff recommendation. Oneill Ranch is an unrecorded subdivision located off of Gatlin Creek Rd in Precinct 4. The proposed prelim will create lot 9A and 9B, both being 5.0 acres. The subdivision will be served by private wells, and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell approve final plat of SUB-1021; O'Neill Ranch Tract 9 Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33777A SUB-526 BREAKWATER SUBDIVISION (21 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT



County Planner Caitlyn Strickland spoke. The proposed Breakwater Subdivision is a 21 lot subdivision located off of Rim Rock Trail in Precinct 4. This proposed subdivision spans across both Hays and Travis County. Only 2.575 acres, which will be 4 lots, will be within Hays County. The subdivision will be served by the West Travis County Public Utility Agency. Wastewater service will be provided by individual on-site sewage facilities. All the roads being constructed in Breakwater Subdivision will be solely within and maintained by Travis County. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell approve final plat of SUB-526 Breakwater Subdivision (21 Lots). All present voting "Aye". MOTION PASSED**

33778A CALL FOR A PUBLIC HEARING ON JULY 17, 2018 TO DISCUSS THE CANCELLATION OF LOT 1 IN THE RIM ROCK RANCH ESTATES SUBDIVISION

County Planner Marcus Pacheco spoke. The Rim Rock Ranch Estates subdivision is a 4 lot recorded subdivision located off Rim Rock Ranch Rd. in Precinct 3. The subdivision was recorded in 2007. The owner of lot 1 now wishes to cancel the 3 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on July 17, 2018 to discuss the cancellation of lot 1 in the Rim Rock Ranch Estates Subdivision. All present voting "Aye". MOTION PASSED**

33779A APPROVE THE APPOINTMENT OF BERT BRONAUGH, TO REPLACE TOM DAHLSTROM, ON THE BOARD OF EMERGENCY SERVICES DISTRICT #2, TERM ENDING DECEMBER 31, 2019

Commissioner Jones spoke. Bert Bronaugh has agreed to serve out the term of Tom Dahlstrom beginning June 21, 2018. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Bert Bronaugh, to replace Tom Dahlstrom, on the board of Emergency Services District #2, term ending December 31, 2019. All present voting "Aye". MOTION PASSED**

33780A AUTHORIZE THE EXECUTION OF A REMOTE BIRTH ACCESS CONTRACT BETWEEN HAYS COUNTY AND DEPARTMENT OF STATE HEALTH SERVICES (DSHS) VITAL STATISTICS UNIT RELATED TO STATE WIDE BIRTH CERTIFICATES

Contract renewal for the Hays County Clerk's Office to access the Texas Electronic Registration Remote System (TER Remote System) for the purpose of issuing individual birth certificates. The current contract expires on 8/31/2018. This renewal is for a 5 year period beginning 9/1/2018 and ending 8/31/2023. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Remote Birth Access Contract between Hays County and Department of State Health Services (DSHS) Vital Statistics Unit related to state wide birth certificates. All present voting "Aye". MOTION PASSED**

33781A EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM AND AMEND THE BUDGET ACCORDINGLY

Transportation Assistant Director Alex Flores spoke. Transportation Director Jerry Borcharding spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide disaster recovery and restoration of infrastructure for communities impacted by the Floods of 2015. The 2015 Floods and Storms overwhelmed Hays County's street and drainage system. Flows exceeding the capacity of drainage channels prohibited storm water from draining effectively, inundating streets and threatening public health, safety, and welfare. As part of the CDBG-DR program, Hays County will conduct street infrastructure improvements to facilitate proper storm water conveyance and provide continued ingress/egress to the area. The project total is \$9,104,085 with a total of \$5,003,006 in CDBG-DR funding and \$4,101,079 matching funds from Hays County General Fund. The contract will become effective on the date signed by the last party and will terminate on September 22, 2020. FY18 fiscal impact is anticipated to be approximately \$20,000. Co-Wide Operations miscellaneous capital improvements are available to fund this request. Additionally, the remaining match commitments will be budgeted during the 2019 & 2020 fiscal years as appropriate per the anticipated project timeline. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$150,000, Increase Professional & Admin Fees .5303 - \$170,000, Decrease Co-Wide Operations Misc Capital Imprv 001-712-00.5741 - (\$20,000). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



33782A APPOINT COMMISSIONER DEBBIE GONZALES INGALSBE AND COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE JOINT COMMUNITY PARTNERSHIP COMMITTEE WITH THE CITY OF SAN MARCOS AND THE SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

Commissioner Shell spoke. Commissioner Ingalsbe spoke. Hays County has 2 positions on the newly formed Joint Community Partnership Committee with the City of San Marcos and San Marcos Independent School District. Each entity will appoint 2 members to the Committee which will focus on common partnership opportunities and public interest. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Debbie Gonzales Ingalsbe and Commissioner Lon Shell to represent Hays County, on the Joint Community Partnership Committee with the City of San Marcos and the San Marcos Consolidated Independent School District. All present voting "Aye". MOTION PASSED**

33783A AUTHORIZE THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY TO BE PERFORMED BY THE MEADOWS CENTER FOR WATER AND THE ENVIRONMENT RELATED TO THE 2018 HAYS COUNTY FERAL HOG PROGRAM

Commissioner Jones spoke. Texas State University - The Meadows Center for Water and the Environment will provide services associated with Texas A&M AgriLife Extension Feral Hog Abatement Grant program as follows: General Project Management, Website Development/Social Media Campaign, 4 Landowner Outreach Events, Hays County Feral Hog Removal Tracking including a County Level Damage Assessment, Hays County Feral Hog Bounty Program, Remote-Operated Feral Hog Trap Sharing Cooperative, Development of Final Report: Central Texas Feral Hog Action and Sustainability Plan. The Feral Hog Abatement Grant Program will provide \$7,850 in funding assistance for this program of which \$6,000 will be utilized for the services. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of an Interlocal Cooperation Agreement between Hays County and Texas State University to be performed by the Meadows Center for Water and the Environment related to the 2018 Hays County Feral Hog Program. All present voting "Aye". MOTION PASSED**

33784A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HANNAH RIFKIN FOR PRODUCTION SERVICES RELATED TO THE 2015 MEMORIAL DAY FLOOD DOCUMENTARY

Historical Commission Chairman, Kate Johnson spoke. General Counsel, Mark Kennedy spoke. The Historical Commission Director would like to secure services with the Rifkin to assist with production, editing and delivery of the 2015 Memorial Day Flood Documentary. Mrs. Johnson respectfully requests the court to authorize selection of this vendor without securing additional quotes as required by the purchasing policy. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a Professional Services Agreement with Hannah Rifkin for production services related to the 2015 Memorial Day Flood Documentary. All present voting "Aye". MOTION PASSED**

33785A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH MCLIFF COFFEE & VENDING FOR VENDING SERVICES AT THE DEVELOPMENT SERVICES/TRANSPORTATION FACILITY

Assistant Director of Countywide Operations, Tammy Crumley spoke. The County Wide Operations Department would like to enter into a services agreement with Mcliff Coffee & Vending to bring vending services to the Development Services/Transportation facility. Mcliff offers a number of vending options that will be available to employees and the public at no cost to the County. Services are to include the following: 1. Snack & Soda vending machines in lobby, available to employees and the public. 2. Coffee services for employees in the Development Services breakroom. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of an agreement with Mcliff Coffee & Vending for vending services at the Development Services/Transportation facility. All present voting "Aye". MOTION PASSED**

33786A AUTHORIZE THE HAYS COUNTY CHILD PROTECTIVE BOARD TO SUBMIT A PARTICIPATE APPLICATION TO THE VILLAGE OF SAN MARCOS FOR FUTURE INFRASTRUCTURE NEEDS RELATED TO A "RAINBOW ROOM" DISTRIBUTION CENTER

Hays County Child Protective Board Member, Karen Brown spoke. The Hays County Child Protective Board is seeking the Court's authorization to submit an application to the Village of San Marcos for consideration for future infrastructure needs. CPS, with funding from the Board, maintains what is called a Rainbow Room, where items children in custody need are stored. Currently, the Rainbow Room consists of two small rooms



in CPS offices. Because the number of children served by the Board has increased dramatically in the last eight years—from 32,948 in 2010 to 53,169 in 2017—we have had to rent storage space for items that children need, which makes access to the items in emergencies difficult, time-consuming, and sometimes impossible. Further, even with rented storage space we have too little room to allow the acceptance of many donations, or to buy in bulk to reduce costs. The Board's vision is to build a free-standing building at the Village to serve as a Rainbow Room that provides ample space for storage, distribution, record-keeping and immediate needs of children, and that provides safe access for the children and for the CPS workers. This application process is a first step toward improving the current Rainbow Room and the services it provides. Submitting the application to the Village does not obligate the Board to join, but it will allow a path forward with project planning, identifying cost, and seeking potential funding sources. Attachment: Participate Application. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Hays County Child Protective Board to submit a Participate Application to the Village of San Marcos for future infrastructure needs related to a "Rainbow Room" distribution center. All present voting "Aye". MOTION PASSED**

33787A APPOINT COMMISSIONER LON SHELL TO REPRESENT HAYS COUNTY, ON THE GREATER SAN MARCOS PARTNERSHIP BOARD ("GSMP") OF DIRECTORS, TO REPLACE WILL CONLEY

Dan Lyon resident of San Marcos made public comment. Harvey Jenkins resident of San Marcos made public comment, Rodrigo Amaya resident of San Marcos made public comment. Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Mr. Conley's seat needs to be filled by a current court member. Pursuant to Section 5.9 of the Second Amended and Restated Bylaws of the Greater San Marcos Economic Development Corporation, Commissioner Shell has been nominated as a replacement Director to the GSMP Board of Directors contingent on the County's approval. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to appoint Commissioner Lon Shell to represent Hays County, on the Greater San Marcos Partnership Board ("GSMP") of Directors, to replace Will Conley. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #42 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – was pulled

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING APPLICATION OF THE HAYS COUNTY REINVESTMENT ZONE POLICY TO SELECT PROJECTS WITHIN HAYS COUNTY

Court convened into Executive session at 10:18 a.m. and reconvened into open court at 10:43 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

Clerk's Note Agenda Item #44 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

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Commissioner Ingalsbe gave the update of the Burn Ban. The Burn Ban will remain in place. No action taken.

Clerk's Note Agenda Item #46 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

ADJOURNMENT

HAYS COUNTY COMMISSIONERS' COURT MINUTES

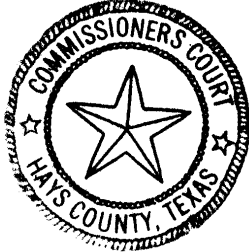


A motion was made by Commissioner Jones to adjourn court at 10:55a.m.

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 June 19, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF JUNE 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
OSCAR MEJIA, JR.	DEPUTY COUNTY CLERK

WITH COMMISSIONER, PCT. 4, RAY O. WHISENANT, JR., AND COUNTY JUDGE, ALBERT H. COBB, JR., BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation and 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 and Rodrigo Amaya, San Marcos residents, and Ari Axelrod, a Wimberley resident all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5 years - Virginia A. Larvin, Tax Customer Service Representative. 10 Years - Kimberli Dawn Andrews, Auditor Accounts Payable Manager, Paula Gilardi, Tax Substation Chief Deputy, Brooke Denise Leftwich, Dev. Svcs. Natural Resources Manager. 15 Years - Carmen J. Alvarez, Auditor Senior Internal Auditor. 20 Years - Kathrine Weiss, Dev. Svcs. GIS Analyst, Andrew W. Cable, JP 3 Justice Of The Peace. 25 Years - Mary E. Torres, Dev. Svcs. Customer Service Representative. Retirement - Margaret Buentello, Dev. Svcs. Customer Service Representative, Severa Valdez Pineda, Transportation Road Supervisor.

33788A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$3,377,257.72 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33789A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of Juror checks invoices in the amount of \$ 6,688.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33790A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the United Healthcare claims in the amount of \$ 421,446.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33791A APPROVE COMMISSIONER COURT MINUTES OF JUNE 19, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioner Court Minutes of June 19, 2018. All present voting "Aye". MOTION PASSED

33792A APPROVE THE PAYMENT OF THE JUNE 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JUNE 29, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the June end of the month payroll disbursements not to exceed \$3,560,000.00. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the



June 30, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective June 29, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33793A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE THREE (3) SOLAR SCHOOL SYSTEMS FROM ELTEC (ELECTROTECHNICS CORPORATION) FOR THE NEW UHLAND ELEMENTARY SCHOOL ON HIGH ROAD AND AMEND THE BUDGET ACCORDINGLY

As a result of a new Hays CISD elementary school (Uhland Elementary) currently being built on the east end of High Road, Hays County will need to install solar school systems for enforcement of a speed zone before classes begin in the fall. The Transportation Dept. currently does not have these materials in stock. Budget Amendment: Decrease Road Materials .5351, Increase Misc Equipment .5719_400. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Transportation Department to purchase three (3) solar school systems from Eltec (Electrotechnics Corporation) for the new Uhland Elementary School on High Road and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33794A APPROVE UTILITY PERMITS

Permit #1083 High Mesa Drive, Campfire Way, Campfire Cir. To Water Line. Permit #1084 5225 Fischer Store Rd Electric. Permit #1085 Horace Howard Drive Water Line. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Utility Permit #1083 on High Mesa Drive, Campfire Way, and Campfire Cir issued to Cedar Oaks Mesa Water Supply Corporation, Utility Permit #1084 on 5225 Fischer Store Rd. issued to Pedernales Electric Cooperation, Inc. and Utility Permit #1085 on Horace Howard Drive issued to City of San Marcos as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED**

33795A AUTHORIZE THE ORDER OF A FORD UTILITY POLICE INTERCEPTOR FOR THE SHERIFF'S OFFICE AS PART OF THE FY 18 VEHICLE LEASE PROGRAM

Dan Lyon, and Rodrigo Amaya, San Marcos residents, spoke. On 4-18-18, Commissioner's Court approved an amendment of self-insurance funds for front body, suspension and rear bumper repairs to unit # 1715. At the time, repairs totaled \$6,357.00; since then the vendor discovered additional underlying damages. Other damages total an additional \$17,384.2. The vehicle is totaled and is more cost effective to approve a replacement vehicle in the lease program. Financial Impact: FY18: \$1,826.00. Annualized: \$7,301.40. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the order of a Ford Utility Police Interceptor for the Sheriff's Office as part of the FY 18 vehicle lease program. All present voting "Aye". MOTION PASSED**

33796A ADOPT THE ELECTION SERVICE FEES FOR THE REMAINDER OF 2018

These fees will be used for elections held for the remainder of 2018 and then reviewed later for the upcoming year. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to adopt the Election Service Fees for the remainder of 2018. All present voting "Aye". MOTION PASSED**

33797A AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE AN AED (AUTOMATIC EXTERNAL DEFIBRILLATOR) AND AMEND THE BUDGET ACCORDINGLY

The Natural Resources Parks Department would like to purchase a portable Automatic External Defibrillator to be used by the Park staff. The equipment would be a medical asset to both the visitors and citizens of Hays County who visit Jacob's Well when EMS or other medical responders are delayed in their response. Budget Amendment: Decrease 001-700-00.5201 General Supplies Increase Misc. Eqpt. 001-700-00.5719_400. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Natural Resources Parks Department to purchase an AED (Automatic External Defibrillator) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33798A AUTHORIZE AN INTERGOVERNMENTAL TRANSFERS (IGT) AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER), IN AN AMOUNT NOT TO EXCEED \$1,291,036.54



Commissioner Shell and Texas Chief Officer from Seton Medical Center, Geronimo Rodriguez spoke. The transfer date deadline is June 29th for settlement date of July 2nd for DY7 Round in the amounts of: DSRIP payments are used for monitoring activities of the Texas 1115 waiver program as required by the State's agreement with the Centers for Medicaid Medicare Services (CMS). **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize an Intergovernmental Transfers (IGT) as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver), in an amount not to exceed \$1,291,036.54. All present voting "Aye". MOTION PASSED**

33799A AMEND THE COUNTY COURT AT LAW, TEXAS VETERAN'S COMMISSION (TVC) GRANT BUDGET FOR CONTINUING EDUCATION EXPENSES RELATED TO THE ANNUAL NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS CONFERENCE

The TVC agency authorized a budget adjustment for the veteran's program staff to attend the National Drug Court Professionals conference in Houston Texas in May. Additional funds are needed to cover the per diem for county staff. No County matching funds are needed. Budget Amendment: Decrease .5021 - Staff Salaries Increase .5551 - Continuing Education. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to amend the County Court at Law, Texas Veteran's Commission (TVC) grant budget for continuing education expenses related to the annual National Association of Drug Court Professionals Conference. All present voting "Aye". MOTION PASSED**

33800A AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) FOR A RISK & NEEDS ASSESSMENT SOFTWARE TOOL AND AMEND THE BUDGET ACCORDINGLY

The Texas Juvenile Justice Department awarded the Hays County Juvenile Probation Department an additional \$13,947 for expenses related to a Risk & Needs Assessment software tool and staff training upon the completed implementation. The Hays County Juvenile Board approved a contract with Noble Software Group, LLC which is the only company that provides a risk score and generates a case plan that interfaces with the department's case management software system. No County matching funds are required. Budget Amendment: Increase .5448 Contract Services Increase .4301 Intergovernmental Revenue. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Juvenile Probation Department to accept additional grant funding from the Texas Juvenile Justice Department (TJJD) for a Risk & Needs Assessment software tool and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33801A APPROVE SPECIFICATIONS FOR IFB 2018-B07 REGULATORY ROAD SIGNS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for IFB 2018-B07 Regulatory Road Signs and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". **MOTION PASSED**

33802A APPROVE SPECIFICATIONS FOR IFB 2018-B08 ROAD IMPROVEMENTS - HOT MIX OVERLAY AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve specifications for IFB 2018-B08 Road Improvements - Hot Mix Overlay and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". **MOTION PASSED**

33803A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #3 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the 2017 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". **MOTION PASSED**

33804A ACCEPT REVEGETATION EFFORTS WITHIN COUNTY ROW, RELEASE THE REVEGETATION BOND #70144632 IN THE AMOUNT OF \$9,799.20 FOR REUNION RANCH SUBD., PHASE 2, SECTION 5, AND



RELEASE THE REVEGETATION BOND #4407309MNT-2 IN THE AMOUNT OF \$8,499.00 FOR REUNION RANCH SUBD., PHASE 3, SECTION 1

Staff recommends acceptance of revegetation efforts within the County ROW. A separate revegetation bond was issued for each section. Revegetation has reached or exceeded the minimum of 70%. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept revegetation efforts within County ROW, release the revegetation bond #70144632 in the amount of \$9,799.20 for Reunion Ranch subd., Phase 2, Section 5, and release the revegetation bond #4407309MNT-2 in the amount of \$8,499.00 for Reunion Ranch subd., Phase 3, Section 1. All present voting "Aye". MOTION PASSED**

33805A CALL FOR A PUBLIC HEARING ON JULY 10, 2018 TO REDUCE THE EXISTING SPEED LIMIT OF 30 MPH TO 20 MPH ON HAZY HILLS LOOP AND ON DAYRIDGE DRIVE IN THE HEADWATERS AT BARTON SPRINGS SUBDIVISION

This action would reduce the existing speed limit of 30 MPH on both Hazy Hills Loop and Dayridge Drive within the Headwaters at Barton Springs subdivision to 20 MPH. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to call for a public hearing on July 10, 2018 to reduce the existing speed limit of 30 MPH to 20 MPH on Hazy Hills Loop and on Dayridge Drive in the Headwaters at Barton Springs subdivision. All present voting "Aye". MOTION PASSED**

33806A CALL FOR A PUBLIC HEARING ON JULY 10, 2018 TO ESTABLISH A SPEED LIMIT OF 35 MPH ON MADRONE RANCH TRAIL IN MADRONE RANCH SUBDIVISION

This action would establish a speed limit of 35 MPH for Madrone Ranch Trail, after conducting a speed study last month. This subdivision has large acre lots and is in a rural part of the county. Speed limits were not established after construction. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to call for a public hearing on July 10, 2018 to establish a speed limit of 35 MPH on Madrone Ranch Trail in Madrone Ranch subdivision. All present voting "Aye". MOTION PASSED**

33807A RELEASE THE MAINTENANCE BOND #K0923245A IN THE AMOUNT OF \$36,938.10, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SHADOW CREEK SUBDIVISION, PHASE 4, SECTION 1B

Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed. The roads include segments of: Twisted Oaks Lane (1,217 ft.) and Vestral Road (145 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Shell to release of the maintenance bond #K0923245A in the amount of \$36,938.10, and acceptance of the roads into the county road maintenance system for Shadow Creek subdivision, Phase 4, Section 1B. All present voting "Aye". MOTION PASSED**

33808A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE THE LETTER OF CREDIT #5135-500 IN THE AMOUNT OF \$761,261.00 FOR KEY RANCH SUBDIVISION, SECTION 3. A MAINTENANCE BOND AND 2-YEAR WARRANTY PERIOD IS NOT NEEDED AS THESE ROADS WILL REMAIN PRIVATELY MAINTAINED

Staff recommends acceptance of construction of roads and drainage improvements. An engineer's concurrence letter and as-built construction plans have been received. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept road construction and drainage improvements, and release the Letter of Credit #5135-500 in the amount of \$761,261.00 for Key Ranch subdivision, Section 3. A maintenance bond and 2-year warranty period is not needed as these roads will remain privately maintained. All present voting "Aye". MOTION PASSED**

33809A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 FOR HDR ENGINEERING, INC. ON THE CENTERPOINT ROAD EXTENSION PROJECT



Commissioner Shell spoke. A supplemental agreement to amend the original contract completion date from December 31, 2017 to December 31, 2018. Extension needed to accommodate delays encountered during the right of way negotiation process with one of the two property owners along the corridor and coordination with an adjacent development. No change in the amount of contract. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Supplemental No. 1 for HDR Engineering, Inc. on the Centerpoint Road Extension project. All present voting "Aye". MOTION PASSED**

33810A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 2 WITH PRIME STRATEGIES, INCORPORATED RELATED TO ENGINEERING MANAGEMENT SERVICES AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell and Director of Transportation, Jerry Borcharding spoke. Additional funding for projected efforts in relation to cash flow management and TxDOT coordination. Supplemental No. 1 raises the compensation cap stipulated in the original Work Authorization No. 2 from \$75,000 to \$165,000, an increase of \$90,000. Further, the Supplemental redefines the responsibilities of general management divided between the County and Prime Strategies. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Supplemental No. 1 to Work Authorization No. 2 with Prime Strategies, Incorporated related to engineering management services and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33811A APPROVE THE SELECTION OF LNV, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR IMPROVEMENT TO THE INTERSECTION OF SH 21 AND FM 1966 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Ingalsbe spoke. Installation of a traffic signal at the intersection of SH 21 and FM 1966 is included in the 2016 Road Bond Program. Projected work for the contract would include completion of a Traffic Signal Warrant Analysis, navigation of the TxDOT approval process, and necessary design including, but not limited to, creation of and Plans, Specifications and Estimates (PS&E). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the selection of LNV, Inc. for professional engineering services for improvement to the intersection of SH 21 and FM 1966 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33812A SUB-1002; ACOSTA ADDITION SUBDIVISION (1 LOT) APPROVE FINAL PLAT

County Planner, Marcus Pacheco spoke. Staff gave recommendation. Acosta Addition Subdivision is located off of Mussey Rd in Precinct 3. The proposed prelim will create 1 lot across 4.72 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve final plat SUB-1002; Acosta Addition Subdivision 1 Lot. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 RE: APPROVE THE APPOINTMENTS OF KERRI JONES AND KYLE NATIONS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION – was pulled

33813A APPROVE AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY AND THE NORTH HAYS COUNTY MUNICIPAL UTILITY DISTRICT (MUD) #2

North Hays County Municipal Utility District #2 would like to begin collecting taxes starting with the 2018 tax year. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve an Assessment and Collection Agreement between Hays County and the North Hays County Municipal Utility District (MUD) #2. All present voting "Aye". MOTION PASSED**

33814A ENTER INTO A PLANNED MAINTENANCE AGREEMENT WITH CLIFFORD POWER FOR GENERATOR MAINTENANCE AT THE LOCAL HEALTH DEPARTMENT AND THE DEVELOPMENT SERVICES DEPARTMENT

Director of Countywide Operations, Clint Garza spoke. The Building Maintenance Department would like to enter into a Planned Maintenance Agreement with Clifford Power for preventative maintenance and annual



inspections on two generators; one located at the Local Health Department and one located at the Development Services Department. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to enter into a Planned Maintenance Agreement with Clifford Power for generator maintenance at the Local Health Department and the Development Services Department. All present voting "Aye". MOTION PASSED**

33815A AWARD RFP 2018-P04 WEBSITE REDESIGN TO ELECTRONIC COMMERCE LINK, INC. (DBA E-GOV LINK) AND AUTHORIZE EXECUTION OF CONTRACT DOCUMENTS

Director of Countywide Operations, Clint Garza spoke. On March 20th the Commissioner's Court approved specifications and authorized Purchasing to solicit for Website Redesign Services. Seven (7) proposals were received from the following vendors: BrightLeaf Group, CivicPlus, E-Gov Link, Eisenberg & Associates, Planeteria Media, SHI Government Solutions, West Interactive Services. After evaluation and scoring of the proposals by five staff members (the evaluation committee), it is recommended that contract award be made to Electronic Commerce Link, Inc. (dba E-Gov Link). Funds were budgeted during the FY18 budget process to fund this project. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to award RFP 2018-P04 Website Redesign to Electronic Commerce Link, Inc. (dba E-Gov Link) and authorize execution of contract documents. All present voting "Aye". MOTION PASSED**

33816A AUTHORIZE PAYMENT FOR ACCRUED COMPENSATION HOURS TO THE VTC MENTOR & RESOURCES COORDINATOR FROM THE COUNTY COURT AT LAW 2, TEXAS VETERAN'S COMMISSION GRANT BUDGET

County Court at Law #2, Judge David Glickler spoke. The current Texas Veteran's Commission grant is scheduled to close out on 6/30/18. The VTC Mentor & Resources Coordinator has accrued 87 comp hours that the granting agency has authorized submission of a reimbursement request due to current funding that is available in the remaining grant budget. This position is responsible for recruiting, training, and coordinating volunteers within the Veteran's Court Division Program. These mentors are advocates for veterans and are committed to providing training and technical assistance to help them be successful in their communities. Due to the increased number of volunteers and training needs, the VTC Mentor & Resources Coordinator accrued comp hours that need to be paid down. The granting agency has authorized submission of reimbursement requests as follows; Reimbursement for 90 day window (Apr to Jun 2018): 51 hours, Reimbursement for period prior to Apr (Nov 2017 to Mar 2018: 36 hours. Financial Impact: \$1,179 - Base Salary, \$ 246 – Fringe, \$1,425 – Total. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment for accrued compensation hours to the VTC Mentor & Resources Coordinator from the County Court at Law 2, Texas Veteran's Commission grant budget. All present voting "Aye". MOTION PASSED**

33817A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND CAHABA DISASTER RECOVERY, LLC FOR WORK RELATED TO THE BLANCO RIVER DEBRIS REMOVAL PROJECT

Director of Countywide Operations, Clint Garza and Commissioner Shell spoke. This Change Order No. 1 will cover fees for labor and equipment rental that was not included in the per cubic yard contract rate. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Change Order No. 1 between Hays County and Cahaba Disaster Recovery, LLC for work related to the Blanco River Debris Removal Project. All present voting "Aye". MOTION PASSED**

33818A EXECUTE A CONTRACT WITH LONGHORN COMMERCIAL ROOFING FOR BUILDING REPAIRS AT THE PRECINCT 3 FACILITY

Commissioner Shell, Director of Countywide Operations, Clint Garza, and General Counsel, Mark Kennedy spoke. Staff recommendation. The Building Maintenance Department would like to enter into an agreement with Longhorn Commercial Roofing to have portions of the roof and stucco siding repaired at the Precinct 3 facility. After a recent rain event, several serious leaks have appeared. Upon inspection it was found that there are areas of the roof that need to be redone and portions of the stucco siding are pulling away from the building allowing water to enter. This has caused damage to some of the interior office spaces and in order to prevent further damage the repairs need to be made as soon as possible. Additionally, the County Operations Director is requesting a discretionary exemption pursuant to Texas Local Government Code 262.023(3) in the event that there are future change orders needed which would push the contract over the bidding requirement threshold. Savings within the County Wide Miscellaneous Capital Improvements are available to fund this project. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to execute a contract with Longhorn Commercial Roofing for building repairs at the Precinct 3 facility, with the exemption to the procurement process under Section 262.024A3 having to do with unforeseen damage to public property. 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 TO FOLLOW IN OPEN COURT

Court convened into Executive session at 12:45 p.m. and reconvened into open court at 12:54 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

33819A 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 PURPLE MOUNTAIN AND PROJECT KING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Mike Kamalander and Director of Economic Development, Diana Torres from the City of Kyle spoke. Court convened into Executive session at 12:15 p.m. and reconvened into open court at 12:44 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, Mike Kamalander, Director of Economic Development from the City of Kyle, Diana Torres, and Legal Support Services Specialist Janice Jones. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Chapter 381 Economic Development Incentives Agreement between Hays County and Majestic Realty Plum Creek, LLC, as presented in executive session. All present voting "Aye". MOTION PASSED**

33820A 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 COURT AT LAW 1 & 2. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 10:31 a.m. and reconvened into open court at 12:14 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, County Court at Law #2, Judge David Glickler, Director of Countywide Operations, Clint Garza, Director of Transportation, Jerry Borcharding, Director of Human Resources, Shari Miller, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to regrade the two court reporter positions within the County Court at Law from their current grade of 117 to a new grade of 118 for each position, effective July 1, 2018. All present voting "Aye". MOTION PASSED**

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

Commissioner Ingalsbe gave an update of the burn ban, which remains in place.

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

ADJOURNMENT

Commissioner Ingalsbe called to adjourn court at 1:07 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 June 26, 2018.

Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 10TH DAY OF JULY 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:

Chaplain Nahum Melendez 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, and Rodrigo Amaya, San Marcos resident, made public comments.

PRESENTATION OF THE DISTINGUISHED SERVICE AWARD FROM TEXAS HISTORICAL COMMISSION TO THE HAYS COUNTY HISTORICAL COMMISSION

Kate Johnson, Chairman of the Hays County Historical Commission accepted the award on behalf of the Hays County Historical Commission and spoke.

33821A APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices for the week of 7/3/2018 in the amount of \$39,248.13 and invoices for the week of 7/10/2018 in the amount of \$3,391,132.51 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33822A APPROVE PAYMENT OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of Juror checks invoices in the amount of \$3,578.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33823A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the United Healthcare claims in the amount of \$550,154.46 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33824A APPROVE COMMISSIONER COURT MINUTES OF JUNE 26, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of June 26, 2018. All present voting "Aye". MOTION PASSED

33825A APPROVE THE PAYMENT OF THE JULY 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE JULY 15, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the July mid-month payroll disbursements not to exceed \$2,655,00.00. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of the July



15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective July 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33826A APPROVE UTILITY PERMITS

Permit, Roadname, Utility. 1086, 2181 Mathias Lane, Water Service Line (Goforth SUD). 1087, 355 Graef Road, Water Service Line (Goforth SUD). 1088, 2311 Mathias Lane, Water Service Line (Goforth SUD).

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve permit #1086 on Mathias Lane to Goforth SUD; permit #1087 on Graef Road to Goforth SUD; permit #1088 on Mathias Lane to Goforth SUD, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33827A AUTHORIZE THE EXECUTION OF GRANT AWARD FOR THE HAYS COUNTY VETERANS TREATMENT COURT FROM THE TEXAS VETERANS COMMISSION FUND FOR VETERANS IN THE AMOUNT OF \$200,000.00

On October 31, 2017, the Commissioners Court authorized the submission of a grant application to the Texas Veterans Commission for funding in the amount of \$200,000.00 for the Hays County Veterans Treatment Court. The grant will provide funding for a probation officer, part-time mentor coordinator, program manager, treatment services, and supplies/travel expenses for the Veterans Treatment Court Program. The Veterans Treatment Court provides for voluntary participation of defendants whose criminal cases are attributed to physical and mental injuries sustained during their tenure in military services. The grant period is July 1, 2018 - June 30, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of grant award for the Hays County Veterans Treatment Court from the Texas Veterans Commission Fund for Veterans in the amount of \$200,000.00. All present voting "Aye". MOTION PASSED

33828A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 17 LOCAL SOLICITATION IN THE AMOUNT OF \$13,580 FOR HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, Assistant County Auditor, Vickie Dorsett, and Director of Countywide Operations, Clint Garza, spoke. On August 31, 2017, the Commissioners Court authorized submission of a grant with the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY17 Local Solicitation. Hays County will receive a funding allocation that will be used to purchase 18 Rifle-Resistant Vests in the amount of \$14,112 for the Constables, an additional \$532.00 of local county funds are necessary to complete the purchase. Budget Amendment: Increase Intergovernmental Revenue .4301 - \$13,580, Increase Law Enforcement Equipment .5717_400 - \$14,112, Decrease Contingencies .5399 - (\$532). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) program FY 17 Local Solicitation in the amount of \$13,580 for Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33829A ACCEPT THE 2017 NORTHEAST HAYS COUNTY EMERGENCY SERVICES DISTRICT #2 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept the 2017 Northeast Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

33830A AUTHORIZE THE EXECUTION OF MULTI-SERVICE AND EQUIPMENT RESALE AGREEMENTS WITH AT&T CORP. RELATED TO FIRSTNET FOR THE OFFICE OF EMERGENCY SERVICES COMMAND TRAILER AND AMEND THE BUDGET ACCORDINGLY

The Office of Emergency Services Director is requesting equipment needed to allow FirstNet capabilities for First Responders utilizing the Command Trailer. FirstNet is a reliable, highly secure, interoperable, and innovative public safety communications platform for public safety agencies and first responders. The



broadband LTE network allows first responders and other public safety personnel to send and receive voice, data, video, images, and text without concerns about network congestion. The FirstNet network offers guaranteed priority and preemption when they're needed. Additionally, FirstNet provides interoperable communications for the public safety community, enabling information sharing across jurisdictions, and improved situational awareness. The Cradlepoint equipment needed is a branch router with antennas that provides an all-inclusive branch networking solution for the Command Trailer during any type of emergency. AT&T will provide the equipment through the resale agreement, which will require an on-going cloud storage and maintenance fee. Savings within the OES operating budget are available to fund this request. Budget Amendment: Decrease Contract Services .5448, Increase Software Maintenance .5429. Attachments: AT&T Multi-Service Agreement, AT&T Equipment Resale Agreement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Multi-Service and Equipment Resale agreements with AT&T Corp. related to FirstNet for the Office of Emergency Services Command Trailer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33831A APPROVE OUT OF STATE TRAVEL FOR THE DISTRICT CLERK TO ATTEND THE EIGHTH ANNUAL COURTS & JUSTICE EXECUTIVE FORUM IN BOULDER, COLORADO SEPTEMBER 4TH-6TH, 2018

The District Clerk has been invited to attend the Eighth Annual Courts & Justice Executive Forum, which is by invitation only. This Forum connects leaders and innovators in the justice community who are Odyssey users. Key topics include Modra implementation progress, Empowering Legal Professionals' access to case information and documents through redaction and cross-jurisdictional searches, Tyler's acquisition of Socrata, and Evolving the Odyssey Foundation. There is no registration fee associated with the conference, just travel costs and associated per diems (approximately \$800 total, depending on airfare). Funds are available in the District Clerk's operating budget to cover these expenses. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the District Clerk to attend the Eighth Annual Courts & Justice Executive Forum in Boulder, Colorado September 4th-6th, 2018. All present voting "Aye". MOTION PASSED**

33832A AUTHORIZE PAYMENT TO DIVERSE PLANNING & DEVELOPMENT FOR EXPENSES RELATED TO THE DAHLSTROM NATURE PRESERVE GROUNDBREAKING IN WHICH NO PURCHASE ORDER WAS OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY

A purchase order was not obtained prior to acquiring services for the Dahlstrom Nature Preserve Groundbreaking event. A total of \$5,539.88 was spent on the planning and coordination of this event. Potential Funding Source: County Wide Contingencies. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize payment to Diverse Planning & Development for expenses related to the Dahlstrom Nature Preserve Groundbreaking in which no purchase order was obtained as required per the County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33833A APPROVE CHANGE ORDER #2 FOR PARTNERS REMODELING, RESTORATION AND WATERPROOFING FOR THE DAHLSTROM RANCH PUBLIC ACCESS DEVELOPMENT PROJECT

On January 23, 2018, Commissioners Court approved a contract for Partner's Remodeling in response to IFB 2018-B03. Additional funds are needed due to design issues for asphalt in the parking lot area. Additionally, the contact term will be extended to July 13, 2018, due to delays and unforeseen circumstances. Attachment: Change Order # 2. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #2 for Partners Remodeling, Restoration and Waterproofing for the Dahlstrom Ranch Public Access Development project. All present voting "Aye". MOTION PASSED**

33834A AUTHORIZE THE NATURAL RESOURCES PARKS DEPARTMENT TO PURCHASE SIX (6) ULTRASITE BENCHES AND FOUR (4) KVO NPS STYLE CANTILEVERED EXHIBIT SIGNS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE AND AMEND THE BUDGET ACCORDINGLY

The Natural Resources Parks Department would like to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve. The benches will provide resting areas for park visitors. The signs will display information such as park rules/maps, Dahlstrom family history, and geology of the Gay Ruby Dahlstrom Nature Preserve. Budget Amendment: Decrease



.5611_700, Increase .5719_400. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Natural Resources Parks Department to purchase six (6) UltraSite benches and four (4) KVO NPS Style Cantilevered Exhibit signs for the Gay Ruby Dahlstrom Nature Preserve and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33835A APPROVE CHANGE ORDER #1 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS AND AMEND THE BUDGET ACCORDINGLY

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. Change Order No. 1 is needed to complete the required work at Site 4. Attachment: Change Order No. 1. Funding for this project is being provided through approved grants from NRCS (75%); with matching funds provided by the TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$187,329 Increase Construction: .5611_400 - \$189,700. Decrease Co-Wide Contingencies: .5399 - (\$2,371.0 0). A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Change Order #1 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33836A AUTHORIZE THE EXECUTION OF A RESOLUTION SUPPORTING CALDWELL COUNTY'S SUBMISSION OF A UNITED STATES DEPARTMENT OF TRANSPORTATION BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) TRANSPORTATION DISCRETIONARY GRANTS PROGRAM FOR THE SAN MARCOS, AIR, RAIL, AND TRUCK (SMART) TERMINAL

The owner of approximately 1000 acres in Caldwell County, fully within the City of San Marcos ETJ, has begun planning an intermodal industrial park called the San Marcos Air, Rail, and Truck Terminal (SMART). The industrial park will have rail connections to lines served by Union Pacific and BNSF. Future planning should result in connection to the San Marcos Regional Airport concentrating freight traffic into a single location where shipping into and out of the region is made more efficient. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution supporting Caldwell County's Submission of a United States Department of Transportation Better Utilizing Investments To Leverage Development (BUILD) Transportation Discretionary Grants Program for the San Marcos, Air, Rail, and Truck (SMART) Terminal. All present voting "Aye". MOTION PASSED

33837A AUTHORIZE THE EXECUTION OF A RESOLUTION AND THE SUBMISSION OF A GRANT APPLICATION TO TEXAS WATER DEVELOPMENT BOARD FOR THE FLOOD PROTECTION GRANT IN THE AMOUNT OF \$285,370

The Texas Water Development Board (TWDB) has recently issued a call for applications for Flood Protection Assistance grants, with a relatively short deadline for submission of July 11, 2018. The purpose of these grants is to provide assistance to political subdivisions to implement preventive and/or corrective measures for reducing loss of life and property, such as early warning systems and the development of response plans to protect life and property from floodwaters. As a result of the 2015 Flood Disasters, Hays County has determined a need to enhance our warning system capabilities and has placed a high priority on deploying such systems. Specifically, this would include technology upgrades for existing, and the installation of new, road low water crossing warning systems, possible stream/rainfall gaging sites at select locations, and dam water level monitoring systems. This grant application is for funding to installation of water level monitoring stations at dam sites, camera monitoring, and rain gauges to the existing Flood Monitoring System that TWDB funded previously. The total project cost is \$285,370. Texas Water Development Board will fund up to fifty percent of the total project cost. The anticipated award date is September 2018 and the grant application is due July 11, 2018. A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of a Resolution and the submission of a grant application to Texas Water Development Board for the Flood Protection Grant in the amount of \$285,370. All present voting "Aye". MOTION PASSED

33838A RELEASE MAINTENANCE BOND #K08639048 IN THE AMOUNT OF \$37,774.80 FOR SHADOW CREEK SUBD., PH. 7, SEC. 2, RELEASE OF THE MAINTENANCE BOND #K08639061 IN THE AMOUNT OF \$39,673.20 FOR SHADOW CREEK SUBD., PH. 11, SEC. 1, AND



ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Director of Transportation, Jerry Borcharding, gave staff recommendation. Staff recommends acceptance of the roads into the county maintenance system. All items on the punch-list for repairs have been completed for both sections of the subdivision. The roads include: Wildfire Cove (368 ft.), Pebble Creek Lane (492 ft.), Albatross Cove (504 ft.) and Eagle Brook Lane (596 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release of the maintenance bond #K08639048 in the amount of \$37,774.80 for Shadow Creek subd., Ph. 7, Sec. 2, release of the maintenance bond #K08639061 in the amount of \$39,673.20 for Shadow Creek subd., Ph. 11, Sec. 1, and acceptance of the roads into the county road maintenance system. All present voting "Aye".** MOTION PASSED

33839A HOLD A PUBLIC HEARING TO ESTABLISH A SPEED LIMIT OF 35 MPH FOR MADRONE RANCH TRAIL IN MADRONE RANCH SUBDIVISION

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would establish a speed limit of 35 MPH for Madrone Ranch Trail, after conducting a speed study last month. This subdivision has large acre lots and is in a rural part of the county. Speed limits were not established after construction. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to establish a speed limit of 35 MPH for Madrone Ranch Trail in Madrone Ranch subdivision. All present voting "Aye".** MOTION PASSED

33840A HOLD A PUBLIC HEARING TO REDUCE THE EXISTING SPEED LIMIT OF 30 MPH TO 20 MPH ON HAZY HILLS LOOP AND ON DAYRIDGE DRIVE IN THE HEADWATERS AT BARTON SPRINGS SUBDIVISION

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Transportation Director, Jerry Borcharding, gave staff recommendation. This action would reduce the existing speed limit of 30 MPH on both Hazy Hills Loop and Dayridge Drive within the Headwaters at Barton Springs subdivision to 20 MPH. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to hold a public hearing to reduce the existing speed limit of 30 MPH to 20 MPH on Hazy Hills Loop and on Dayridge Drive in the Headwaters at Barton Springs subdivision. All present voting "Aye".** MOTION PASSED

33841A NAME A PRIVATE DRIVEWAY IN PRECINCT 4, BROKEN BIT TRAIL

The owners of two properties located off Prochnow Road in Precinct 4, would like to name their private driveway, Broken Bit Trail. Each property owner has signed the request and has communicated with the Hays County GIS Analyst to coordinate 911 address assignment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to name a private driveway in Precinct 4, Broken Bit Trail. All present voting "Aye".** MOTION PASSED

33842A EXECUTE A CONTRACT WITH THE GENERAL LAND OFFICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

Director of Countywide Operations, Clint Garza, spoke. Funds are allocated by the United States Department of Housing and Urban Development through the Community Development Block Grant Program to provide financial assistance to facilitate disaster recovery, restoration, and economic revitalization and to affirmatively further fair housing in areas affected by DR-4223 and DR-4255. A total of \$2,349,747.24 in CDBG-DR funding will be utilized for this project. The contract will become effective on the date signed by the last party and will terminate on October 8, 2020. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to execute a contract with the General Land Office for the Community Development Block Grant Disaster Recovery (CDBG-DR) program. All present voting "Aye".** MOTION PASSED

33843A ADOPT NEW RULES AND REGULATIONS FOR THE GAY RUBY DAHLSTROM NATURE PRESERVE, ADOPT FEE SCHEDULE, AND AUTHORIZE THE EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS TO AMEND PARK RULES FOR ALL HAYS COUNTY FACILITIES, AS NECESSARY



Director of Countywide Operations, Clint Garza, spoke. Adopt new rules and regulations for Gay Ruby Dahlstrom Nature Preserve. (Attached). Adopt new fee schedule for Gay Ruby Dahlstrom Nature Preserve. (Attached). Authorize the Executive Director of Countywide Operations to amend park rules as needed in order to establish and maintain reasonable standards for the Hays County owned and/or leased park facilities. Approval of this action would allow the Executive Director of Countywide Operations to make such changes without the need of additional court action. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt new rules and regulations for the Gay Ruby Dahlstrom Nature Preserve, adopt fee schedule, and authorize the Executive Director of Countywide Operations to amend park rules for all Hays County facilities, as necessary. All present voting "Aye". MOTION PASSED**

33844A RATIFY A REQUEST FOR CONTESTED CASE HEARING MADE BY THE HAYS COUNTY COMMISSIONER FOR PRECINCT 3 ON OR ABOUT JUNE 25, 2018, REGARDING ELECTRO PURIFICATION LLC'S PRODUCTION PERMIT APPLICATION TO THE BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT FOR THE PRODUCTION OF GROUNDWATER FROM THE MIDDLE TRINITY AQUIFER FOR THE PURPOSE OF WHOLESALE PUBLIC WATER SUPPLY

Dan Lyon, Rodrigo Amaya, Willis Rockel, Will Conley, Chris Elliott, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify a request for contested case hearing made by the Hays County Commissioner for Precinct 3 on or about June 25, 2018, regarding Electro Purification LLC's Production Permit application to the Barton Springs Edwards Aquifer Conservation District for the production of groundwater from the Middle Trinity Aquifer for the purpose of wholesale public water supply. All present voting "Aye". MOTION PASSED**

33845A AMEND THE HAYS COUNTY PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM. POSSIBLE ACTION MAY FOLLOW, INCLUDING BUT NOT LIMITED TO ADOPTING AN AMENDED REPORT AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

Lee McCormick, Lone Star Pace, Jonathan Blackburn, Texas Pace Authority, Mark Kennedy, General Counsel, Commissioner Shell, Commissioner Ingalsbe, and Commissioner Whisenant spoke. Hays County established a PACE program in January 2017. PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more dwelling units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment collected together with their property taxes. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed. PACE financing enables businesses to align the costs of energy and water efficiency improvements with the utility savings provided by the improvements. PACE financings are paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements. Currently Hays County has one PACE administrator. The proposed amended Program Report allows additional PACE administrators to accept applications from owners of property within the County's territory for financing of qualified improvements. It also authorizes additional administrators to conduct assessment proceedings to levy assessments against the property of participating owners within the territory of the County. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve the amendment to the report of the Hays County Property Assessed Clean Energy ("PACE") program and adopt the Resolution as presented by General Counsel. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT – **was pulled**



EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:46 a.m. and reconvened into open court at 11:40 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist Janice Jones. No action taken.

Clerk's Note Agenda Item #29 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE POYBKUIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW – was pulled*

33846A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Hays County Fire Marshal, Clint Browning spoke of the recent rains and recommended lifting the Burn Ban. He's also consulted with the surrounding Fire Chiefs and they are all in agreement of lifting the Burn Ban. He urged the citizens of Hays County to be cautious and safe while conducting outdoor burning. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to lift the Burn Ban. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #31 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, NHTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court at 11:45 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 10, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 17TH DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Denise Grant chaplain at 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

Harvey Jenkins resident of San Marcos, Dan Lyon resident of San Marcos, Rodrigo Amaya resident of San Marcos all made public comments.

33847A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 1,484,057.44 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33848A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$ 2,323.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33849A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$ 382,466.99 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33850A APPROVE COMMISSIONERS COURT MINUTES OF JULY 10, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of July 10, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33851A APPROVE OUT OF STATE TRAVEL FOR DEPUTY PAUL MOONEY TO ATTEND THE LAW ENFORCEMENT TOTAL BREACHING COURSE IN BYHALIA, MISSISSIPPI

Approval for out of state travel is needed to send Deputy Paul Mooney to attend the Law Enforcement Total Breaching Course in Byhalia, Mississippi on September 21-28, 2018. Deputy Mooney is on the Hays County SWAT Team. During this training, Deputy Mooney will learn all facets of mechanical, thermal, power tool, ballistic and explosive breaching techniques. Upon successfully completing this course, Deputy Mooney will possess the knowledge to correctly identify the most suitable method of entry for a given target, the skill to conduct a 100% positive breach, and become a certified high energy breacher. The San Marcos Police Department will be covering the hotel fees, as they're sending one of their officers to this training as well. Funding for registration, travel and miscellaneous fees are identified in the Sheriff's Office Continuing Education general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve out of state travel for Deputy Paul Mooney to attend the Law Enforcement Total Breaching Course in Byhalia, Mississippi. All present voting "Aye". MOTION PASSED



**33852A AUTHORIZE COMMERCIAL OSSF PERMIT AT 700 FARRELL ROAD,
DRIPPING SPRINGS, TEXAS 78620**

Fall Creek Weddings LLC is proposing an OSSF to serve an event center and chapel. The system is designed to accommodate up to 280 guests and employees for only 3 days a week. This 12.01-acre property will be served by a public water supply. The system designer, Greg Johnson, P.E., 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 600 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 700 Farrell Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**33853A AUTHORIZE COMMERCIAL OSSF PERMIT AT 179 S. CANYONWOOD
DRIVE, DRIPPING SPRINGS, TEXAS 78620**

Chris Staff of C Staff Construction LLC is proposing an OSSF located at 179 S. Canyonwood Drive. This system will serve two 4500 square foot office buildings with up to 20 employees and no customers. This 1.73-acre tract of land is Lot 21 in Section 2 of the Sunset Canyon subdivision. This lot will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a standard treatment system. After treatment, the effluent will be pumped to a standard drainfield for a maximum daily rate of 100 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 179 S. Canyonwood Drive, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**33854A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 WITH
TRANS TEXAS RAIL SHOP FOR ADDITIONAL SERVICES RELATED
TO THE KYLE DEPOT RESTORATION PROJECT AND AMEND THE
BUDGET ACCORDINGLY**

On August 15, 2017 the Commissioner's Court approved a contract with Trans Texas Rail Shop in response to RFP 2017-P06 for the restoration of the wooden caboose at the Kyle Depot. Additional funds are requested for upholstery finish of the bunk and cupolo areas. To date, contract amendments are less than the 25% allowed per Local Government Code Ch. 262.031 (original contract award = \$94,250 - CO's cannot exceed \$23,562.50). \$ 94,250 - Original Contract Award \$ 19,279 - CO #1 \$ 1,950 - CO #2 \$115,479 – Total The Historical Commission Director has donated funds available in the Historical Publication Fund for the additional cost associated with this change order. Attachment: Trans Texas Rail Shop Change Order No. 2 Budget Amendment: Decrease Misc Capital Improvements .5741 Increase Contract Services .5448. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 with Trans Texas Rail Shop for additional services related to the Kyle Depot Restoration Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33855A ACCEPT A DONATION FROM THE BURDINE JOHNSON
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. Budget Amendment: Increase Contributions Increase Contract Services. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept a donation from The Burdine Johnson Foundation for the Memorial Day Flood 2015 Documentary and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**33856A AUTHORIZE OUT OF STATE TRAVEL FOR THE HISTORICAL
COMMISSION DIRECTOR AND ONE MEMBER TO VISIT THE BUCK
WINN MURAL RESTORATION SITE IN CARLISLE, PENNSYLVANIA**

Harvey Jenkins, resident of San Marcos made public comment. The Historical Commission Director and the Film Director will visit the site where the Buck Winn Murals are currently being restored to film a portion of the restoration process. This section of filming will be included in the History of Ranching film. The Willett Foundation had previously donated funds for the restoration and associated expenses. No County Funds are needed. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize out of state travel for the Historical Commission Director and one Member to visit the Buck Winn Mural restoration site in Carlisle, Pennsylvania. All present voting "Aye". MOTION PASSED**



33857A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO UTILIZE CERT FUNDS FOR EXPENDITURES RELATED TO EMPLOYMENT TESTING FOR VOLUNTEER STAFF

The OES Director would like to utilize existing budgeted funds to provide employment testing necessary for volunteer staff that holds TCOLE certifications. No additional county funds are required. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Office of Emergency Services to utilize CERT funds for expenditures related to employment testing for Volunteer Staff. All present voting "Aye". MOTION PASSED**

33858A APPROVE SPECIFICATIONS FOR IFB 2018-B09 CEDAR OAK MESA WATERLINE IMPROVEMENTS AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

This project has been funded through a grant from the Texas Department of Agriculture, Community Development Block Grant Program and local matching funds from the Cedar Oak Mesa Water Supply Corporation. Project elements include the installation of approximately 2300 feet of 6" water line and associated appurtenances within the Cedar Oaks Mesa Water Supply Corporation service area near Wimberley. Plans and specifications have been prepared for the project and are available in the Hays County Purchasing Office for review. Bids are scheduled to be opened on August 10, 2018. Due to size IFB 2018-B09 will be emailed under separate cover. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for IFB 2018-B09 Cedar Oak Mesa Waterline Improvements and authorize Purchasing to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

33859A AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO UTILIZE FUNDS FROM COUNTYWIDE OPERATIONS DEPARTMENT FOR BUILDING MAINTENANCE AND REPAIRS AS NEEDED FOR THE REMAINDER OF FY'18 AND AMEND THE BUDGET ACCORDINGLY

Harvey Jenkins, resident of San Marcos made public comment. Rodrigo Amaya, resident of San Marcos made public comment. Director of Countywide Operations, Clint Garza spoke. Additional funds are needed for building maintenance and repairs and general supplies for the remainder of the fiscal year 2018. This is due to numerous unforeseen repairs on various equipment located throughout the County. The Building Maintenance Department have made several high cost repairs to items such as HVAC equipment, security equipment, and building repairs. In addition, the account for janitorial services is expected to be depleted before the end of the fiscal year. Funds are being requested to cover multiple accounts. Possible Funding Source: Decrease-001-712-00.5741 (\$103,000) Increase- Building Maintenance and Repairs 001-695-00.5451 \$65,000 Increase-General Supplies 001-695-00.5201 \$8,000 Increase- Janitorial Services 001-695-00.5456 \$30,000. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Building Maintenance Department to utilize funds from Countywide Operations Department for building maintenance and repairs as needed for the remainder of FY'18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33860A APPROVE THE SELECTION OF CP&Y, INC. FOR ENVIRONMENTAL PROFESSIONAL SERVICES ON SH 21 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

An environmental study will be performed along the SH 21 corridor. The study will consider the long-term future of the roadway including a possible 5 or 6 lane cross-section. The effort will be sufficient to allow the County to begin to receive right-of-way dedication or purchase right-of-way when available. This work is part of the 2016 Bond Program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the selection of CP&Y, Inc. for environmental professional services on SH 21 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33861A SUB-1062; CANCELLATION OF LOT 1 IN THE RIM ROCK RANCH ESTATES SUBDIVISION; HOLD A PUBLIC HEARING

Commissioner Ingalsbe opened the public hearing. No public input was received. Commissioner Ingalsbe closed the public hearing. Hays County Planner, Marcus Pacheco spoke and gave full staff recommendation. The Rim Rock Ranch Estates subdivision is a 4 lot recorded subdivision located off Rim Rock Ranch Rd. in Precinct 3. The subdivision was recorded in 2007. The owner of lot 1 now wishes to cancel the 3 acre parcel and reestablish the lot as an acreage tract. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to hold a public hearing to approve the Cancellation of SUB-1062; Lot 1 in the Rim Rock Ranch Estates Subdivision. All present voting "Aye". MOTION PASSED**



33862A APPROVE CHANGES TO THE CURRENT HAYS COUNTY CELL PHONE POLICY

Commissioner Shell spoke. Director of Countywide Operations, Clint Garza spoke. A review of the current Cell Phone Policy is warranted to determine essential needs for County issued phones, type of phones and coverage or cell phone stipends. Proposed changes in the policy are: Raising the cell phone stipend to \$45 from \$35 effective 10/1/2018. Allowing employees with Hays County issued devices, to pay for a device upgrade for any amount over \$0.99. All devices, whether upgraded or not, will remain property of Hays County throughout and beyond the employees last working day. Disposal of all devices will still follow guidelines set forth by the Auditor's office. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the changes as provided in Court for the Cell Phone Policy effective 10/1/2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #17 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

Clerk's Note Agenda Item #18 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

33863A ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Today's Drought Index – 486. A motion was made by Commissioner Whisenant to reinstate Burn Ban today July 17, 2018. Motion failed due to lack of second. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to reinstate the Burn Ban effect Friday July 20, 2018. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #20 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

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW.

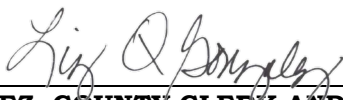
Dan Lyon resident of San Marcos, Harvey Jenkins residents of San Marcos made public comment. Commissioner Shell spoke. Commissioner Whisenant spoke.

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 9:50 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 17, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 24TH DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Dan Lyon resident of San Marcos, Laura G. Hughes resident of San Marcos, Rodrigo Amaya resident of San Marcos, Ari Axelrod resident of Driftwood, Matt Ocker resident of Buda, and Sam Brannon resident of San Marcos all made public comment.

33864A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$ 943,737.53 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33865A APPROVE COMMISSIONERS COURT MINUTES OF JULY 17, 2018

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 17, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33866A APPROVE THE PAYMENT OF THE JULY 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,560,000.00 EFFECTIVE JULY 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

Approve the July end of the month payroll disbursements not to exceed \$3,560,000.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of the July 31, 2018 payroll disbursements in an amount not to exceed \$3,560,000.00 effective July 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33867A ACCEPT A DONATION OF \$500.00 TO THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Community Outreach Division received a donation of \$500 from the Wimberley VFW. The VFW members request to have the donation used for the Jr. Deputy Academy program. Budget Amendment Special Projects Fund Increase 052-618-00.4610 Contributions \$500.00 Increase 052-618-00.5222 Crime Prevention \$500.00. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept a donation of \$500.00 to the Sheriff's Office Community Outreach Division and amend the budget accordingly. All present voting "Aye". MOTION PASSED



33868A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE COUNTYWIDE SELF-INSURANCE FUNDS FOR VEHICLE REPAIRS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting court approval of county-wide self-insurance funds for replacement parts to Hays County unit number 1718. The vehicle was in transit to a call, crossed the median where an object punctured the fuel tank; the total cost of a replacement fuel tank and tubes is \$802.00. Budget Amendment Increase Sheriff's Office Vehicle Maintenance and Repair: 001-618-00.5413 Decrease County-wide Self-Insurance: 001-645-00.5342 Attachment: Bluebonnet Motors quote. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize countywide self-insurance funds for vehicle repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33869A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE ATTORNEY GENERAL TO THE SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION FOR THE INVESTIGATIONS OF INTERNET CRIMES AGAINST CHILDREN (ICAC) AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya made public comment. Captain Mark Cumberland spoke. The Sheriff's Office Criminal Investigations Division are highly active members of the Internet Crimes Against Children (ICAC) Task Force Program. The Attorney General has awarded up to \$3,000 to the Sheriff's Office for the use of equipment dedicated to the investigation of child exploitation cases. The Criminal Investigations Division is requesting to use the award on computer equipment, specifically an iMac computer and software for investigative use. This system will complement the current systems being utilized. The County IT Director has reviewed and approved the purchase of this system. Budget Amendment: Increase .4301 Intergovernmental Revenue Increase .5712_400 Computer Equipment. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from The Office of the Attorney General to the Sheriff's Office Criminal Investigation Division for the investigations of Internet Crimes Against Children (ICAC) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33870A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE GENERAL COUNSEL'S OFFICE

Harvey Jenkins resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments. General Counsel, Mark Kennedy spoke. The General Counsel's staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the General Counsel's Office operating budget to fund this request. Attachment: Thomson Reuters Westlaw Contract Amendment #DIR-LGL-CALIR-02. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the General Counsel's Office. All present voting "Aye". MOTION PASSED**

33871A AUTHORIZE THE EXECUTION OF A RENEWAL FIELD AGREEMENT FOR WILDLIFE DAMAGE MANAGEMENT AND PREDATOR CONTROL THROUGH THE TEXAS WILDLIFE SERVICES PROGRAM (TWSP) EFFECTIVE JANUARY 1, 2019

The Texas AgriLife Extension, through the US Department of Agriculture assists Hays County with Wildlife Damage Management and Predator Control. The TWSP, Trapper Program provides statewide leadership in the science, education and practice of wildlife management to protect the local agricultural, industrial and natural resources, as well as the public's health, safety and property. TWSP provides the necessary personnel and travel to Hays County to respond to the problems wildlife cause locally, while at the same time protecting the resource being damaged. The new field agreement will become effective January 1, 2019, and includes a \$500 monthly increase from \$2,700 to \$3,200 per month. The TWSP has not increased their monthly assessment fee to Hays County since 2013. The increase in funding will be included in the FY19 budget planning process. Attachment: TWSP Field Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Renewal Field Agreement for Wildlife Damage**



Management and Predator Control through the Texas Wildlife Services Program (TWSP) effective January 1, 2019. All present voting "Aye". MOTION PASSED

33872A AUTHORIZE THE EXECUTION OF A LETTER AGREEMENT WITH THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) RELATED TO THE FY 2019 VETERAN'S TREATMENT COURT GRANT FOR ADULT PROBATION SERVICES

Hays County receives grant funding from the Texas Veteran's Commission for the veteran's treatment court. As part of this program, CSCD provides an adult probation officer to participant/collaborate in weekly staff meetings with the veteran's court team to discuss participants, supervise the participants in the program and utilize Texas Risk Assessment System (TRAS) case classification instruments per Community Justice Assistance Standards & Local Adult Probation procedure. The renewal grant period is July 1, 2018 through June 30, 2019 and will reimburse all costs associated with the Adult Probation officer assigned to these duties. Attachment: CSCD Letter Agreement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2019 Veteran's Treatment Court grant for Adult Probation Services. All present voting "Aye". MOTION PASSED**

33873A AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY FOR THE FY 2019 SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATTF) GRANT AWARD

The SCATTF is comprised of an 18-county task force formed as a regional effort to combat vehicle related criminal activity. The Task Force works with police agencies and municipalities within their respective counties to help reduce auto theft and auto burglary. The renewal grant period is September 1, 2018 through August 31, 2019 and will reimburse the base salary associated with the officer assigned to these duties. Attachment: Travis County ILA. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Interlocal agreement with Travis County for the FY 2019 Sheriff's Combined Auto Theft Task Force (SCATTF) grant award. All present voting "Aye". MOTION PASSED**

33874A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 800 HIGH RD, KYLE, TX 78610

Sergio Arrieta is proposing an OSSF to serve a daycare. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Clifford Conner, R.S., has designed a system, which consists of a 1750 gallon two compartment tank, 1000 gallon pump tank, and a low pressure dose drainfield. The maximum daily usage rate on average is 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 800 High Rd, Kyle, TX 78610. All present voting "Aye". MOTION PASSED**

33875A AUTHORIZE THE HISTORICAL COMMISSION DIRECTOR AND VOLUNTEER MEMBERS TO ATTEND THE PRESERVATION TEXAS WORKSHOP HELD IN NACOGDOCHES, TEXAS ON AUGUST 8TH-10TH

The Historical Commission Director and nine volunteer members will attend the Preservation Texas workshop held in Nacogdoches in August 2018. The workshop covers in-depth discussions regarding a wide range of preservation issues as well as insights and strategies on how to work with local building codes to ensure that the historic character and fabric of historic resources can be protected. Additionally, information regarding the Certified Local Government Grant Program will be discussed which assists local governments to develop and sustain an effective local preservation program critical to preserving local historic resources. The Director has secured donations to provide training opportunities for her volunteer members. No county funds are needed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Historical Commission Director and Volunteer Members to attend the Preservation Texas workshop held in Nacogdoches, Texas on August 8th-10th. All present voting "Aye". MOTION PASSED**

33876A AMEND THE RECORDS MANAGEMENT BUDGET FOR REQUIRED PRE-EMPLOYMENT SCREENING AND TESTING

The Records Management Officer would like to utilize Records Preservation funds to provide fingerprint testing necessary for interns digitizing and handling Criminal District Attorney records. Fingerprint testing is a requirement of TLETS for handling criminal history records. Decrease 106-610-00.5448 Contract Services



(\$200.00) Increase 106-610-00.5335 Employment Testing \$200.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jonesto amend the records management budget for required pre-employment screening and testing. All present voting "Aye". MOTION PASSED**

33877A AMEND THE HUMAN RESOURCES OPERATING BUDGET FOR TRAVEL EXPENDITURES RELATED TO EMPLOYMENT RECRUITMENT

The HR Director is requesting to utilize savings within her operating budget for travel expenses for staff to attend and manage booths at local job fairs. Budget Amendment: Increase Travel .5501 Decrease Public Notice .5462. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Human Resources operating budget for travel expenditures related to employment recruitment. All present voting "Aye". MOTION PASSED**

33878A AUTHORIZE PAYMENT TO XEROX BUSINESS SOLUTIONS FOR PRIOR SERVICES RELATED TO THE MICROFILM PROJECT FOR PERMANENT LAND RECORDS

The former County Clerk procured services through Xerox Business Solutions (formerly Affiliated Computer Services) to microfilm all permanent land records for the period of 1848-2000. The services were ordered and a purchase order issued in 2009, however the invoice was not paid. Funds were budgeted in the Records Management & Archive Fund to cover this outstanding issue. The payment will not be processed until receipt of goods is certified. No county funds are required. Attachments: Xerox Invoices. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to Xerox Business Solutions for prior services related to the microfilm project for permanent land records. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #16 RE: ACTION TO APPROVE THE SELECTION OF BOWMAN CONSULTING GROUP, LTD. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT - was pulled

33879A APPROVE THE SELECTION OF FSC INC. FOR PROFESSIONAL ENGINEERING SERVICES ON US 290 AT THE INTERSECTIONS OF MARTIN ROAD AND HENLY LOOP AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Whisenant spoke. Transportation Director, Jerry Borcharding spoke and gave staff recommendation. As part of the 2016 Bond Program, FSC Inc. will propose changes in the design for both intersections of US 290 Henly Loop and the intersection of US 290 and Martin Road. Changes will focus on improving the safety and mobility of the intersection. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the selection of FSC Inc. for professional engineering services on US 290 at the intersections of Martin Road and Henly Loop and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33880A AMEND THE DEVELOPMENT SERVICES FEE SCHEDULE, REMOVE THE ANNUAL OSSF REGISTRATION FEE, AND ESTABLISH AN OSSF MAINTENANCE CONTRACT LATE FEE

Commissioner Shell spoke, Commissioner Whisenant spoke. Commissioner Ingalsbe spoke. Director of Countywide Operations, Clint Garza spoke. Remove the current \$20.00 annual OSSF Registration Fee from the Fee Schedule and replace it with a \$50.00 OSSF Maintenance Contract Late Fee. The late fee is to be paid by homeowners when submitting an OSSF Maintenance Contract past due, or past the expiration date of the previous maintenance contract on file. Copies of the current and proposed fee schedule attached. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to amend the Development Services Fee Schedule, remove the annual OSSF Registration Fee, and establish an OSSF Maintenance Contract Late Fee. All present voting "Aye". MOTION PASSED**

33881A APPOINT THE ELECTION PRESIDING JUDGES AND ALTERNATE JUDGES FOR THE NOVEMBER 2018 GENERAL ELECTION AND TO APPOINT THE CENTRAL COUNT STATION MANAGER AND TABULATION SUPERVISOR



Elections Administrator, Jennifer Anderson spoke. Dan Lyon resident of San Marcos made public comment. Pursuant to TEC 32.002, the Commissioners Court shall appoint judges for each regular election precinct. List to be submitted and appointees will be recommended by the two main Party Chairs. The Commissioners Court shall also appoint the Central Counting Station Manager and Tabulation Supervisor (127.002 & 127.003). Recommendations will be brought to Court. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to appoint the Election Presiding Judges and Alternate Judges for the November 2018 General Election and to appoint the Central Count Station Manager and Tabulation Supervisor. All present voting "Aye". MOTION PASSED**

33882A AUTHORIZE THE ELECTIONS ADMINISTRATION OFFICE TO PURCHASE VOTER REGISTRATION EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

Elections Administrator, Jennifer Anderson spoke. Jay Bollenbacher with Tenex Software Solutions spoke. Dan Lyon resident of San Marcos made public comment. Harvey Jenkins, resident of San Marcos spoke. The Election Administrator request the courts approval to purchase voter registration equipment to include poll pads and an overall election management system. Tenex Software Solutions provides the technology of both the hardware and software to upgrade our current system, which will include amenities that will benefit our voters, our poll workers, and our election staff. The programs include the Precinct Central application, which is a well-rounded election management software that will allow for poll workers to clock in out at the polling place, real time correspondence with the elections team from the polling place, real time monitoring of the check-in equipment power supply and data from the elections office, and comprehensive reporting that include graph and statistical information that can be embedded into our website for more information on election night reporting. The physical benefits to the Tenex system are equally as appealing. The technology will be a poll pad component that allows for the voter to sign-in on the iPad streamlining the check-in process and limiting lines. In addition, the printer is Bluetooth, which will assist our poll workers with easier and faster set-up of the polling place. Additionally, Tenex will work with our current voter registration software and is easier to transport and will limit the amount of paper/supplies used at the polling place. Partial funding (\$35,909.71) is available through the Office of Secretary of State for use of Chapter 19 funds. The remaining funds needed (\$63,695.29) will be provided through the Election Contract Fee Fund. No County funds are required. Procurement requirements are met through the Tarrant County Interlocal Agreement for Cooperative Purchasing per Texas Local Government Code Chapter 272.101. Tarrant County formal solicitation RFP 2018-070, contract number 127634. Attachment: Tenex Software Solutions Quote. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Elections Administration Office to purchase Voter Registration Equipment and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #21 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

33883A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:12a.m. and reconvened into open court at 11:37 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza and Assistant Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize General Counsel to engage outside Counsel related to the contested case hearing on Electro Purification LLC permit application to the Barton Springs Edwards Aquifer Conservation District for a wholesale groundwater production permit. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #23 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect. No action taken.



Clerk's Note Agenda Item #25 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*

DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW

Harvey Jenkins resident of San Marcos made public comment. Commissioner Shell spoke.

ADJOURNMENT

A motion was made by Commissioner Ingalsbe to adjourn court at 11:40 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 24, 2018.



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 31ST DAY OF JULY A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Josh Murrilo gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon resident of San Marcos, Matt Ocker resident of Buda, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos, Ariel Axelrod resident of Driftwood, Ruben Garza resident of Kyle, all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Department Director, Shari Miller, gave presentation of Hays County Service Awards. 5 – Year Service Awards – IT Department – Robert L. Donald, Transportation Department – Michael Davidson, County Court at Law – Anna Velasquez, Constable Pct. 5 – John H. Ellen, 15 Year Service Awards – Constable Pct. 1 – Frank Cheatham, Auditor's Office – Patricia Wiley, Commissioner Pct. 1. – Sylvia Boasi, 20 Year Service Awards – Transportation – Mario Garcia, Sheriff's Office – Jesse Raymond Hernandez, Sheriff's Office – Kelly Ray Woodard, 30 Year Service Award – District Attorney's Office – Edna M. Chagolla, Retirement – Sheriff's Office Pedro C. Hernandez, and Sheriff's Office – Woodie Leon Hall III.

33885A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$ 1,356,418.50 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33886A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$ 4,862.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

33887A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$ 186,706.39 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33888A APPROVE COMMISSIONERS COURT MINUTES OF JULY 24, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 24, 2018 as submitted by the County Clerk. All present voting "Aye". MOTION PASSED

33889A APPROVE OUT OF STATE TRAVEL FOR DEPUTY BLAINE HAMILTON FOR CONTINUING EDUCATION IN SOCORRO, NEW MEXICO FROM SEPTEMBER 23RD - SEPTEMBER 27TH, 2018



Rodrigo Amaya resident of San Marcos made public comment. Out of state travel is requested for Deputy Blaine Hamilton, who has been accepted by New Mexico Tech, to attend the Incident Response to Terrorist Bombing (IRTB) Class "B" Course in Socorro, NM. Funding (Training, Airfare, Hotel Accommodations, and Per-Diem) is provided by the U.S. Department of Home Land Security (DHS / Federal Emergency Management (FEMA)). The IRTB course provides first responders with the knowledge and skills necessary to safely respond to incidents involving explosives. The IRTB course focuses on first responder health and safety by addressing personal protection issues that arise when responding to terror incidents involving commercial and homemade explosive devices. Additionally, the course includes information on the recognition of Improvised Explosive Devices (IEDs). This information better prepares first responders to safely recognize and respond to bombing threats. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Deputy Blaine Hamilton for continuing education in Socorro, New Mexico from September 23rd - September 27th, 2018. All present voting "Aye". MOTION PASSED**

33890A AUTHORIZE COMMERCIAL OSSF PERMIT AT 651 PLANT LADY LANE, DRIPPING SPRINGS, TEXAS 78620

Emmet Boyd is proposing a new OSSF for the property located at 651 Plant Lady Lane. This system will serve four small short-term rental cabins. This 10.201-acre tract of land will be served by rainwater collection. The system designer, Stephen Jetton, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 651 Plant Lady Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

33891A APPROVE UTILITY PERMITS

Permit Road Name Utility 1089 C.R. 158 Waste Water Line 1090 C.R. 158 Water Line. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit 1089 located on CR158 to Waste Water Line and Permit 1090 located on CR158 to Water Line as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED**

33892A AUTHORIZE THE SUBMISSION OF THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) GRANT PROGRAM APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) IN THE AMOUNT OF \$11,492

The Texas LEPC Grant Program is an opportunity for LEPCs to establish, maintain, and/or improve their implementation of the Emergency Planning and Community Right- to-Know Act (EPCRA). The funds for this grant program are appropriated to the TCEQ and this grant round is up to \$200,000 total for all awards. Hays County will request a total of \$11,492 of funds for the maintenance of the Remote Automated Weather Stations (RAWS) and public educational/outreach material. The application is due by August 3, 2018 and will be submitted electronically. The grant period is September 1, 2018 - August 31, 2019 and there is not match requirement. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of the Local Emergency Planning Committee (LEPC) Grant Program application to the Texas Commission on Environmental Quality (TCEQ) in the amount of \$11,492. All present voting "Aye". MOTION PASSED**

33893A AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT BETWEEN HAYS COUNTY AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

Rodrigo Amaya resident of San Marcos made public comment. The total project cost is \$65,809.77. In the attached agreement, \$49,959.71 is the eligible amount for reimbursement by the Texas Department of Transportation with a Match Amount of \$15,850.06 which will be met through County Funds - partial salaries, fringe, and travel expenses. The acquired funds aim to perform overtime STEP activities including enforcement of Impaired Driving, Occupant Protection, Speed, Intersection Traffic Control, and Distracted Driving. STEP enforcement efforts seek to reduce the number of crashes through data-driven, highvisibility enforcement in areas with chronically high fatal and serious-injury crash rates. The Grant becomes effective 10/01/2018 or on the date of final signatures of both parties, whichever is later, and ends on 09/30/2019 unless terminated or otherwise modified. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a grant agreement between Hays County and the State of Texas, acting by and through the Texas Department of Transportation for the Selective Traffic Enforcement Program (STEP). All present voting "Aye". MOTION PASSED**



33894A APPROVE AWARD OF IFB 2018-B08 ROAD IMPROVEMENTS - HOT MIX OVERLAY TO AUSTIN MATERIALS, LLC AND AUTHORIZE THE EXECUTION OF THE SAME

Purchasing received 4 bids from Austin Materials LLC, Alpha Paving Industries LLC, Lone Star Paving, and Clark Construction Company of Texas, Inc. Staff recommends award of a contract to Austin Materials, LLC. Attachments: Bid Tabulation. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve award of IFB 2018-B08 Road Improvements - Hot Mix Overlay to Austin Materials, LLC and authorize the execution of the same. All present voting "Aye". MOTION PASSED**

33895A APPROVE THE PAYMENT OF CHANGE ORDER NO. 1 BETWEEN HAYS COUNTY AND LONGHORN COMMERCIAL ROOFING FOR WORK RELATED TO THE GOVERNMENT CENTER ROOF REPAIRS

Harvey Jenkins resident of San Marcos and Rodrigo Amaya made public comments. Director of Countywide Operations, Clint Garza spoke. During the course of roof repairs at the Government Center, Longhorn Commercial Roofing, identified an additional 30 punctures in the roof and TPO membrane. In an effort to reduce cost and prevent further damage from occurring, Longhorn Commercial Roof proceeded with making the additional repairs. The project has since been completed and the requested payment is for the final invoice. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the payment of Change Order No. 1 between Hays County and Longhorn Commercial Roofing for work related to the Government Center roof repairs. All present voting "Aye". MOTION PASSED**

33896A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE VEHICLE LEASE SAVINGS TO RETROFIT A BUS INTO A SECURED INMATE TRANSPORTATION BUS AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon resident of San Marcos, Harvey Jenkins resident of San Marcos, Rodrigo Amaya resident of San Marcos made public comments. Commissioner Shell spoke. Sheriff Gary Cutler spoke. Earlier this year, the Jail found a need for larger transportation units due to a steady increase in the inmate population (maximum jail population is 313, an average daily population is 348 @ 96%, the overall total for jail population is 630). Because of the exigent circumstances, the Sheriff authorized utilization of Commissary Funds for the purchase of a 2012 International Integrated RE C Passenger Bus for \$15,000.00. The bus is in need of mechanical repairs as well as a retrofit from a passenger bus to a correctional inmate transportation bus. Mechanical repairs to be completed by Longhorn International Trucks Ltd. include service and repair to the engine, a replacement camshaft, a replacement window as well as other areas requiring maintenance. This service will be paid for by commissary funds. Retrofitting is to be completed by the Texas Correctional Industries - Ellis Bus Repair Facility and includes a replacement floor for the installation of 24 security seats and exterior painting. The cost of retrofitting from a passenger bus to a transportation bus is \$31,093. The Sheriff is requesting to use savings in the Sheriff's Office Vehicle Lease g/l. Budget Amendment 001-618-00.5475 Vehicle Lease (\$31,093.00) 001-618-03.5413 Vehicle Mtc. & Repair \$31,093 Attachments: Quote 14765REV1 - Ellis Bus Repair Facility. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Sheriff's Office to utilize vehicle lease savings to retrofit a bus into a secured inmate transportation bus and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33897A APPROVE SPECIFICATIONS FOR RFQ 2018-P16 UTILITY COORDINATOR FOR THE 2016 ROAD BOND PROGRAM AND OTHER COUNTY TRANSPORTATION DEPARTMENT PROJECTS; AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE; CLOSE CONSIDERATION OF STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12; AND ALLOW STATEMENTS OF QUALIFICATION FOR RFQ 2018-P12 TO BE RESUBMITTED FOR RFQ 2018-P16

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for RFQ 2018-P16 Utility Coordinator for the 2016 Road Bond Program and other County Transportation Department projects; authorize Purchasing to solicit for qualifications and advertise; close consideration of Statements of Qualification for RFQ 2018-P12; and allow Statements of Qualification for RFQ 2018-P12 to be resubmitted for RFQ 2018-P16. All present voting "Aye". MOTION PASSED

33898A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 6 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT



HOK Additional Services Request #06 for Reimbursable Expenses for the PSB and Uhland Phase II. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 6 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33899A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO. 9 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #09 for additional grading south of the Government Center to address drainage at the PSB. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Additional Services No. 9 from HOK for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

33900A APPROVAL TO MODIFY THE PRE-QUALIFIED LIST OF ENGINEERING & LAND SURVEYING FIRMS TO DEVELOP A POOL OF QUALIFIED FIRMS TO UTILIZE ON AN AS NEEDED BASIS FOR PROJECTS THROUGHOUT HAYS COUNTY

On May 15th Commissioner's Court approved the Pre-Qualified List of Engineers and Land Surveying Firms qualifications for Engineering and Land Surveying Services. This action was in response to RFQ 2018-P08 & P09 and combined the existing lists of pre-qualified vendors (established with RFQ 2016-P03 & 2016-P13). Staff requests the courts approval to include firms that were pre-qualified as a result of RFQ 2016-P02, which was inadvertently left out of the action taken on 5/15/18. Attachment: List of Pre-Qualified Firms. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approval to modify the Pre-Qualified List of Engineering & Land Surveying Firms to develop a pool of qualified firms to utilize on an as needed basis for projects throughout Hays County. All present voting "Aye". MOTION PASSED**

33901A APPROVE THE SELECTION OF BOWMAN CONSULTING GROUP, LTD. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Survey, engineering, and environmental services for preliminary schematic and construction cost estimate for the Cotton Gin Road improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the selection of Bowman Consulting Group, Ltd. for professional engineering services for the Cotton Gin Road rehabilitation project-Phase 2 and to authorize staff and counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

33902A SUB-975; EDGAR ORTEGA SUBDIVISION (1 LOT). APPROVE PRELIMINARY PLAN

County Planner Marcus Pacheco spoke and gave staff recommendation. Edgar Ortega Subdivision is located off of East Gatlin Creek Rd in Precinct 4. The proposed prelim will create 1 lot across 5.31 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve preliminary plan SUB-975; Edgar Ortega Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33903A GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF A PORTION OF LOT 8, BLOCK P, SECTION 2 GREEN PASTURES SUBDIVISION

County Planner Marcus Pacheco spoke. The owner applied for a development authorization permit to construct an On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow him to start construction OSSF. The property owner was been made aware of the platting requirement, and the plat is already in the review process. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of a portion of Lot 8, Block P, Section 2 Green Pastures Subdivision. All present voting "Aye". MOTION PASSED**



33904A APPROVE THE APPOINTMENTS OF KERRI JONES AND KYLE NATIONS TO THE CLAIBORNE KYLE LOG HOUSE COMMISSION

The Claiborne Kyle Log House Commission is in need of additional volunteers to serve. The Claiborne Kyle Log House Commission Members are appointed by the Hays County Commissioners Court to oversee the log house trust for its care and act as docents for visitors. Please refer to attached bios. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the appointments of Kerri Jones and Kyle Nations to the Claiborne Kyle Log House Commission. All present voting "Aye". MOTION PASSED**

33905A AUTHORIZE THE EXECUTION OF AN ADMINISTRATIVE SERVICES AGREEMENT AND STOP LOSS POLICY WITH UNITED HEALTHCARE INSURANCE COMPANY

On January 1, 2018, United Healthcare began providing health and dental insurance to Hays County employees and dependents per Commissioners Court approval on 10/3/2017. These agreements set out the terms of such coverage. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Administrative Services Agreement and Stop Loss Policy with United Healthcare Insurance Company. All present voting "Aye". MOTION PASSED**

ACTION REGARDING THE FY 2019 BUDGET INCLUDING A PRESENTATION OF THE JUDGE'S RECOMMENDED BUDGET AND THE SELECTION OF DATES FOR BUDGET WORKSHOPS

Director of Countywide Operations, Clint Garza spoke. Budget Workshop dates are set for August 7, 2018 at 10:00 a.m. and on August 14, 2018 at 10:00 a.m. No action taken.

Clerk's Note Agenda Item #24 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL(S) REGARDING LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:26 a.m. and reconvened into open court at 10:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #26 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in effect.

Clerk's Note Agenda Item #28 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 #29 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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



11:02 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on July 31, 2018.

Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7TH DAY OF AUGUST 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
OSCAR MEJIA JR.	DEPUTY COUNTY CLERK

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

Chaplain Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, a San Marcos resident, Dan Lyon, a San Marcos resident, Kate Shaw, a San Marcos resident, Sharri Boyett, a San Marcos resident, Rodrigo Amaya, a San Marcos resident, and Beth Richards, a San Marcos resident, all spoke.

33906A ADOPT A PROCLAMATION DECLARING AUGUST 2018 AS NATIONAL IMMUNIZATION AWARENESS MONTH

Eric Schneider, Epidemiologist of the Hays County Local Health Department spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring August 2018 as National Immunization Awareness Month. All present voting "Aye". MOTION PASSED

33907A 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 \$ 1,169,057.45 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33908A 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 \$5,470.00 as presented by the Hays County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #4 RE: APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS. – was pulled

33909A APPROVE COMMISSIONERS COURT MINUTES OF JULY 31, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of July 31, 2018 as presented by the Hays County Clerk. All present voting "Aye". MOTION PASSED

33910A APPROVE THE PAYMENT OF THE AUGUST 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,655,000.00 EFFECTIVE AUGUST 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 August 15, 2018 payroll disbursements in an amount not to exceed \$2,655,000.00 effective August 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED



33911A AUTHORIZE THE EXECUTION OF APPLICATIONS FOR PARTICIPATION IN THE TEXAS 1033 SURPLUS PROPERTY PROGRAM BY THE SHERIFF'S OFFICE AND CONSTABLE OFFICES

The Sheriff's or Constable's Office will complete forms specific to their agency as needed. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of applications for participation in the Texas 1033 Surplus Property Program by the Sheriff's Office and Constable Offices. All present voting "Aye". MOTION PASSED

33912A APPROVE UTILITY PERMITS

Permit: 1091; Road: McCarty Lane; Utility PEC (Electric). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permit 1091 on McCarty Lane for PEC (Electric). All present voting "Aye". MOTION PASSED

33913A AUTHORIZE THE COURT TO EXECUTE A TRAINING AGREEMENT WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) RELATED TO TRAINING FOR HAYS COUNTY EMPLOYEES

The Human Resources Department would like to arrange for Joe Bontke, Outreach and Education Coordinator from the EEOC to provide multiple sessions of required civility and harassment training to county employees on 9/20/18. Funds are available within their operating budget. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Court to execute a Training Agreement with the U.S. Equal Employment Opportunity Commission (EEOC) related to training for Hays County employees. All present voting "Aye". MOTION PASSED

33914A APPROVE RENEWAL OF IFB 2015-B07 CONCRETE CONTRACTOR WITH MYERS CONCRETE CONSTRUCTION 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 Road Department uses this contract whenever concrete work is needed for various projects. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B07 Concrete Contractor with Myers Concrete Construction for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

33915A APPROVE THE REAPPOINTMENT OF SHAWN CONNOLLY TO THE HAYS COUNTY DEVELOPMENT DISTRICT #1, TERM ENDING SEPTEMBER 1, 2022

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Shawn Connolly to the Hays County Development District #1, term ending September 1, 2022. All present voting "Aye". MOTION PASSED

33916A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF THE ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

The grant program (SAVNS) is to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The contract period begins on September 1, 2018 through August 31, 2019. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and authorize the execution of a Maintenance Contract from The Office of the Attorney General for Statewide Crime Victim Notification Service (SAVNS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED

33917A AUTHORIZE PAYMENT TO AMG PRINTING & MAILING FOR THE TREASURER'S OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The Treasurer purchased letterhead envelopes in which no purchase order was obtained per County Purchasing



Policy. This was an oversight as the process for obtaining printed letterhead materials changed in FY 2018. Funds are available in their operating budget for this purchase. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize payment to AMG Printing & Mailing for the Treasurer's Office in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33918A AUTHORIZE THE EXECUTION OF THE FY19 INTERLOCAL CONTRACT FOR THE NEXT GENERATION 9-1-1 DATABASE PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT (CAECD) FOR EMERGENCY COMMUNICATIONS GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES TO BE PROVIDED BY THE COUNTY

This is an annual renewal grant in the amount of \$156,607 for fiscal year 2019 to assist with salaries and operational costs related to GIS services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of the FY19 Interlocal Contract for the Next Generation 9-1-1 Database Program with the Capital Area Emergency Communications District (CAECD) for emergency communications Geographic Information System (GIS) services to be provided by the County. All present voting "Aye". MOTION PASSED**

33919A AMEND THE DEVELOPMENT & COMMUNITY SERVICES OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE ESRI USER CONFERENCE

Additional funds are needed for the DC&S Staff that attended the Esri User Conference in July related to networking and resources for GIS best practices. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease 001-657-00.5429 Software Maintenance and Licensing. Increase 001-657-00.5551 Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Development & Community Services operating budget for additional Continuing Education expenses related to the Esri User Conference. All present voting "Aye". MOTION PASSED**

33920A APPROVE SPECIFICATIONS FOR RFQ 2018-P17 INDEPENDENT THIRD PARTY REVIEWER FOR THE HAYS COUNTY PACE PROGRAM AND AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE

Rodrigo Amaya, a San Marcos resident and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ 2018-P17 Independent Third Party Reviewer for the Hays County PACE Program and authorize Purchasing to solicit for qualifications and advertise. All present voting "Aye". MOTION PASSED**

33921A AUTHORIZE THE PURCHASE OF ADDITIONAL LAW ENFORCEMENT EQUIPMENT FOR CONSTABLE'S PRECINCTS 1, 2, 4 & 5 LEASED VEHICLES AND AMEND THE BUDGET ACCORDINGLY

The Constable's Offices received leased vehicles during the FY 2018 budget process and need additional equipment to be fully functional law enforcement vehicles. Funds are available in their respective operating budgets to fund this request. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the purchase of additional law enforcement equipment for Constable's Precincts 1, 2, 4 & 5 leased vehicles and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33922A AUTHORIZE THE EXECUTION OF A SOFTWARE & LICENSE AGREEMENT WITH TENEX SOFTWARE SOLUTIONS, INC. RELATED TO VOTER REGISTRATION EQUIPMENT APPROVED ON JULY 24, 2018

On July 24, 2018 the Commissioner's Court authorized the purchase of the Precinct Central ePollbooks related to Voter Registration Equipment. The attached agreement outlines the software and licensing terms that will be provided for the equipment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Software & License Agreement with Tenex Software Solutions, Inc. related to Voter Registration Equipment approved on July 24, 2018. All present voting "Aye". MOTION PASSED**

33923A APPROVE A LETTER AGREEMENT BETWEEN HAYS COUNTY AND HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT FOR PROFESSIONAL



SERVICES ON OLD SAN ANTONIO ROAD AND AMEND THE BUDGET ACCORDINGLY

As part of ongoing improvements on Old San Antonio Road to accommodate a new HCISD elementary school, the County and HCISD will enter into an agreement to include the design of needed utilities into the design of roadway improvements. The estimated cost of this design is \$40,332.00 and the entirety of the cost will be paid by HCISD. HCISD will provide payment to the County and the County will increase the Consultant's contract accordingly. The amount of the agreement is below the threshold requiring School Board approval and is signed with discretionary authority of the Chief Operating Officer. Budget Amendment: Increase Intergovernmental Revenue .4301. Increase Contract Consulting .5448_008. Harvey Jenkins, a San Marcos resident, spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a Letter Agreement between Hays County and Hays Consolidated Independent School District for professional services on Old San Antonio Road. All present voting "Aye". MOTION PASSED**

33924A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO.1 BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC. FOR ROADWAY, DRAINAGE, AND UTILITY IMPROVEMENTS ON OLD SAN ANTONIO ROAD AND TO AMEND THE BUDGET ACCORDINGLY

In conjunction with the Letter Agreement between HCISD and Hays County, dated August 7th, 2018, this change order covers the increase in cost necessary to design a needed waterline along Old San Antonio Road in preparation for a new elementary school. The cost of the design of the waterline will be paid by HCISD to Hays County rather than HCISD creating a new contract and new design documents directly with Doucet. This will save time and money on the construction of the project. Funding will be provided by the Hays Consolidated Independent School District. Harvey Jenkins, a San Marcos resident, spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of Change Order No.1 between Hays County and Doucet & Associates, Inc. for roadway, drainage, and utility improvements on Old San Antonio Road and to amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33925A CALL FOR A PUBLIC HEARING ON AUGUST 21, 2018 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF PT LOT 18, RIVER OAKS OF WIMBERLEY SUBDIVISION, SECTION TWO

River Oaks of Wimberley, Section Two is a recorded subdivision located off of Windmill Oaks in Precinct 3. Lot 18 was originally platted in 1973 and was divided by metes and bounds rather than the requisite plat revision throughout the following years. This 5.234 acre portion has been in the same configuration since 1981 and has been served by private well and on-site wastewater treatment service since 1999. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by private wells and advanced on-site sewage facilities be at least 2.00 acres in size. Given the date that the parcel was created and the lot size requirements in place at that time, a variance to the county's minimum lot size requirements has been requested and will be heard upon final plat approval. The proposed re-plat will divide the 5.234 acre lot 18 into 3 1.54 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on August 21, 2018 to approve final plat of the Replat of PT Lot 18, River Oaks of Wimberley Subdivision, Section Two. All present voting "Aye". MOTION PASSED**

33926A SUB-975; EDGAR ORTEGA SUBDIVISION (1 LOT) APPROVE FINAL PLAT

Edgar Ortega Subdivision is located off of East Gatlin Creek Rd in Precinct 4. The proposed prelim will create 1 lot across 5.31 acres. The subdivision will be served by private well and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. Caitlyn Strickland, Hays County Planner, spoke. Staff gave recommendation. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve final plat SUB-975; Edgar Ortega Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**

33927A APPROVE EARLY VOTING AND ELECTION DAY POLLING PLACES FOR THE UPCOMING NOVEMBER 6, 2018 GENERAL ELECTION

Pursuant to section 43.002 of the Texas Election Code the Commissioners court shall designate the recommended location as the polling place unless the court finds good cause to reject the recommendation. In that case, the Commissioners court shall designate another location. Jennifer Anderson, Elections Administrator, Harvey Jenkins, a San Marcos resident, Donna Haschke, a Buda resident, and Jon Leonard, a San Marcos resident spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve Early Voting and Election Day polling places for the upcoming November 6, 2018 General Election. All present voting "Aye". MOTION PASSED**



33928A AUTHORIZE COMMERCIAL OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10 M. 1. (B) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 630 WINN RANCH RD., WIMBERLEY, TX 78676

Brian and Ann Konradi are proposing an OSSF to serve three short term rental cabins. Each cabin is 320 sq ft. with one bedroom and no kitchen. The property is located at 630 Winn Ranch Rd. in Wimberley and is just over ten acres. This OSSF will utilize proprietary treatment with surface irrigation disposal. This system is designed for a maximum daily rate of 300gpd. The system designer, Stan Burrier, P.E., is requesting a variance to section 10 M.1. (B) of the Hays County Rules for On Site Sewage Facilities, which requires non-residential OSSFs and multi-family OSSFs to have a hydraulic equalization tank prior to the treatment system. His justification for the variance is that equal protection will be provided given that the rental units will only be occupied 60-70% of the time. To prevent surges from not being treated, he has oversized the ATU to an 800gpd ATU. In addition, during non-occupied times, the owner will "feed" the ATU by introducing dog food. Commissioner Shell, Commissioner Whisenant, and Clint Garza, Director of Countywide Operation spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize commercial OSSF permit and grant a variance to section 10 M. 1. (B) of the Hays County Rules for On-Site Sewage Facilities at 630 Winn Ranch Rd., Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**

33929A APPROVE THE APPOINTMENT OF KITTEN FRANKS TO THE HAYS COUNTY DEVELOPMENT DISTRICT #1, TERM ENDING SEPTEMBER 1, 2022

Ms. Franks is a resident of Hays County. She and her husband, Terry, reside in the Belterra Community. Ms. Franks went to Southwest Texas State for college and Bastrop High School. Ms. Franks was appointed by the Board to fill the unexpired term of Mike McKinney. Pursuant to enabling legislation, the Board appoints individuals to fill unexpired board vacancies. Mr. McKinney resigned in August 2017. The Hays County Development District No. 1 board appointed Ms. Franks to finish his term shortly thereafter. Kitten Franks has agreed to serve another term ending September 1, 2022. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the appointment of Kitten Franks to the Hays County Development District #1, term ending September 1, 2022. All present voting "Aye". MOTION PASSED**

33930A SUPPORT THE 2018 ANNUAL RAINWATER FESTIVAL

The purpose of the Hill Country Living & Rainwater Revival Festival event is to educate, promote and celebrate rainwater collection. The event will include a day-long schedule of presentations by professionals and users of rainwater from across Texas. There will be water conservation-related business vendor booths, rainwater system displays and experts to provide guidance, information and services. The level of Sponsorship will be determined in Court and the suggested source of funding would be the LCRA Fund. The County has sponsored this festival in the past. Karen Ford, a San Marcos resident, and Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to support the 2018 Annual Rainwater Festival and move \$1,000 from the Community Services budget at Pct. 4 for sponsorship and to cover the \$175 booth fee. All present voting "Aye". MOTION PASSED**

33931A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LONE STAR PACE, RELATED TO THE ADMINISTRATION OF THE PACE PROGRAM IN HAYS COUNTY

The amended PACE Resolution and Program Report which allows for additional PACE administrators was approved in Court on July 10, 2018. Lone Star PACE has expressed interest in participating in Hays County PACE projects. In order for Lone Star PACE to have the authority to provide PACE financing in the County, it is necessary for the County to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the County executing such agreement. There are no costs to the County associated with participation in the Hays County PACE Program. Roger Gordon from Lone Star PACE, and Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement between Hays County and Lone Star PACE, related to the administration of the PACE program in Hays County. All present voting "Aye". MOTION PASSED**

33932A APPROVE THE PROCESS FOR THE APPOINTMENT OF A JUDGE TO HAYS COUNTY COURT AT LAW #3

Materials that would facilitate the nomination process may be provided in Court. Since the position of the Judge for County Court at Law #3 has been created for October 2018, the process for appointment should be concluded by the end of FY18. Gregory D. Drummond, CEO of Wellbridge Healthcare, John Rogers, a Kyle resident, Rodrigo Amaya, a San Marcos resident, Terry Jackson, Corporate Community Education Director and CTMC Senior Behavioral Health Unit spoke. Commissioner Shell and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the**

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process for the appointment of a Judge to Hays County Court at Law #3 as presented in the instrument County Court at Law Judge Appointment application to include the items Mr. Kennedy included in regard to information as well as qualification for these applicants and also allow Mr. Kennedy to put this together online and state where they should be turned in, how they should be submitted and disburse those individually to court members on a weekly basis. All present voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 11:11 a.m. and returned into open session at 11:27 a.m.

33933A 10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET. POSSIBLE ACTION MAY FOLLOW

Dan Lyon, a San Marcos resident, and Commissioner Shell spoke. Britney Richie, presented the Retiree Committee's recommendations and also spoke on behalf of the Hays County Treasurers' office requesting staff increase. A position in the Treasurers' office that has been part time for over 15 years is being requested to become full-time as well as re-grading the position to a 109. Ms. Richie also requested on behalf of the Treasurers' office to reinstate the \$500 that they currently have in their budget that was cut from next year's budget, for staffing requirements relating to sign language interpreters. Commissioner Shell reiterated the importance of having a plan together for the new jail staffing. Commissioner Ingalsbe stated that there are \$2 million set aside for 34 new positions and personnel changes. Commissioner Ingalsbe and Commissioner Shell spoke on the \$935,000 for a 3% merit pool for employees, Department Heads and Elected officials. Commissioner Ingalsbe asked Vickie Dorsett to drop the merit pool from 3% to 2% excluding Elected Officials. Hays County District Attorney, Wes Mau spoke about the amount of cases coming into the District Attorney's office increasing around 15% a year, sometimes even exceeding that on civil cases. Mr. Mau is requesting to increase the staffing that was requested on the judges recommended budget which was significantly less than what was requested this year. Mr. Mau also is requesting an increase in staffing for intake personnel and in the Criminal and Civil divisions he is also requesting for an additional attorney, particularly in the Civil division. With the addition of a new attorney, they will get paired with a paralegal that Mr. Mau is willing to pay for using the Drug Forfeiture Funds and move the current position they are paying for from Drug Forfeitures into the regular budget. Ms. Angie Roberts, Civil Chief at the District Attorney's office spoke on the dramatic increase in CPS removals and emphasized the need for staffing in her division. Hays County Court at Law #1 Judge Robert Updegrave and Hays County Court at Law #2 Judge David Glickler spoke on the current bailiff situation and the need for administrative help for the future County Court at Law #3. They both spoke on converting the 2 current empty bailiff positions into coordinator positions and moving the current bailiff position under the Hays County Sheriff's budget. Both Judges spoke about potentially using Juror room 1 for multiple employee space for the future. Judge Glickler spoke about a position that is funded by the Governor's office that they would like to keep so that they can diversify the responsibilities that are handled by the Veteran's Court team. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to keep the Humana Medicare Advantage Insurance Plan for Medicare eligible retirees. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #30 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO 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 AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 1:14 p.m. and reconvened into open court at 1:53 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant. No action taken.

33934A 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 DEPARTMENT OF COUNTYWIDE OPERATIONS. POSSIBLE ACTION MAY FOLLOW. INGALSBE

Court convened into Executive session at 12:12 p.m. and reconvened into open court at 1:09 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Assistant Director of Countywide Operations, Tammy Crumley, and Director of Human Resources, Shari Miller. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the County Wide Operations divisions proposed re-organization as presented: Eliminating the Director of Co-Wide**

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Operations (grade 122) effective 9/1/18, Re-titling the Assistant Director of Co-Wide Operations (grade 117) to Director of Co-Wide Operations (grade 118) with a 6% increase, base salary \$81,020, Re-titling the Operations Manager (grade 115) to Budget & Operations Manager (grade 116) with a 6% Increase, base salary \$60,426, Re-titling the Budget & Financial Manager (grade 115) to Operations Coordinator (grade 111), Re-titling the Assistant Director of Development & Community Services (grade 117) to Director of Development & Community Services (grade 118), Re-titles and re-grades effective 8/7/18. Proposed re-structure annualized savings of \$181,840. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #33 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain in place. Commissioner Ingalsbe urged the citizens of Hays County to use extreme caution while working outside with materials that can spark or has open flames, such as welding.

Clerk's Note Agenda Item #35 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 #36 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 Shell to adjourn court at 1:59 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 August 7, 2018.




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



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STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14TH DAY OF AUGUST 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:

Commissioner Ingalsbe 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

Sasha Edwards, Austin resident, Jack Hugman, Wimberley resident, Dan Lyon, San Marcos resident, Casey Cutler, Driftwood resident, Harvey Jenkins, San Marcos resident, Rodrigo Amaya, San Marcos resident, Gloria Salazar, San Marcos resident, Esther Garcia, San Marcos resident, Roland Saucedo, San Marcos resident, and County Court-at-Law #2 Judge, David Glickler.

33935A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve county invoices in the amount of \$1,774,933.28 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #2 RE: APPROVE PAYMENTS OF JUROR CHECKS – was pulled

33936A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the payment of United Healthcare Claims in the amount of \$217,667.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33937A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 7, 2018

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 7, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33938A AMEND THE DEVELOPMENT & COMMUNITY SERVICES CAPCOG 911 ADDRESSING GRANT BUDGET FOR ADDITIONAL CONTRACT SERVICES EXPENSES RELATED TO GEOMAPPING

Additional funds are needed for the DC&S CAPCOG 911 Addressing Grant to cover expenses related to GeoMapping. The GeoMaps are an integral part of the GIS 911 system and the mapping of the County was fully updated in 2018. Savings within the CAPCOG Grant's Continuing Education budget have been identified to fund this request. Budget Amendment: Decrease 001-657-99-037.5551 Continuing Education (\$5,831) Increase 001-657-99-037.5448 Contract Services \$5,831. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Development & Community Services CAPCOG 911 Addressing Grant Budget for additional Contract Services expenses related to Geomapping. All present voting "Aye". MOTION PASSED

33939A APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve utility permit #1092 on Mathias Lane for water service line issued to Goforth SUD, utility permit #1093 on



Windy Hill Road for fire hydrant issued to L Squared LLC, as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33940A ACCEPT A DONATION IN THE AMOUNT OF FOUR THOUSAND DOLLARS (\$4,000.00) FROM THE FIRST PRESBYTERIAN CHURCH OF SAN MARCOS TO BE USED FOR THE CHILD PROTECTIVE BOARD SERVICES WITHIN HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY

The First Presbyterian Church of San Marcos has graciously donated funds to be passed through to the Hays County Child Protective Board for operating expenses associated with programs for the children. Budget Amendment: Increase Contributions - 001-895-98-354.4610 Increase Hays Co Child Protective Board Funding - 001-895-98-354.5800. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation in the amount of four thousand dollars (\$4,000.00) from the First Presbyterian Church of San Marcos to be used for the Child Protective Board Services within Hays County and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33941A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 31560 RR 12, DRIPPING SPRINGS, TX 78620

Garner Holdings LLC is proposing an addition to the existing OSSF to serve a restaurant and nine offices (no public restrooms). This site is located outside Dripping Springs ETJ. Water will be supplied by a private water well. The system designer, Greg Johnson, P.E., has designed a system, which consists of a new 3000 gallon aeration tank, a new 1000 gallon grease trap and an addition of 600 feet of drip tubing to the existing drainfield. The maximum daily usage rate on average is 768 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 31560 RR 12, Dripping Springs, TX 78620. All present voting "Aye". MOTION PASSED**

33942A AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SAVINGS TO PURCHASE AMMUNITION FOR THE BASIC PEACE OFFICER ACADEMY AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is in need of purchasing ammunition for the upcoming Basic Peace Officer Academy. The ammo will be used to train and qualify cadets in the use of firearms. The total cost of ammunition is \$7,500.00, and the Sheriff's Office has identified a total of \$6,700 of savings from 00.5718_700 and 00.5717_700. Available funds will cover the remaining balance in Law Enforcement Supplies. Budget Amendment: Decrease 001-618-00.5718_700 (\$4,000) Decrease 001-618-00.5717_700 (\$2,700) Increase 001-618-00.5206 \$6,700. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to utilize savings to purchase ammunition for the Basic Peace Officer Academy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33943A APPROVE THE MAY 2018 TREASURER'S AND INVESTMENT REPORT

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

33944A RATIFY THE EXECUTION OF THE FY 19 INTERLOCAL CONTRACT FOR THE PUBLIC SAFETY ANSWERING POINT (PSAP) MAINTENANCE, EQUIPMENT AND TRAINING PROGRAM WITH THE CAPITAL AREA EMERGENCY COMMUNICATIONS DISTRICT CAECD IN THE AMOUNT OF \$3,000.00

The Capital Area Emergency Communications District (CAECD) is a regional emergency communications district and political subdivision of the State of Texas organized and operating under Chapter 772, subchapter G of the Health & Safety code. This contract is between CAECD and Hays County under chapter 791 of the Health and Safety code so that Hays County can maintain its PSAP(s), upgrade 9-1-1 equipment and train its personnel to participate in the Next Generation 9-1-1 emergency communications service within the District. CAECD will compensate the County a total amount of [\$3,000.00] for its performance of this contract. The contract period is from October 1, 2018 through September 30, 2019. Funds were budgeted during the FY19 budget process for this contract. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the execution of the FY 19 Interlocal Contract for the Public Safety Answering Point (PSAP) Maintenance, Equipment and Training Program with the Capital Area Emergency Communications District CAECD in the Amount of \$3,000.00. All present voting "Aye". MOTION PASSED**



33945A AUTHORIZE THE SHERIFF'S OFFICE TO TEMPORARILY CONVERT TEN DEPUTY SLOTS TO CIVILIAN CADET SLOTS AT CADET PAY; AND AUTHORIZE CONVERSION OF THOSE SLOTS BACK TO DEPUTY SLOTS AFTER COMPLETION OF THE HAYS COUNTY SHERIFF'S OFFICE TRAINING ACADEMY

The Sheriff's Office is requesting to temporarily convert ten Deputy Slots to Cadet Slots for the upcoming Basic Peace Officer Academy. Cadet slots will be filled with existing employees. Cadets are not included in the Collective Bargaining Agreement. Proposed Cadet pay is \$19.50 per hour, the Cadet position will be considered a full-time position with benefits. At the conclusion of the Academy, the Deputy slots will be reinstated, and the Cadet slots will be eliminated. Rodrigo Amaya, Commissioner Shell, Commissioner Whisenant, and Capt. Cumberland spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Sheriff's Office to temporarily convert ten Deputy Slots to Civilian Slots at Cadet pay; and authorize conversion of those slots back to Deputy Slots after completion of the Hays County Sheriff's Office Training Academy. All present voting "Aye". MOTION PASSED**

33946A AUTHORIZE THE DISTRICT CLERK'S OFFICE TO PURCHASE TWO (2) FUJITSU FI-7180 DOCUMENT SCANNERS AND AMEND THE BUDGET ACCORDINGLY

The District Clerk currently has 2 scanners that are not functioning. These are used to scan in court documents for cases on file in the District Courts. Many of the casefiles are electronic, therefore it is imperative that these are replaced so that the court's record is not delayed being placed in the case management system. Funds are available in the Records Preservation Fund to replace this equipment. Budget Amendment: Decrease .5448 Increase .5712_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the District Clerk's Office to purchase two (2) Fujitsu Fi-7180 Document Scanners and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33947A AUTHORIZE THE TREASURER TO EXECUTE AN INVESTMENT SELECTION AND DISCLOSURE FORM WITH BOK FINANCIAL (BOKF, NA) RELATED TO THE LA CIMA PUBLIC IMPROVEMENT DISTRICT FINANCING AGREEMENT

BOKF, NA is the financial institute and acting trustee for the La Cima Public Improvement District Financing Agreement. The attached investment selection and disclosure form directs the trustee to invest per County terms and is required to meet the indenture guidelines. Commissioner Ingalsbe spoke.

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Treasurer to execute an Investment Selection and Disclosure Form with BOK Financial (BOKF, NA) related to the La Cima Public Improvement District Financing Agreement.

An amended motion was made by Commissioner Whisenant, and seconded by Commissioner Shell to direct the Treasurer to invest in the Cavanal Hill U.S. Treasury Fund (1) cusip – 14956P802, APGXX and authorize the Treasurer to sign the Investment Selection and Disclosure Form for Short-Term Investment Vehicle. All present voting "Aye". MOTION PASSED

33948A AUTHORIZE THE EXECUTION OF ADDITIONAL SERVICES NO.10 FROM HOK FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

HOK Additional Services Request #10 for redesign of the (11) large holding cells from Steel Modular Cell to CMU construction in response to the increasing steel prices. Due to this change, the project will realize \$162,000 credit against the escalation costs. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Additional Services No. 10 from HOK for work related to the Hays County Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

33949A APPROVE CHANGE ORDER #2 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS

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 No. 2 is a price deduction due to changes in construction specification 33, Shotcrete. The supplier recommended a weight decrease from 100 lbs. to 35 lbs. per cubic yard, which translates into a cost savings for the project. The design engineer has reviewed the change order and approves the decrease as an acceptable strength for the project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Change Order #2 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs. All present voting "Aye". MOTION PASSED**



33950A SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS) APPROVE PRELIMINARY PLAN

Marcus Pacheco, Hays County Planner gave staff recommendation. Heaton Hollow Subdivision is a proposed 18 lot subdivision located along FM 2325 in PCT 3. Lots range in size from 24 acres to 181 acres. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan for SUB-1054 Heaton Hollow Subdivision (18 Lots). All present voting "Aye". MOTION PASSED**

33951A AUTHORIZE PAYMENT OF ALL ACCRUED VACATION HOURS AS OF AUGUST 31, 2018 FOR THE DIRECTOR OF COUNTY WIDE OPERATIONS

Per Section 6.05 of the Personnel Policy, upon termination employees may only be paid for accrued vacation hours capped at 240 hours. The Director of County Wide Operations will terminate employment on 8/31 with a total of 323 accrued vacation hours, 83 hours over the cap. Due to the high volume of county projects and staffing shortages, the Director was unable to take planned vacations this year and respectfully requests the Courts approval to be paid in full for all accrued vacation hours. Financial Impact (83 hours): \$5,188 - Base Salary \$1,080 – Fringe. Commissioner Whisenant, and Rodrigo Amaya, Director of County Wide Operations, Clint Garza, Commissioner Shell and Commissioner Ingalsbe spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize payment of all accrued vacation hours as of August 31, 2018 for the Director of County Wide Operations. All present voting "Aye". MOTION PASSED**

33952A RE-APPOINT COMMISSIONER LON SHELL AND COMMISSIONER DEBBIE INGALSBE, TO THE GREATER SAN MARCOS PARTNERSHIP (GSMP) BOARD OF DIRECTORS

Hays County has 2 positions on the GSMP Board of Directors. The positions are to be held by members of Commissioner Court. Commissioner Shell and Commissioner Ingalsbe have been nominated to be re-appointed Directors to the GSMP Board of Directors contingent on the County's approval. Dan Lyon, and Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to re-appoint Commissioner Lon Shell and Commissioner Debbie Ingalsbe, to the Greater San Marcos Partnership (GSMP) Board of Directors. All present voting "Aye". MOTION PASSED**

33953A APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TREEFOLKS, INC., CONTINUING THE ASSESSMENT AND IMPLEMENTATION PROGRAM FOR RIPARIAN REVEGETATION AND RESTORATION ALONG THE BLANCO RIVER

In September of 2015, Hays County entered into an agreement with TreeFolks, Inc. to begin restoration programs for areas along the Blanco River affected by the Memorial Day 2015 Flood. Over the past three years the program has seen great deal of success and has continued to have significant local and regional support. A proposed agreement is attached that would allow TreeFolks to: Consult with and assess the interest of landowners and determine site conditions of land in Hays County along the Blanco River that was damaged by the Memorial Day Flood of 2015. Determine program characteristics required to provide continued comprehensive reforestation services to landowners. Perform reforestation task on private properties during the 2018 planting season and continue performing test methods that will help to refine characteristics for effective implementation across Hays County. Work will commence on October 1, 2018. The contract cost exceeds \$50,000, the Court, in authorizing execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024(a)(3). Dan Lyon, Harvey Jenkins, Commissioner Shell, County Wide Director, Clint Garza, Andreina Alexatos, TreeFolks Restoration Manager, Commissioner Ingalsbe, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Shell to approve a Professional Services Agreement with Treefolks, Inc., continuing the assessment and implementation program for riparian revegetation and restoration along the Blanco River, since the contract cost exceeds \$50,000, the Court, in authorizing the execution of the contract, grants a discretionary exemption under Texas Local Government Code 262.024 (a)(4). Commissioner Ingalsbe voting "No". Commissioner Shell and Commissioner Whisenant voting "Aye". MOTION PASSED**

Clerk's Note Court took a break at 10:16 a.m. and reconvened into open session at 10:23 a.m.

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET

Dan Lyon, Harvey Jenkins, Rodrigo Amaya, and Roland Saucedo spoke. Sheriff's Office – Sheriff Cutler and Capt. Davenport spoke of needs. 1) Reprioritization – move the Admin. Ill to Evidence Tech (swap), move equipment with reprioritization. 2) Vehicles – they will need more. Office of Emergency Services Director, Kharley Smith – Requesting Level A HazMat Suit, HazMat Gloves, PEAC Station Licenses, SRP Video

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Upgrade, Surface Pro, iPad, replacement Sierra Device to Cradlepoint with cameras/evidence.com, Admin. II (108) convert to Office and Finance Manager (110), and Asst. EMC (115) to Asst. Director OES (116). Constable Pct. 5, John Ellen, is requesting an additional Deputy position. Constable Pct. 4, Ron Hood – requesting a replacement motorcycle for traffic control. Constable's are requesting a salary increase. Constable Pct. 3, Gary Griffin, Deputy Constable – Requesting operational technology, VDI's (2), telephones (3), Field fleet cameras (2), Ticket Writer/Printers and tablets (2), mobile data terminal, and additional Deputy's. Constable Pct. 2, Michael Torres – 1) requesting (2) replacement vehicles, 2) requesting additional Continuing Education, 3) requesting (3) Ticket Writer but will take at least (1). Constable Pct. 1, David Peterson – requesting salary increase for Justice Clerk Salary, FTO Pay, Law Enforcement Supplies (taser cartridges, vehicle markings & window tint, ammo for training), Misc. (unforeseen items for training & equipment), Lease Vehicle (2), Continuing Education, Office Equipment (new chair), Operating Comp. Equip. (1 Surface Pro & 1 Dell Latitude for training & presentations), Operating (Axon Camera System), Law Enforcement Equipment (1 shotgun & 1 taser & taser download kit), Operating Law Enforcement (onetime – lights, cage, rifle locks, 3 radar units, rifle). Human Resources Director, Shari Miller spoke of counties used in salary comparisons for Constables are the same used in the Collective Bargaining. Tax Assessor/Collector, Luanne Caraway, requesting (3) new phones for Sub Stations, Bank Fees for Sub Stations are extremely high. Employee Chairs would like to replace (3). Dripping Springs lobby chairs need to be replaced. Drive-thru problems with the tubing jamming. David Edwards, Chairman of City of Dripping Springs TIRZ, requesting TIRZ #1 & #2, Town Center, Old Fitzhugh Rd., Triangle, Parking, TIRZ PM – Amendment #2, Bojoroquez, Taussig, EPS, and TIRZ Independent Counsel money that will be reimbursed. Human Resources Director, Shari Miller, spoke of Hays County's population and growth. The unemployment statistics, and the vacancies. She is requesting instead of 2% merit if the Court would consider a COLA increase. She is requesting a salary increase for HR Specialist that took on additional duties within this past year. If awarded the position would not be given merit increase. Transportation Department Director, Jerry Borchering, is requesting a re-grade of Road Worker Grade 107 to Admin. II Grade 108. He is also asking for a Salary Analysis for Director of Transportation.

Clerk's Note Agenda Item #22 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 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 AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 12:35 p.m. and reconvened into open court at 1:49 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Shell, Commissioner Whisenant, Human Resources Director, Shari Miller, Office of Emergency Services Director, Kharley Smith, and Director of Countywide Operations, Clint Garza. No action taken.

Clerk's Note Agenda Item #24 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 in effect. 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 #26 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 #27 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 Shell to adjourn court at 1:51 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 August 14, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF AUGUST 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
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR., AND COMMISSIONER, PCT. 1, DEBBIE GONZALES INGALSBE, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

33954A ORDER A GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018

Elections Administrator, Jennifer Anderson spoke. An election is hereby ordered to be held on November 6, 2018, in Hays County, Texas, for the purpose of electing the county and precinct officers as required by Article XVI, Section 65 of the Texas Constitution. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to Order a General Election to be held on November 6, 2018. All present voting "Aye". MOTION PASSED**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:32 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on August 20, 2018.

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21ST DAY OF AUGUST A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Commissioner Jones gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins resident of San Marcos, Linda Coker resident of San Marcos, Dan Lyon resident of San Marcos, Rodrigo Amaya resident of San Marcos all made public comments.

33955A 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 \$ 1,383,051.61 as submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33956A 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 \$ 3,442.00 as submitted by the Hays County Auditor. All present voting "Aye". MOTION PASSED

33957A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$ 3,520.00 and United Healthcare claims in the amount of \$ 174,141.02. All present voting "Aye". MOTION PASSED

33958A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 14, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 14, 2018. All present voting "Aye". MOTION PASSED

33959A ACCEPT AND AUTHORIZE THE EXECUTION OF A MAINTENANCE CONTRACT FROM THE OFFICE OF THE ATTORNEY GENERAL FOR STATEWIDE CRIME VICTIM NOTIFICATION SERVICE (SAVNS) IN THE AMOUNT OF \$28,546.78

The grant program (SAVNS) is to assist Texas counties and other entities in maintaining a statewide system that provides offender release information, notification of court settings or events, supports the rights of victims of crime and public safety. The system provides immediate access to offender information that prosecutors, victim advocates and other criminal justice professionals can obtain through the SAVNS program. The contract period begins on September 1, 2017 through August 31, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept and authorize the execution of a Maintenance Contract from The Office of the Attorney General for statewide crime victim notification service (SAVNS) in the amount of \$28,546.78. All present voting "Aye". MOTION PASSED



33960A APPROVE RENEWAL OF IFB 2015-B03 HAULING OF SOLID WASTE WITH TEXAS DISPOSAL SYSTEMS FOR ONE (1) ADDITIONAL YEAR

All terms and conditions remain unchanged and in full force and effect as stated in the current contract. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B03 Hauling of Solid Waste with Texas Disposal Systems for one (1) additional year. All present voting "Aye". MOTION PASSED

33961A APPROVE RENEWAL OF IFB 2015-B03 HAULING OF SOLID WASTE (GLASS RECYCLING ONLY) WITH CENTRAL WASTE & RECYCLING FOR ONE (1) ADDITIONAL YEAR

Harvey Jenkins, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos made public comment. Director of Countywide Operations, Clint Garza spoke. The vendor has proposed a price increase for the final renewal option of this contract. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of IFB 2015-B03 Hauling of Solid Waste (glass recycling only) with Central Waste & Recycling for one (1) additional year. All present voting "Aye". MOTION PASSED

33962A APPROVE RENEWAL OF IFB 2017-B02 COUNTYWIDE DUMPSTERS WITH TEXAS DISPOSAL SYSTEMS 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. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve renewal of IFB 2017-B02 Countywide Dumpsters with Texas Disposal Systems for one (1) additional year as stated in the original bid. All present voting "Aye". MOTION PASSED

33963A APPROVE RENEWAL OF IFB 2015-B10 EMULSION OILS WITH ERGON ASPHALTS & EMULSIONS, INC. FOR ONE (1) ADDITIONAL YEAR

Harvey Jenkins, resident of San Marcos made public comment. Dan Lyon, resident of San Marcos made public comment. The vendor has proposed a price increase for the final renewal option of this contract. A motion was made by Commissioner Jones seconded by Commissioner Whisenant to approve renewal of IFB 2015-B10 Emulsion Oils with Ergon Asphalts & Emulsions, Inc. for one (1) additional year. All present voting "Aye". MOTION PASSED

33964A APPROVE OUT OF STATE TRAVEL FOR THE OFFICE OF EMERGENCY SERVICES DIRECTOR TO ATTEND THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION CONFERENCE IN ATLANTA, GA ON OCTOBER 1-4, 2018

Requesting approval for Kharley Smith to attend the National Emergency Management Association forum in Atlanta, GA. The conference runs from 10/1/18 to 10/4/18 with travel dates on 9/30/18 and 10/4/18. Contingent on final adoption of the FY19 budget (funding for this conference was requested in the FY19 budget and has been approved in the Judge's Recommended budget). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for the Office of Emergency Services Director to attend the National Emergency Management Association conference in Atlanta, GA on October 1-4, 2018. All present voting "Aye". MOTION PASSED

33965A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2018 LOCAL SOLICITATION FOR RIFLE-RESISTANT VESTS FOR LAW ENFORCEMENT PERSONNEL IN THE AMOUNT OF \$13,275.00

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Hays County is eligible to receive funding in the amount of \$13,275 from the U.S. Department of Justice through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation. The allocation will be used to purchase 15 rifle-resistant vests in the amount of \$13,205.00 for Law Enforcement Officers. The application is due by August 22, 2018 and will be submitted electronically. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the submission of a grant application to the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2018 Local Solicitation for Rifle-Resistant Vests for Law Enforcement Personnel in the amount of \$13,275.00. All present voting "Aye". MOTION PASSED**

33966A APPROVE AWARD OF IFB 2018-B07 REGULATORY ROAD SIGNS TO VULCAN INC. (DBA VULCAN SIGNS) AS PRIMARY VENDOR AND BLACKTOP INDUSTRIES LLC, PATHMARK TRAFFIC EQUIPMENT LLC, AND CENTERLINE SUPPLY ON AN AS NEEDED BASIS AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME

Purchasing received 5 bids from Eastern Metal of Elmira Inc., Vulcan Inc, (dba Vulcan Signs), Blacktop Industries LLC, Lightle Enterprises of Ohio LLC, PathMark Traffic Equipment LLC, Osburn Associates Inc., and Centerline Supply. Staff recommends award of contracts to Vulcan Inc. (dba Vulcan Signs) as primary vendor and Blacktop Industries LLC, PathMark Traffic Equipment LLC, and Centerline Supply on an as needed basis. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve award of IFB 2018-B07 Regulatory Road Signs to Vulcan Inc. (dba Vulcan Signs) as primary vendor and Blacktop Industries LLC, PathMark Traffic Equipment LLC, and Centerline Supply on an as needed basis and authorize the County Judge to execute same. All present voting "Aye". MOTION PASSED**

33967A AUTHORIZE PAYMENT TO GRAHAM & ASSOCIATES FOR THE OFFICE OF GENERAL COUNSEL'S OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

Harvey Jenkins, resident of San Marcos made public comment. The Office of General Counsel requested appraisal services for the Lime Kiln Road project and did not secure a purchase order as required per County Purchasing Policy. Funds are available in the Transportation Department operating budget for this project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize payment to Graham & Associates for the Office of General Counsel's Office in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

33968A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM THROUGH TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT

The Hazard Mitigation Grant Program (HMGP) is funded by FEMA and administered by the state of Texas. It is a mitigation grant designed to prevent or reduce future loss of lives and property through the identification and funding of cost-effective mitigation measures as well as minimize the costs of future disaster response and recovery. This grant application is for the 'Hays County Drainage' project. The Notice of Intent for this project was submitted on March 13, 2018 and the project was approved on April 10, 2018 to move forward with the application process. The total project cost is \$2,527,000 including the county 25% match of \$631,750. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant application for the Hazard Mitigation Grant Program through Texas Department of Emergency Management. All present voting "Aye". MOTION PASSED**

33969A AUTHORIZE COMMERCIAL OSSF PERMIT 901 WILLIAMSON RD, BUDA, TX 78610

Stanley Kolodzey is proposing a new advanced treatment OSSF to serve a meeting center for non-profit groups. This site is approximately 215.9 acres located within the City of Austin and Niederwald's ETJ. Water will be supplied by a Goforth SUD. The system designer, Bucky Smith, R.S., has designed a system for 150 people max (no food preparation), which consists of a new 750 gallon trash tank, a 2000 gallon equalization tank, a new 1000 gallon Nuwater B-1000 aeration tank, followed by a 2000 gallon pump tank. The design will utilize 2 fields of 1,500 sq.ft. of drip tubing for the drain field. The maximum daily usage rate on average is 600 gallons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize Commercial OSSF Permit 901 Williamson Rd, Buda, TX 78610. All present voting "Aye". MOTION PASSED**



33970A AUTHORIZE THE EXECUTION OF THE COUNTY CHILD WELFARE SERVICES NON-FINANCIAL AGREEMENT BETWEEN HAYS COUNTY AND THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES (DFPS)

This is a joint renewal agreement to establish and maintain a child welfare board to administer a county wide, jointly financed, state administered, and regionally operated child welfare program to meet the needs of children in the county who need protective services. The contract term is October 1, 2018 through September 30, 2025. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the County Child Welfare Services Non-Financial Agreement between Hays County and the Texas Department of Family and Protective Services (DFPS). All present voting "Aye". MOTION PASSED**

33971A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 BETWEEN HAYS COUNTY AND WSB AND ASSOCIATES, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE RM 967 WEST OF FM 1626 PROJECT

Transportation Director Jerry Borcharding spoke and gave staff recommendation. Contract change is to allow for the addition of new personnel categories to the billing categories needed since WSB's acquisition of Rogers Design Services. Total amount in compensation is not to change. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 2 between Hays County and WSB and Associates, Inc. on the Professional Services Agreement for the RM 967 West of FM 1626 Project. All present voting "Aye". MOTION PASSED**

33972A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 2 BETWEEN HAYS COUNTY AND WSB AND ASSOCIATES, INC. ON THE PROFESSIONAL SERVICES AGREEMENT FOR THE US290 INTERSECTIONS PROJECT

Transportation Director Jerry Borcharding spoke. Contract change is to allow for the addition of new personnel categories to the billing categories needed since WSB's acquisition of Rogers Design Services. Change order will also allow a 365 day extension in time to execute the services, additional scheduling needed for coordination efforts with the Texas Department of Transportation. Total amount in compensation is not to change. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Change Order No. 2 between Hays County and WSB and Associates, Inc. on the Professional Services Agreement for the US290 Intersections Project. All present voting "Aye". MOTION PASSED**

33973A ACCEPT CONSTRUCTION AND DRAINAGE IMPROVEMENTS, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #1060751 IN THE AMOUNT OF \$231,755.60, AND ACCEPTANCE OF THE 1-YEAR REVEGETATION BOND #1060751 IN THE AMOUNT OF \$58,725.00 FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 11

Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. There was neither a construction bond nor a performance bond issued for this project for release. Both a maintenance bond for streets & drainage, and a revegetation bond for ROW are needed for this project. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, acceptance of the 2-year maintenance bond #1060751 in the amount of \$231,755.60, and acceptance of the 1-year revegetation bond #1060751 in the amount of \$58,725.00 for Sunfield subdivision, Phase 2, Section 11. All present voting "Aye". MOTION PASSED**

33974A GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT SUB-1020; REPLAT OF PORTION OF LOT 18, RIVER OAKS OF WIMBERLEY SUBDIVISION, SECTION TWO (3 LOTS). DISCUSSION AND POSSIBLE ACTION TO; HOLD PUBLIC HEARING

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Commissioner Ingalsbe opened public hearing. No public input. Commissioner Ingalsbe Close public hearing. County Planner Caitlyn Strickland spoke. River Oaks of Wimberley, Section Two is a recorded subdivision located off of Windmill Oaks in Precinct 3. Lot 18 was originally platted in 1973 and was divided by metes and bounds rather than the requisite plat revision throughout the following years. This 5.234 acre portion has been in the same configuration since 1981 and has been served by private well and on-site wastewater treatment service since 1999. Current Hays County minimum lot size requirements dictate that new lots in this area which are served by private wells and advanced on-site sewage facilities be at least 2.00 acres in size. Given the date that the parcel was created and the lot size requirements in place at that time, a variance to the county's minimum lot size requirements has been requested. The owner's justification for the variance is provided in backup. The proposed re-plat will divide the 5.234 acre lot 18 into 3, 1.54 acre lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to grant a variance from Table 10-1 of the Hays County Rules for On-site Sewage Facilities and approve final Plat SUB-1020; Replat of Portion of Lot 18, River Oaks of Wimberley Subdivision, Section Two (3 Lots). All present voting "Aye". MOTION PASSED**

33975A APPROVE PRELIMINARY PLAN SUB-1054; FARMHOUSE ON ELDER HILL SUBDIVISION (2 LOTS)

County Planner, Caitlyn Strickland spoke. Farmhouse on Elder Hill Subdivision is a proposed 2 lot subdivision located along Elder Hill Rd in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve preliminary plan SUB-1054; Farmhouse on Elder Hill Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33976A GRANT A VARIANCE TO SECTION 721.5 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO APPROVE THE FINAL PLAT SUB-1054; FARMHOUSE ON ELDER HILL SUBDIVISION (2 LOTS)

County Planner, Caitlyn Strickland spoke. Farmhouse on Elder Hill Subdivision is a proposed 2 lot subdivision located along Elder Hill Rd in PCT 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to grant a variance to Section 7205.9 of the Hays County Development Regulations to approve the final plat SUB -1054; Farmhouse on Elder Hill Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33977A APPROVE FINAL PLAT SUB-1018; NORTHRIDGE - PHASE 3 SUBDIVISION (12 LOTS) AND ACCEPT FISCAL SURETY FOR STREET AND DRAINAGE IMPROVEMENTS

County Planner, Caitlyn Strickland spoke. Doug Cones, resident of Dripping Springs made public comment. Northridge Phase 3 Subdivision is a proposed 12 lot subdivision, located off of Vail River Road in Pct 4. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner to approve final plat SUB -1018; Northridge - Phase 3 Subdivision (12 Lots) and accept fiscal surety for street and drainage improvements. All present voting "Aye". MOTION PASSED**

10:00 A.M. - BUDGET WORKSHOP REGARDING THE FY 2019 HAYS COUNTY BUDGET

Harvey Jenkins, resident of San Marcos made public comment. Mary Cauble, Treasurer of the Hays County Child Protective Board requested full funding for the 2019 operating budget and for a special request of the Rainbow Room funding. Rodrigo Amaya resident of San Marcos made public comment. Lee Ikels of the Child Protective Board spoke. Veteran Services Office, Jude Prather spoke requested Veteran's Office software. Dan Miller, Financial advisor spoke. Assistant Auditor Vickie Dorset spoke.

33978A APPROVE THE PROPOSED BUDGET AND TAX RATE FOR FISCAL YEAR 2019 AND SCHEDULE PUBLIC HEARINGS; SET THE ELECTED OFFICIALS SALARIES AND ALLOWANCES

First Assistant County Auditor, Vickie Dorsett spoke. Dan Lyon, resident of San Marcos made public comment. Harvey Jenkins, resident of San Marcos made public comment. General Maintenance and Operation: 26.53 cents, General Debt 12.46 cents, Road and Bridge Maintenance and Operation: 4.38 cents. Ad valorem: 43.37

HAYS COUNTY COMMISSIONERS' COURT MINUTES



is the effective tax rate. Notice of FY 2019 Tax Year Proposed Property Tax Rate for Hays County. A tax rate of \$.4337 per \$100 valuation has been proposed by the governing body of Hays County. Proposed Tax Rate: \$.4337 per \$100; Preceding Year's Tax Rate \$.4450 per \$100; Effective Tax Rate \$.4337 per \$100. The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for Hays County from the same properties in both the FY 2018 tax year and the FY 2019 tax year. Your taxes owed under any of the above rates can be calculated as follows: property tax amount = (rate) x (taxable value of your property)/100. For assistance or detailed information about tax calculations, please contact: Luanne Caraway, Hays County, 712 S Stagecoach Trail, San Marcos, Texas 78666, 512-393-5545, luanne@co.hays.tx.us www.co.hays.tx.us. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to vote on proposed budget and tax rate for effective tax rate of 43.37 on fiscal year 2019 and set the elected officials salaries and allowances and schedule public hearing on September 18, 2018 at 1:00 p.m. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #26 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – **was pulled**

EXECUTIVE SESSION PURSUANT TO 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 AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 11:10 a.m. and reconvened into open court at 12:41 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, IT Director, Jeff McGill, and Veterans Services Officer, Jude Prather. No action taken.

Clerk's Note Agenda Item #28 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – **was pulled**

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

The burn ban will remain in effect.

Clerk's Note Agenda Item #30 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 #31 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 12:43 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on August 21, 2018.




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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 28TH DAY OF AUGUST 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:

Mike Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Rodrigo Amaya, San Marcos resident and Dan Lyon, San Marcos resident spoke.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

Human Resources Director, Shari Miller presented the Hays County Service Awards. 5 Years – Christina Briggs, Mindi Duckworth, and Juan Zesati – Sheriff's Office, Erika Price – District Attorney's Office. 10 Years – Amelia Flores – Health Department, Dustin Speckles – Sheriff's Office. 20 Years – Stanley Schulz, Timothy Vandevorde, and Mario Garcia – Transportation Department. 25 Years – Michael Davenport – Sheriff's Department. 35 Years – Maryann Deleon – Juvenile Probation. Special Presentation – Clint Garza – County Wide Operations.

33979A ADOPT A PROCLAMATION DECLARING SEPTEMBER 2018 AS EMERGENCY PREPAREDNESS MONTH

Clint Browning, Hays County Fire Marshall spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to adopt a proclamation declaring September 2018 as Emergency Preparedness Month. All present voting "Aye". MOTION PASSED

33980A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County invoices in the amount of \$644,129.13 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33981A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$888.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33982A APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$230,882.04 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33983A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 21, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of August 21, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED



33984A APPROVE THE PAYMENT OF THE AUGUST 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,610,000.00 EFFECTIVE AUGUST 31, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the August 31, 2018 payroll disbursements in an amount not to exceed \$3,610,000.00 effective August 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33985A AUTHORIZE PAYMENT TO THOMSON REUTERS FOR BOOK SUBSCRIPTION FOR THE DISTRICT ATTORNEY'S OFFICE WHERE NO PURCHASE ORDER WAS ISSUED PER COUNTY PURCHASING POLICY

The District Attorney's Office received four [4] TX FAMILY CODE ANNOTATED 2018 books for 26 attorneys. The books have been on subscription since 2001. No purchase Order was obtained per County Purchasing Policy. Dan Lyon spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize payment to Thomson Reuters for book subscription for the District Attorney's office where no purchase order was issued per County Purchasing Policy. All present voting "Aye". MOTION PASSED

33986A APPROVE UTILITY PERMITS

#1094 Spoke Hollow Road Water Service Line/Main (Wimberley Water Supply). A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Utility Permit #1094 on Spoke Hollo Road issued to Wimberley Water Supply as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

33987A AUTHORIZE COMMERCIAL OSSF PERMIT AT 14001 W HWY 290, DRIPPING SPRINGS, TEXAS 78620

14101 W 290, LLC is proposing an OSSF to serve an 110,000 square foot storage building with a small office. The system will accommodate up to 60 daily customers including employees. This 14.51-acre property will be served by a public water supply. The system designer, John Fox, 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 240 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 14001 W Hwy 290, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

33988A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 612 OAKWOOD LOOP SAN MARCOS, TX

Pasternak Ranch Roughhouse Brewery is proposing an OSSF to serve a beer brewery with a maximum of 250 people per day including employees. This site is located outside Wimberley ETJ. The owners are currently working with the TCEQ to certify the water well for public use. There will be no food preparation, and process waste from the brewery will not flow into the OSSF. The system designer, Stephen Jetton, has designed a system consisting of a 1000 gallon trash tank, a 3000 gallon flow equalization tank, a 1500 GPD aerobic treatment unit, a 2000 gallon pump tank, and 5000 feet of drip tubing. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 612 Oakwood Loop San Marcos, TX. All present voting "Aye". MOTION PASSED

33989A AUTHORIZE COMMERCIAL OSSF PERMIT AT 2965 RANCH ROAD 165, DRIPPING SPRINGS, TEXAS 78620

The Public for Animal Welfare, Inc. is proposing an animal shelter facility. The system is designed to accommodate up to 80 animals and 7 employees. This 10.651-acre property will be served by a private well. The system designer, Doug Dowlearn, 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 1371 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 2965 Ranch Road 165, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED



33990A AMEND THE JUVENILE DETENTION CENTER'S OPERATING BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE FOUNDATION SKILLS FOR TRAINERS CONFERENCE

Additional funds are needed for two JDC staff members to attend the Foundation Skills for Trainers Conference in September in Huntsville, Tx. This conference is sponsored by the Correctional Management Institute of Texas and is designed to benefit agencies that are regulated by the Texas Juvenile Justice Department (TJJD). This training will help participants develop the preparation, presentation and platform delivery skills needed to conduct training using curricula developed by the National Institute of Corrections. Focus areas include the needs and characteristics of adult learners, learning styles, the role of the correctional trainer, managing a learner centered training environment, asking and responding to questions, facilitating lesson plans, teaching to performance objectives, and basic teaching methods. Savings within the departments operating budget have been identified to fund this request. Budget Amendment: Decrease .5211 - Office Supplies Increase .5551 - Continuing Education. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to amend the Juvenile Detention Center's operating budget for additional Continuing Education expenses related to the Foundation Skills for Trainers Conference. All present voting "Aye". MOTION PASSED**

33991A AUTHORIZE THE EXECUTION OF THE FY19 GRANT AGREEMENT WITH THE UNITED STATES SECRET SERVICE (USSS) FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE CENTRAL TEXAS FINANCIAL CRIME TASK FORCE

The Sheriff's Office receives funding annually from the Secret Service to offset overtime costs for a detective assigned to the Central Texas Financial Crime Task Force. Funding has been budgeted in the FY19 budget process for this grant award. Rodrigo Amaya spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of the FY19 Grant Agreement with The United States Secret Service (USSS) for overtime reimbursements related to the Sheriff's Office Central Texas Financial Crime Task Force. All present voting "Aye". MOTION PASSED**

33992A RATIFY THE ADDITION OF THE 2018 FORD FUSION TO THE LOCAL HEALTH DEPARTMENT THROUGH THE ENTERPRISE MASTER EQUITY LEASE AGREEMENT

On April 3, 2018, Commissioners Court authorized the order of a Dodge Caravan for the Juvenile Probation Department and transfer of a 2018 Ford Fusion to another department. For clarification purposes, the 2018 Ford Fusion, VIN 3FA6P0G7XJR170558 was transferred to the Local Health Department and added to the FY18 vehicle lease program. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the addition of the 2018 Ford Fusion to the Local Health Department through the Enterprise Master Equity Lease Agreement. All present voting "Aye". MOTION PASSED**

33993A AMEND THE ELECTION'S CONTRACT FEE FUND BUDGET FOR ADDITIONAL CONTINUING EDUCATION EXPENSES RELATED TO THE NEW VOTER REGISTRATION EQUIPMENT

The Elections Administrator, elections staff, poll workers and IT Director will receive onsite training at the end of September for the new ePoll pads and voter registration equipment. Funding within the Election Contract Fee Fund is available to cover all training needs. Budget Amendment: Decrease .5712_400 – Computer Equipment_Ops Increase .5551 - Continuing Education. Commissioner Ingalsbe gave a Congratulations to Elections Administrator, Jennifer Anderson. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Election's Contract Fee Fund budget for additional Continuing Education expenses related to the new Voter Registration equipment. All present voting "Aye". MOTION PASSED**

33994A APPROVE PAYMENT TO METRO FIRE APPARATUS SPECIALISTS, INC. FOR THE OFFICE OF EMERGENCY SERVICES DEPARTMENT RELATED TO EQUIPMENT REPAIRS IN WHICH NO PURCHASE ORDER WAS ISSUED, OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Repairs were made to the Hays County Hazmat Vehicle camera system which did not follow the County procurement policies. Funds are available within the operating budget for these repairs. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment to Metro Fire Apparatus Specialists, Inc. for the Office of Emergency Services department related to equipment repairs in which no purchase order was issued, or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**



33995A REVISE THE HAYS COUNTY BUDGET CALENDAR FOR FISCAL YEAR 2019

On August 21st the Commissioners Court voted on a proposed "effective" tax rate. Due to this action, the two tax rate public hearings are not required and are being removed from the calendar. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to revise the Hays County budget calendar for Fiscal Year 2019. All present voting "Aye". MOTION PASSED**

33996A AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO PURCHASE AN ID BADGE PRINTER AND AMEND THE BUDGET ACCORDINGLY

The Human Resources Department is responsible for printing and issuing ID badges to all Hays County employees, as well as visiting attorneys. The current usable machine was discontinued over 5 years ago and is no longer supported for maintenance or parts by the manufacturer. The purchase of a new, warranty-maintained printer will provide continued ID badge printing services to the county. Budget Amendment: Decrease .5213 - \$1,000 Decrease .5429 - \$ 333 Decrease .5302 - \$ 350 Decrease .5332 - \$ 725. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Human Resources Department to purchase an ID badge printer and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33997A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #46BCSHY1378 IN THE AMOUNT OF \$188,835.86 FOR BURBA RANCH SUBDIVISION

Jerry Borcharding, Transportation Director gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. There was neither a construction bond nor a performance bond issued for this project for release. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept of road construction and drainage improvements, acceptance of the 2-year maintenance bond #46BCSHY1378 in the amount of \$188,835.86 for Burba Ranch subdivision. All present voting "Aye". MOTION PASSED**

33998A RELEASE OF THE MAINTENANCE BOND #K09232941 FOR \$120,000.00 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 3, RELEASE OF THE MAINTENANCE BOND #K08774237 FOR \$3,393,456.08 FOR CALITERRA SUBDIVISION, PH. 1, SEC. 4, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Jerry Borcharding, Transportation Director gave staff recommendation Staff recommends acceptance of the roads into the county maintenance system. The roads from both sections include: Capstone Court (408 ft.), Waters View Court (847 ft.), Waters Edge Cove (1,698 ft.). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the maintenance bond #K09232941 for \$120,000.00 for Caliterra subdivision, Ph. 1, Sec. 3, release of the maintenance bond #K08774237 for \$3,393,456.08 for Caliterra subdivision, Ph. 1, Sec. 4, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

33999A ACCEPT OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LOC #5132 IN THE AMOUNT OF \$1,488,723.10, ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70164635 IN THE AMOUNT OF \$493,366.37, AND ACCEPTANCE OF THE 2-YEAR REVEGETATION BOND #70164641 IN THE AMOUNT OF \$92,391.00 FOR LA CIMA SUBDIVISION., PHASE 1, SECTION 1, ROADWAY IMPROVEMENTS TO CENTERPOINT ROAD AND CENTRAL PARK LOOP

Jerry Borcharding, Transportation Director gave staff recommendation 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. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the LOC #5132 in the amount of \$1,488,723.10, acceptance of the 2-year maintenance bond #70164635 in the amount of \$493,366.37, and acceptance of the 2-year revegetation bond #70164641 in the amount of \$92,391.00 for La Cima subdivision., Phase 1, Section 1, Roadway Improvements to Centerpoint Road and Central Park Loop. All present voting "Aye". MOTION PASSED**

34000A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE LETTER OF CREDIT NO 5132 FOR STREET AND DRAINAGE IMPROVEMENTS FOR LA CIMA PHASE 1



Jerry Borcharding, Transportation Director gave staff recommendation La Cima PH 1 is a proposed 139 lot subdivision located along RR 12 in PCT 3. Water and wastewater service will be accomplished by the City of San Marcos. The construction of street and drainage improvements in La Cima PH 1 SEC 1 is complete. There is a letter of credit of \$65,860.00 recorded at the Treasurer's Office for release back to the contractor. The Transportation Department has inspected and approved the improvements. These roads will be maintained by the City of San Marcos. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept road construction and drainage improvements, and release Letter of Credit No 5132 for street and drainage improvements for La Cima Phase 1. All present voting "Aye". MOTION PASSED**

34001A CREATE THE HAYS COUNTY SALARY GRIEVANCE COMMITTEE FOR THE REMAINDER OF THE FISCAL YEAR

This item includes the selection of members for the committee. Additional information to be provided in court. Rodrigo Amaya, Mark Kennedy, General Counsel and Liz Q. Gonzalez, County Clerk spoke. 20 names were selected from the Grand Jurors List. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to create the Hays County Salary Grievance Committee for the remainder of the fiscal year. All present voting "Aye". MOTION PASSED**

34002A AUTHORIZE THE EXECUTION OF A SERVICE AGREEMENT WITH BECKWITH ELECTRONIC SYSTEMS, LLC FOR THE CRESTRON DIGITAL MEDIA UPGRADE IN DISTRICT COURTROOM #10 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY

Director of County Wide Operations, Clint Garza spoke. The original equipment was installed 2010-2011 and will need to be updated as media needs have evolved. Work will include the replacement of Extron switching and control equipment to Crestron Digital Media as well as the replacement of cable connectivity components in both council tables. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Service Agreement with Beckwith Electronic Systems, LLC for the Crestron Digital Media upgrade in District Courtroom #10 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34003A AUTHORIZE THE PURCHASE OF ELECTRICAL SERVICES AND EQUIPMENT NEEDED FOR UPGRADES TO COUNTY COURT AT LAW COURTROOMS 1 & 2 AND ALLOW AN EXEMPTION FROM THE BIDDING PROCESS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 262.024A (7) (D) AND AMEND THE BUDGET ACCORDINGLY

Director of County Wide Operations, Clint Garza spoke. Authorize the purchase of patch cords, switches, data lines, and a variety of other equipment needed to complete upgrades in County Court at Law courtrooms 1 & 2. Service labor is included in the attached quotes. Vendors: Beckwith Electronic Systems, LLC: \$46,948.80 Shi Government Solutions: \$280.00 CT Electric: \$10,190.00 Dell: \$8,206.74. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of electrical services and equipment needed for upgrades to County Court at Law courtrooms 1 & 2 and allow an exemption from the bidding process pursuant to Texas Local Government Code 262.024A (7) (D) and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34004A AUTHORIZE THE EXECUTION OF A CHANGE ORDER 001 OF THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Director of County Wide Operations, Clint Garza and Cody Newsom spoke. Change Order 001 of the Agreement between Hays County and Turner Construction Company for unforeseen conditions related to the site conditions at the Jail Addition. Change Order 001 will address the following issues: A. Soil conditions associated with failed under-ream bell shape piers due to the soils caving in and unable to hold the under-ream bell shape requiring a revised straight-shaft drilled pier foundation. B. Water infiltration into the drilled pier shafts requiring the use of steel casing in order to complete the foundation work. C. Discovered underground utilities that vary from and/or were not identified on as-built plans requiring adjustments to pier locations and relocation of existing pipes. D. Discovered building debris in Jail Addition Area D requiring removal, additional excavation to native soil and additional fill. The following documents are attached for further detail: Change Order 001, Turner Notice of Change - PCO 181, and Turner Notice of Change - PCO 147. Dan Lyon spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of**



a Change Order 001 of the Agreement between Hays County and Turner Construction Company for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

34005A AUTHORIZE THE EXECUTION OF A CONTRACT BETWEEN IRIS BARRERA, RN AND THE HAYS COUNTY LOCAL HEALTH DEPARTMENT, FOR THE PURPOSES OF TRAINING THE NEW TB NURSE

Director of County Wide Operations, Tammy Crumley, General Counsel, Mark Kennedy and Commissioner Ingalsbe spoke. The Local Health Department would like to contract with Iris Barrera, RN to finish the training process of the newly hired TB nurse. Ms. Barrera will be leaving the county effective August 31, 2018. The newly hired RN started on August 24, 2018. This will only provide for one week of training for the new hire. Ms. Barrera has agreed to make herself available for additional hours of training. Schedule adjustments will be made and no overtime will be paid to the new hire for additional training time. A Contract will be provided in open court. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a contract between Iris Barrera, RN and the Hays County Local Health Department, for the purposes of training the new TB nurse in an amount not to exceed \$1,400 and to amend the budget accordingly. All present voting "Aye". MOTION PASSED**

AMEND THE 2018 SHERIFF & CONSTABLE FEES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 118.131

The Constable's Offices would like the Courts consideration to grant a waiver of vehicle usage fees for certain public services performed within the community. Rodrigo Amaya spoke. General Counsel, Mark Kennedy, Director of County Wide Operations, Clint Garza, and the Court discussed the fees and fees that can be waived. This item will be brought back next week for Court approval.

Clerk's Note: Court took break at 10:45 a.m. and reconvened into open session at 11:00 a.m.

34006A HOLD A PUBLIC HEARING AT 11:00 AM IN ACCORDANCE WITH SECTION 293.101 OF THE TEXAS HEALTH AND SAFETY CODE, INCLUDING BUT NOT LIMITED TO DISCUSSION AND POSSIBLE ACTION TO ESTABLISH THE ASSESSMENT RATE AND STATE FISCAL YEAR 2018 MANDATORY PAYMENTS, AND AUTHORIZE THE INTERGOVERNMENTAL TRANSFER OF THE FUNDS DERIVED FROM THOSE MANDATORY PAYMENTS TO PROVIDE THE NONFEDERAL SHARE OF THE SUPPLEMENTAL PAYMENT PROGRAM AUTHORIZED UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM ("SEC 1115") WAIVER

Commissioner Ingalsbe opened the public hearing. Commissioner Shell, Jason Garet, Allied Healthcare Adventist, Eric Weatherford, CTMC, and Geronimo Rodriguez, Seaton Health spoke. Commissioner Ingalsbe closed the public hearing. Hays County's participation in a County Health Care Provider Participation Program is authorized by HB 3175 passed during the 84th Texas Legislature. A County Health Care Provider Participation Program authorizes a county to collect a mandatory payment from each institutional health care provider located in the county to be deposited in a local provider participation fund established by the county. Money in the fund may be used by the county to fund certain intergovernmental transfers and indigent care programs as provided by Chapter 293 of the Texas Health and Safety Code. Central Texas Medical Center of San Marcos and Seton Medical Center Hays supported passage of HB 3175 and the creation of the program in Hays County. The Hays County Commissioners Court adopted and Order authorizing the County's participation in the LPPF program on 9-15-15. On 9-29-15 a public hearing was held to establish the LPPF. Notice of the Public Hearing has been posted in accordance with 293.101 of the Texas Health and Safety Code. During the hearing, the Court will set the state fiscal year 2018 assessment rate, consider the approval of the amount of payments for each hospital as determined by 293.151 THSC and consider other issues related to the program. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to establish the assessment rate of 1.5% and state fiscal year 2018 mandatory payments, and authorize the Intergovernmental Transfer of the funds derived from those mandatory payments to provide the nonfederal share of the supplemental payment program authorize under the Texas Healthcare Transformation and Quality Improvement Program ("sec 1115") waiver. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #31 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 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 AND EXECUTIVE DIRECTOR OF COUNTYWIDE OPERATIONS

Court convened into Executive session at 12:27 p.m. and reconvened into open court at 12:57 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, and General Counsel, Mark Kennedy. No action taken.

34007A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE DEVELOPMENT SERVICES DEPARTMENT

Court convened into Executive session at 11:13 a.m. and reconvened into open court at 11:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Clint Garza, Director of Countywide Operations, Tammy Crumley, and Janice Jones, Legal Support Services Specialist. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to appoint Caitlyn Strickland as the Interim Director of Development Services, effective September 1, 2018, compensating for the Interim position with an annualized stipend of \$12,000.00 in addition to current salary. 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 11:56 a.m. and reconvened into open court at 12:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Janice Jones, Legal Support Services Specialist, and Assistant General Counsel, Jordan Powell. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to engage counsel related TCEQ Permit Application WQ0010549002, related to wastewater discharge by the City of Blanco, Texas. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #35 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 – 703. Per Clint Browning, 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 #37 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 #38 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 1:07 p.m.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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 AUGUST 28, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 4TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA, JR.	SR. DEPUTY COUNTY CLERK

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

Pastor Josh Murillo from the 7th day Adventist Church 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

Rodrigo Amaya, San Marcos resident and Dan Lyon, San Marcos resident spoke.

34008A ADOPT A PROCLAMATION DECLARING SEPTEMBER 2018 AS "HUNGER ACTION" MONTH

Commissioner Jones and Director of the Hays County Food Bank, Denise Block spoke. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt a Proclamation declaring September 2018 as "Hunger Action" Month. All present voting "Aye". MOTION PASSED

34009A 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 \$1,042,817.50, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34010A 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 \$1,768.00, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34011A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana claims in the amount of \$0.00 and United Healthcare claims in the amount of \$158,155.60, as presented by the County Auditor. All present voting "Aye". MOTION PASSED

34012A APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 20 AND AUGUST 28, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of August 20 and August 28, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34013A APPROVE UTILITY PERMITS

Permit Road Name Utility 1095 Harmon Hills Road Electric Service Line (PEC) 1096 Tall Oaks Trail Water Service Line (WTCPUA). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Utility Permits #1095 located on Harmon Hills Road Electric Service to PEC (Electric Service Line) and permit #1096 located on Tall Oaks Trail to WTCPUA (Water Service Line), as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED

34014A APPROVE THE JUNE 2018 TREASURER'S AND INVESTMENT REPORTS

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

34015A ACCEPT THE 2017 HAYS COUNTY EMERGENCY SERVICES DISTRICT #7 AUDIT REPORT PER TEXAS HEALTH AND SAFETY CODE 775.082



A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept the 2017 Hays County Emergency Services District #7 Audit Report per Texas Health and Safety Code 775.082. All present voting "Aye". MOTION PASSED

34016A APPROVE AWARD OF IFB 2018-B09 CEDAR OAK MESA WATER LINE IMPROVEMENTS TO M&C FONSECA CONSTRUCTION COMPANY, INC. AND AUTHORIZE THE EXECUTION OF THE SAME

Purchasing received eight bids from M&C Fonseca Construction Co. Inc., Qro Mex Construction Co. Inc., Smith Contracting Co. Inc., Pendleton Excavation LLC, Austin Underground Inc., JKB Construction Company LLC, and Central Road & Utility Ltd. (dba CRU Ltd.). Staff recommends award of the contract to M&C Fonseca Construction Co. Inc. in the amount of \$219,729.50. Funding for this project is provided by a grant from the Texas Department of Agriculture's Community Development Block Grant Program for Rural Texas (TxCDBG) with matching funds from Cedar Oak Mesa Water Supply Corporation. No County funds will be expended for this project. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve award of IFB 2018-B09 Cedar Oak Mesa Water Line Improvements to M&C Fonseca Construction Company, Inc. and authorize the execution of the same. All present voting "Aye". MOTION PASSED**

34017A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 19580 S IH 35, KYLE, TX, 78640

William R Holm is proposing an OSSF to serve a self-storage facility with two employees and no public restroom. There will be a small kitchenette and the condensation amounts from the climate controlled facility will flow into the proposed septic system. This is a 3.58 acre property in the Kyle Industrial Park subdivision and lies inside the City of Kyle. Water will be supplied by a public water supply. The system designer, Stan Burrier, PE, has designed a system, which consists of a 1250 gallon septic tank, a 750 gallon pump tank with dispersal by a low pressure dose system. The maximum daily usage rate is 330 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Institutional OSSF Permit at 19580 S IH 35, Kyle, TX, 78640. All present voting "Aye". MOTION PASSED**

34018A APPROVE CHANGE ORDER #3 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIRS AND AMEND THE BUDGET ACCORDINGLY

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, and change order #2 on 8/14/18 decrease in shotcrete materials. Change Order No. 3 - \$48,573.00 increase in square yards of topsoil needed for Site 3 - \$30,897.59 increase due to time delays on Site 4 related to Golden Cheek Warbler breeding Season - \$79,470.59 total increase - performance time change, increase term by 21 calendar days All change orders to date are 26% of the original contract award, and allowable per Local Government Code, 262.031(b). Funding for this project is provided by NRCS (75%), TSSWCB (23.75%) and Hays County (1.25%). Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$78,477. Increase Construction: .5611_400 - \$79,471. Decrease Co-Wide Contingencies: .5399 - (\$994). **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Change Order #3 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repairs and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34019A AUTHORIZE THE PURCHASE OF ADDITIONAL EQUIPMENT FOR CONSTABLE'S PRECINCTS 1, 2, 3, 4 & 5 LAW ENFORCEMENT VEHICLES AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya and Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the purchase of additional equipment for Constable's Precincts 1, 2, 3, 4 & 5 law enforcement vehicles and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34020A RATIFY THE EXECUTION OF A TERMINATION LETTER FROM GENERAL COUNSEL RELATED TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND HDR ENGINEERING, INC. FOR SERVICES ON THE DACY LANE PROJECT

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to ratify the execution of a termination letter from General Counsel related to the Professional Services Agreement between Hays County and HDR Engineering, Inc. for services on the Dacy Lane project. All present voting "Aye". MOTION PASSED

34021A AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH AIS TO PERFORM ANNUAL FIRE PANEL AND FIRE SUPPRESSION SYSTEM INSPECTIONS AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY



Annual inspection of the fire alarm panel, fire sprinklers, and FM 200 fire suppression system is required to ensure the proper functionality of the equipment in case of an emergency, as well as to remain in compliance with Jail Standards Inspection. Increase 001-695-00.5411. Decrease 001-695-00.5201. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an agreement with AIS to perform annual fire panel and fire suppression system inspections at the Government Center and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34022A CALL FOR A PUBLIC HEARING ON SEPTEMBER 11, 2018 REGARDING AN APPLICATION FOR HOUSING TAX CREDITS RELATED TO SUBMITTED BY KYLE DACY APARTMENT LTD, PURSUANT TO SECTION 230.67071 OF THE TEXAS GOVERNMENT CODE

Kyle Dacy Apartments Ltd. has proposed a development for affordable rental housing of approximately 324 units that will be located at 3800 Dacy Lane, Kyle, Hays County, Texas. This application is to obtain 2018 tax credits. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to call for a public hearing on September 11, 2018 at 10:30 a.m. regarding an application for housing tax credits related to submitted by Kyle Dacy Apartment Ltd, pursuant to Section 230.67071 of the Texas Government Code. All present voting "Aye". MOTION PASSED**

34023A APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR CENTRAL TEXAS MEDICAL CENTER, SETON MEDICAL CENTER HAYS, METROPLEX ADVENTIST HOSPITAL FOR DY 7 UNCOMPENSATED CARE (UC) PAYMENTS AS PART OF THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM (1115 WAIVER)

A date for transfer of DY7 UC 1115 waiver funds was announced on August 30, 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 9-6-18): \$1,487,627.87. CTMC amount: \$230,184.49. Seton Hays amount: \$717,419.86. Metroplex Adventist Hospital, Inc. dba Rollins Brook Com: \$540,023.52. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for Central Texas Medical Center, Seton Medical Center Hays, Metroplex Adventist Hospital for DY 7 Uncompensated Care (UC) payments as part of the Texas Healthcare Transformation and Quality Improvement Program (1115 Waiver). All present voting "Aye". MOTION PASSED**

34024A ACCEPT A REVEGETATION BOND #K13533428 IN THE AMOUNT OF \$61,000.00 FOR BURBA RANCH SUBDIVISION

Staff recommends acceptance of the revegetation bond regarding establishment within the disturbed areas of the County ROW until approximately 70% of coverage is attained. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept a revegetation bond #K13533428 in the amount of \$61,000.00 for Burba Ranch subdivision. All present voting "Aye". MOTION PASSED**

34025A RELEASE THE MAINTENANCE BOND #1048974 IN THE AMOUNT OF \$30,764.84 FOR SHADOW CREEK SUBDIVISION, PH. 7, SEC. 3, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM

Staff recommends acceptance of the roads into the county maintenance system. The roads include: Heron Drive (431 ft.), Noddy Road (1,435 ft.), Marsh Lane (235 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release the maintenance bond #1048974 in the amount of \$30,764.84 for Shadow Creek subdivision, Ph. 7, Sec. 3, and acceptance of the roads into the county road maintenance system. All present voting "Aye". MOTION PASSED**

34026A RELEASE MAINTENANCE BOND #EAIC881700005 IN THE AMOUNT OF \$74,213.52, AND ACCEPTANCE OF THE ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 10, EXCEPT FOR ADOQUIN TRAIL WHICH HAS ONE YEAR REMAINING ON A SEPARATE BOND

Staff recommends acceptance of the roads into the county maintenance system. The roads include: Shale Circle (990 ft.) and Moon Stone Trail (199 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to release maintenance bond #EAIC881700005 in the amount of \$74,213.52, and acceptance of the roads into the county road maintenance system for Stonefield subdivision,**



Section 10, except for Adoquin Trail which has one year remaining on a separate bond. All present voting "Aye". MOTION PASSED

34027A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION CONSTRUCTION BOND #0722765 IN THE AMOUNT OF \$709,843.20, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #9636041 IN THE AMOUNT OF \$52,771.01 FOR STONEFIELD SUBDIVISION, SECTION 12

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. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept road construction and drainage improvements, release of the subdivision construction bond #0722765 in the amount of \$709,843.20, and acceptance of the 2-year maintenance bond #9636041 in the amount of \$52,771.01 for Stonefield subdivision, Section 12. All present voting "Aye". MOTION PASSED

34028A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION ONE (WA2) WITH AMERICAN STRUCTUREPOINT, INC. IN REGARDS TO PROVIDING SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE RM 3237 SAFETY IMPROVEMENT PROJECT FROM RM 150 TO RM 12 IN PRECINCT 3 AS PART OF THE 2016 ROAD BOND PROGRAM

The RM 3237 safety improvement project from RM 150 to RM 12 is included in the 2016 Road Bond Program and is one of the highest priorities in Precinct 3 and in the County. A Professional Services Agreement with American Structurepoint was approved by the Hays County Commissioners Court in October of 2017. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Work Authorization One (WA2) with American Structurepoint, Inc. in regards to providing schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the RM 3237 safety improvement project from RM 150 to RM 12 in Precinct 3 as part of the 2016 Road Bond Program. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #22 RE: DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE EXECUTION OF A TRI-PARTY AGREEMENT BETWEEN CITY OF KYLE, HAYS COUNTY, AND THE TRAILS, LLC, PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF THE TRAILS AT WINDY HILL DEVELOPMENT- was pulled

Clerk's Note Agenda Item #23 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT- was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into Executive session at 10:21 a.m. and reconvened into open court at 10:50 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, and Human Resources Director, Shari Miller. No action taken.

34029A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS FOR THE SHERIFF'S OFFICE

Court convened into Executive session at 9:37 a.m. and reconvened into open court at 9:52 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, Captain Mike Davenport of the Sheriff's Office, and Human Resources Director, Shari Miller. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to permit the placement of Deputy Jeffrey McKinney in Merit Based Step 4 of the pay plan for Sheriff's Deputies, pursuant to Article 20 of the Collective Bargaining Agreement for Hays County, effective September 1, 2018 and also reference policy going forward to reflect the Lateral Entry position on the payroll change notice and/or offer letter in order to express intentions at the time of hire. All present voting "Aye". MOTION PASSED

34030A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE,



VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 9:52 a.m. and reconvened into open court at 10:21 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, Legal Support Services Specialist, Janice Jones, and Human Resources Director, Shari Miller. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize General Counsel to retain survey and appraisal services for the acquisition of approximately 1 acre of land near the intersection of RM 3237 and Camino de Rancho in Pct. 3. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #27 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

Hays County Fire Marshall Clint Browning gave an update on the burn ban. He recommended the County wait on lifting the burn ban to later this week, depending on the rainfall predicted. Burn Ban will remain in place. No action was taken.

Clerk's Note Agenda Item #29 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 #30 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION -* **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 10:58 a.m.

I, **LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT**, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on September 4, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
OSCAR MEJIA, JR.	SR. DEPUTY CLERK

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

Miss Dirje Childs with the United Wimberley Church 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, and Rodrigo Amaya, San Marcos resident gave public comments.

34031A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$1,157,254.50 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34032A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$1,188.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34033A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$89,859.73 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34034A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 4, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve Commissioners Court Minutes of September 4, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34035A APPROVE THE PAYMENT OF THE SEPTEMBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,690,000.00 EFFECTIVE SEPTEMBER 14, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve the payment of the September 15, 2018 payroll disbursements in an amount not to exceed \$2,690,000.00 effective September 14, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34036A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve permit #1097 on CR 157 issued to Goforth SUD, permit #1098 on Prochnow Rd. issued to PEC, permit #1099 on Posey Rd. issued to City of San Marcos, and permit #1100 on Old Bastrop Hwy. issued to City of San Marcos as submitted by the Transportation Department. All present voting "Aye". MOTION PASSED



34037A AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH ARBITRAGE COMPLIANCE SPECIALISTS, INC. (ACS) RELATED TO ARBITRAGE COMPLIANCE COMPUTATIONS FOR TAX-EXEMPT DEBT

ACS will provide arbitrage calculations as required by the Department of the U.S. Treasury, Internal Revenue Service for all Hays County tax-exempt debt. ACS is an independently owned firm which specializes in post issuance bond compliance services to include: arbitrage rebate, yield reduction, spending exceptions, and record retention. ACS' founders have been at the forefront of every advance and reform of the Tax Code since 1986. Their compliance reports have been relied upon for over 17,500 debt issues tied to over 1,600 separate governmental clients. ACS has provided arbitrage calculations for Hays County for over 13 years with no rate increase in their fee schedule. Estimated expenditures are less than \$50k annually, however; a discretionary exemption is requested pursuant to Local Government Code Ch. 262.024(a)(4) in order to utilize the firm in future years per the renewal terms outlined in the Engagement Letter. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Engagement Letter with Arbitrage Compliance Specialists, Inc. (ACS) related to arbitrage compliance computations for tax-exempt debt. All present voting "Aye". MOTION PASSED**

34038A APPROVE PAYMENT TO MEDICAL EXPLORERS POST 4077 FOR THE OFFICE OF EMERGENCY SERVICES DEPARTMENT RELATED TO CPR TRAINING IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY

The number of CERT students able to be trained for CPR increased and a PO was not issued in advance to pay for the instructors and the class. Savings within the CERT Operating budget are available to cover this expense. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve payment to Medical Explorers Post 4077 for the Office of Emergency Services Department related to CPR Training in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED**

34039A AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE HAYS COUNTY FLOOD MONITORING SYSTEM BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC

This Addendum to Contract ("Addendum") shall modify that PROFESSIONAL SERVICES AGREEMENT related to the Hays County Flood Monitoring System ("Contract"), dated April 17, 2018, between Hays County, Texas, a political subdivision of the State of Texas ("Client") and Halff Associates, Inc. ("Engineer"). This addendum includes the addition of the Work Product and the No Debt Against the State Clause. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an Addendum to the Contract for Professional Services related to the Hays County Flood Monitoring System between Hays County and Halff Associates, Inc. All present voting "Aye". MOTION PASSED**

34040A AUTHORIZE THE EXECUTION OF THE AMENDED AND RESTATED PHASING AGREEMENT FOR HEADWATERS AT BARTON CREEK SUBDIVISION

The Headwaters at Barton Creek Subdivision is an approximately 1000 residential lot planned development in Precinct 4. A previous phasing agreement was authorized on April 17, 2018. The execution of this amended and restated agreement will allow the project to implement changes to the phasing schedule and clarify expiration terms for proposed phases. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of the amended and restated phasing agreement for Headwaters at Barton Creek Subdivision. All present voting "Aye". MOTION PASSED**

34041A AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO THE GENERAL LAND OFFICE (GLO) CONTRACT NO. 18-501-000-B226 COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM INFRASTRUCTURE PROJECTS NON-RESEARCH & DEVELOPMENT 2015 FLOOD ALLOCATION

Amendment No. 1 to the GLO Contract No. 18-501-000-B226 addresses minor wording, periods, and preferences. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of Amendment No. 1 to the General Land Office (GLO) Contract No. 18-501-000-B226 Community Development Block Grant Disaster Recovery Program Infrastructure Projects Non-Research & Development 2015 Flood Allocation. All present voting "Aye". MOTION PASSED**



34042A ACCEPT THE MONTHLY FINANCIAL REPORT FOR FISCAL YEAR TO DATE THROUGH JUNE 30, 2018 AS PRESENTED BY THE OFFICE OF THE COUNTY AUDITOR

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the monthly financial report for fiscal year to date through June 30, 2018 as presented by the office of the County Auditor. All present voting "Aye". MOTION PASSED

34043A AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE TWO ARC GIS SOFTWARE LICENSES RELATED TO FIELD PROCESS IMAGERY AND AMEND THE BUDGET ACCORDINGLY

The Office of Emergency Services and GIS will be able to assist the UAV team with post process imagery collected from the field. Budget Amendment: Decrease Eqpt Maint. & Repair .5411, Increase Software Maint. .5429. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Office of Emergency Services to purchase two ARC GIS software licenses related to field process imagery and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34044A APPROVE PAYMENT TO THOMSON REUTERS FOR BOOK SUBSCRIPTIONS FOR THE COUNTY COURT AT LAW 2 OFFICE IN WHICH NO PURCHASE ORDER WAS ISSUED AND AMEND THE BUDGET ACCORDINGLY

The CCL Judge ordered Texas Estates and Family Codes books for the courts and did not follow the County procurement policies. Additional funds are needed to cover this expense and are available within the operating budget. Budget Amendment: Decrease .5202 - (\$405), Increase .5213 - \$405. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment to Thomson Reuters for book subscriptions for the County Court at Law 2 office in which no purchase order was issued and amend the budget accordingly. All present voting "Aye". MOTION PASSED

34045A APPROVE PAYMENT TO KING FEED HARDWARE FOR THE EXTENSION OFFICE RELATED TO EQUIPMENT FOR THE FERAL HOG PROGRAM IN WHICH NO PURCHASE ORDER WAS ISSUED, OR QUOTES OBTAINED AS REQUIRED PER COUNTY PURCHASING POLICY

Supplies necessary to build the feral hog trap were purchased and did not follow the County procurement policies. Funds are available within the grant budget to cover these expenses. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payment to King Feed Hardware for the Extension Office related to equipment for the feral hog program in which no purchase order was issued, or quotes obtained as required per County Purchasing Policy. All present voting "Aye". MOTION PASSED

34046A APPROVE THE TRANSFER OF A 2004 CHEVY SILVERADO FROM THE HAYS COUNTY PARKS DEPARTMENT TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT

The following vehicle has been removed from services from the Parks Department and is being requested for transfer to the Local Health Department be utilized by the Emergency Preparedness Coordinator: 2004 Chevy Silverado, VIN: 1GCEC19V24Z247443, Hays County Tag EH-04. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the transfer of a 2004 Chevy Silverado from the Hays County Parks Department to the Hays County Local Health Department. All present voting "Aye". MOTION PASSED

34047A AUTHORIZE COMMERCIAL OSSF PERMIT AT 301 HAYS COUNTRY ACRES ROAD, DRIPPING SPRINGS, TEXAS 78620

Holy Spirit Episcopal Church is proposing to replace their existing system with an OSSF to the church and recently constructed school. This 39.86-acre tract of land will be served by a public water supply. The system designer, Dan Balboa, R.S., 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 540 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize Commercial OSSF Permit at 301 Hays Country Acres Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

34048A AUTHORIZE THE COURT TO EXECUTE A SUPPLEMENTAL NO. 2 TO THE PROFESSIONAL SERVICE AGREEMENT (PSA) WITH LJA ENGINEERING,



INC. FOR PROFESSIONAL ENGINEERING SERVICES NECESSARY TO ADDRESS THE INCLUSION OF AN ADDITIONAL BRIDGE AND RELATED IMPROVEMENTS AT YARRINGTON ROAD AS WELL AS MODIFICATIONS OF THE BRIDGE OVER THE UNION PACIFIC RAILROAD AND ARNOLD AVE AS PART OF THE FM 110 NORTH (IH-35 TO SH 80) PROJECT AS PART OF THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM

Commissioner Ingalsbe, and Laura Harris of HNTB spoke. Additional funds will be used for completion of 90% and Final plans, specifications, and estimate (PS&E) development, and construction phase services to develop FM 110 from IH 35 to SH 80. The main changes in design are the inclusion of a bridge to address local access issues and associated roadway/drainage modifications for that bridge. The modification of the bridge over the Union Pacific Railroad and Arnold Ave and associated roadway/drainage modification for that bridge. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Court to execute a Supplemental No. 2 to the Professional Service Agreement (PSA) with LJA Engineering, Inc. for professional engineering services necessary to address the inclusion of an additional bridge and related improvements at Yarrington Road as well as modifications of the bridge over the Union Pacific Railroad and Arnold Ave as part of the FM 110 North (IH-35 to SH 80) project as part of the Hays County/TxDOT Partnership Program. All present voting "Aye". MOTION PASSED**

34049A AUTHORIZE EXECUTION OF A TRI-PARTY AGREEMENT BETWEEN CITY OF KYLE, HAYS COUNTY, AND THE TRAILS, LLC, PROVIDING FOR REGULATION OF SUBDIVISION AND APPROVAL OF THE TRAILS AT WINDY HILL DEVELOPMENT

Commissioner Jones, Interim Director of Development Services, Caitlyn Strickland and General Counsel Mark Kennedy spoke. Hays County staff, along with the Precinct 2 Commissioner, have met on multiple occasions with the parties involved in the above-mentioned agreement. It is meant to delineate the responsibilities for review and maintenance of improvements made in the Trails at Windy Hill subdivision. At the time of the posting of this agenda item, Staff is conducting one more review of the attached agreement. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize execution of a Tri-Party Agreement between City of Kyle, Hays County, and The Trails, LLC, providing for regulation of subdivision and approval of the Trails at Windy Hill Development. All present voting "Aye". MOTION PASSED**

34050A AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ANITA MANCINI-MICHELL FOR PERFORMANCE OF PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATIONS

General Counsel, Mark Kennedy spoke. Anita Mancini-Michell currently performs pre-employment psychological evaluations for prospective employees of the Sheriff's Office, including the jail. Ms. Mancini-Michell charges a per-evaluation rate on an as-needed basis. It was determined that entering into a Professional Services Agreement for payment would be preferable to obtaining purchase orders. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of a Professional Services Agreement with Anita Mancini-Michell for performance of pre-employment psychological evaluations. All present voting "Aye". MOTION PASSED**

34051A AUTHORIZE ADMINISTRATIVE WAIVER OF THE OSSF LATE FEE FOR HAYS COUNTY CITIZENS, AS NECESSARY

Interim Director of Development Services, Caitlyn Strickland spoke. On July 24th, 2018, Hays County Commissioners Court enacted the OSSF Maintenance Contract Late Fee and removed the annual OSSF Registration fee. The late fee is to be paid by homeowners when submitting an OSSF Maintenance Contract past due, or past the expiration date of the previous maintenance contract on file. The Director of Development Services would like an ability to waive the OSSF Late Fee, as needed, to establish and maintain reasonable standards for the citizens of Hays County. Approval of this action would allow the Director Of Development Services to make such changes without the need of additional court action. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize administrative waiver of the OSSF Late Fee for Hays County citizens, as necessary. All present voting "Aye". MOTION PASSED**

RECEIVE THE UNANIMOUS RECOMMENDATION OF THE SALARY GRIEVANCE COMMITTEE FOR FY 2019, AND TO INCLUDE THE INCREASE IN THE FY 2019 BUDGET, PURSUANT TO TX LOCAL GOVERNMENT CODE §152.016

Dan Lyon, a San Marcos resident and Rodrigo Amaya, a San Marcos resident gave public comments. General Counsel, Mark Kennedy spoke. A public meeting of the Salary Grievance Committee met on September 7th at 8:30am to hear from three filers. In a 9-0 vote, the Committee recommended setting the filers salaries at \$74,000 plus fringe benefits. No action taken.



34052A 10:30AM - HOLD A PUBLIC HEARING ON THE PROPOSED KYLE DACY APARTMENTS DEVELOPMENT IN ACCORDANCE WITH TEX. GOV'T CODE, §2306.67071(B) AND AUTHORIZE THE EXECUTION OF A RESOLUTION OF NO OBJECTION FOR AN APPLICATION SUBMITTED BY KYLE DACY APARTMENT LTD TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Commissioner Ingalsbe opened the public hearing at 10:33 a.m. Jason Arechiga of the NRP Group gave a presentation on the project. Commissioner Ingalsbe closed the public hearing at 10:42 a.m. Kyle Dacy Apartments Ltd. has proposed a development for affordable rental housing of approximately 324 units that will be located at 3800 Dacy Lane, Kyle, Hays County, Texas. This application is to obtain 2018 tax credits. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Resolution of No Objection for an application submitted by Kyle Dacy Apartment Ltd to the Texas Department of Housing and Community Affairs. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #24 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 10:03 a.m. and reconvened into open court at 10:27a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. No action taken.

34053A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 10:03 a.m. and reconvened into open court at 10:27a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Transportation, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioner for Pct. 1 to execute a Purchase and Sale Agreement, as presented in executive session, for the purchase of approximately 1 Acre, as an Emergency Water Supply Site, from Dana and Dennis Pape, located in Pct. 3, for a total purchase and closing cost not to exceed \$60,000; to authorize the Treasurer to provide said costs for closing by wire transfer; and to authorize General Counsel to execute any and all documents incidental to closing. All present voting "Aye". MOTION PASSED**

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a Professional Services Agreement between Hays County and Erin Banks & Associates, as negotiated by General Counsel, related to the development of permitting and entitlements on property owned or to be owned by Hays County in Precinct 3. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #27 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

Commissioner Ingalsbe informed the citizens of Hays County that the Burn Ban was lifted Friday, September 7, 2018, after consultation with the Hays County Fire Marshall.

Clerk's Note Agenda Item #29 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 #30 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 10:43 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on September 11, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 18TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT, JR.	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

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

San Marcos Police Chaplain, Vernon Cooper gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, San Marcos resident, Dan Lyon, San Marcos resident, Rodrigo Amaya, San Marcos resident, Constable Pct. 4, Ron Hood, and Office of Emergency Management Director, Kharley Smith spoke.

34054A ADOPT A PROCLAMATION DECLARING SEPTEMBER 17-23, 2018 AS CONSTITUTION WEEK

Sandy Fontenberry, Daughters of the American Revolution, Jacob's Well Chapter, spoke. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a Proclamation declaring September 17-23, 2018 as Constitution Week. All present voting "Aye". MOTION PASSED

34055A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of county invoices in the amount of \$2,907,972.19, Independence Title for Property Purchase (RBG) \$23,635.85 and (TAB) \$23,635.85 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34056A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of juror checks in the amount of \$440.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34057A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of United Healthcare claims in the amount of \$25,037.23 and for United Imprest Increase \$189,000 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34058A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 11, 2018

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

34059A APPROVE OUT OF STATE TRAVEL FOR SERGEANT BRAD DORING TO ATTEND THE INTERNATIONAL BREACHERS SYMPOSIUM IN SOUTH HAVEN, MISSISSIPPI

Out of state travel is needed to send Sgt. Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi on October 21-25, 2018. This training will allow for Sgt. Doring, who is on the Hays County SWAT Team, to learn the latest breaching practices and industry standards for current breaching methods used by the Hays County Sheriff's Office. This training will give Sgt. Doring the opportunity to see and evaluate methods that are not currently used by the SWAT team, but could be added as breaching assets in the future.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Sgt. Doring will be introduced to case studies, after action reviews, and hands on training during this course. Funding for registration, travel, hotel and miscellaneous fees are identified in the Sheriff's Office Continuing Education General Ledger. Harvey Jenkins spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve out of state travel for Sergeant Brad Doring to attend the International Breachers Symposium in South Haven, Mississippi. All present voting "Aye". MOTION PASSED**

34060A AUTHORIZE THE PURCHASE OF A REPLACEMENT MINI-SPLIT HEATING AND COOLING SYSTEM AND AMEND THE BUDGET ACCORDINGLY

The Wimberley Road Yard is in need of a replacement heating and cooling system. The current unit is not functioning and unrepairable. SI Mechanical is the vendor under contract for all county HVAC issues and has recommended replacement of unit due to its age and nature of the unsalvageable damaged parts. Funds within the building maintenance and repair have been identified to fund this request. Budget Amendment: Decrease .5351. Increase 5719_400. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the purchase of a replacement mini-split heating and cooling system and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34061A AUTHORIZE THE CONSTABLE PRECINCT 4 TO PURCHASE A PATROL RIFLE MOUNT FOR THE 2006 HONDA MOTORCYCLE AND AMEND THE BUDGET ACCORDINGLY

Southern Composites, of Stuart, FL manufactures a patrol rifle mount that enables a motor officer to securely carry a patrol issued rifle inside the saddlebag of a Honda motorcycle. The ability to carry the rifle secured inside the motorcycle's saddlebag ensures the weapon is available to the officer when needed. Funds are available in the Constable's operating budget to cover this request. Budget Amendment: Decrease LE Supplies .5206. Increase LE Equipment .5717_400. Rodrigo Amaya and Constable Pct. 4 spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the Constable Precinct 4 to purchase a Patrol Rifle Mount for the 2006 Honda Motorcycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34062A AUTHORIZE THE EXECUTION OF A RENEWAL CONTRACT WITH WEST THOMPSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES IN THE HAYS COUNTY DISTRICT COURTS

Per Section 323.023(b)(3) of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research subscriptions for use by judges in the County. The District Courts office is currently using WestlawNext for their services and the Law Librarian respectfully requests the Courts consideration to renew the contract. The District Courts office Westlaw subscription is a one-year renewable contract. The subscription cost includes access for 4 users and an upgrade in services and features to Westlaw Edge. The current contract expires on September 30, 2018. Funds to cover the subscription cost were budgeted for FY19. 084-690-00.5448: Contract Services \$12,459.72. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Renewal Contract with West Thompson Reuters for Online Legal Research Services in the Hays County District Courts. All present voting "Aye". MOTION PASSED**

34063A AUTHORIZE THE EXECUTION OF CONTRACT RENEWALS WITH WEST THOMSON REUTERS FOR ONLINE LEGAL RESEARCH SERVICES AND PRINT RESOURCES IN THE HAYS COUNTY LAW LIBRARY AND DISTRICT COURTS OFFICES

Per Section 323.023 of the Texas Local Government Code, Law Library funds may be used for the purchase of electronic research and print materials for use by Judges, patrons and County residents representing themselves in legal matters. The Law Library contracts for WestlawNext and print legal products, provided by Thomson Reuters, expire on September 30, 2018. Both contracts were signed in September 2016. The WestlawNext renewal contract includes the addition of an additional computer terminal and increased services. The print resources contract includes O'Connor's print titles; Thomson Reuters acquired O'Connor's books this year. In addition, the print resource contract includes print titles for the District Courts office. The WestlawNext contract is a one-year renewable contract and the print resource contract is a three-year renewable contract. The Law Library currently uses WestlawNext services and print resources from Thomson Reuters and respectfully requests the Courts consideration to renew the contracts. The required funding was budgeted in the FY 2019 Law Library fund budget. 084-690-00.5213: Books & Periodicals \$18,770.88. 084-690-00.5448: Contract Services \$38,135.88. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of contract renewals with West Thomson Reuters for online legal research services and print resources in the Hays County Law Library and District Courts offices. All present voting "Aye". MOTION PASSED**



34064A AUTHORIZE THE EXECUTION OF A CONTRACT RENEWAL WITH TRANS UNION (TLO) FOR INVESTIGATIVE SERVICES IN THE DISTRICT ATTORNEY'S OFFICE

The District Attorney uses this agency to locate witnesses and victims during investigations for upcoming jury trials and cases. The cost for this service is \$150 per month for one Chief and currently five Investigators to access this database. The required funding has already been approved during the FY2019 budget process. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Contract Renewal with Trans Union (TLO) for Investigative Services in the District Attorney's Office. All present voting "Aye". MOTION PASSED**

34065A APPROVE UTILITY PERMITS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve permit #1101 on C.R. 131 issued to CenterPoint Energy for a gas line, permit #1102 on 845-Crest Circle issued to Century Link for a communication line, and permit #1103 on White Wing Trail issued to TGD for a gas line. All present voting "Aye". MOTION PASSED

34066A RESCIND AWARD OF WORK FOR COTTON GIN ROAD REHABILITATION PROJECT-PHASE 2 TO BOWMAN CONSULTING GROUP, LTD

Bowman Consulting Ltd. was selected on July 31, 2018 for professional engineering services on Cotton Gin Road rehabilitation project-Phase 2. After discussion between staff and grant consultants, it was determined that a Work Authorization would be sufficient to complete the additional work. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to rescind award of work for Cotton Gin Road Rehabilitation Project Phase 2 to Bowman Consulting Group, Ltd. All present voting "Aye". MOTION PASSED**

34067A AUTHORIZE THE EXECUTION OF AN ADDENDUM TO THE CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE HAYS COUNTY FLOOD MONITORING SYSTEM BETWEEN HAYS COUNTY AND HALFF ASSOCIATES, INC

This Addendum to Contract ("Addendum") shall modify that PROFESSIONAL SERVICES AGREEMENT related to the Hays County Flood Monitoring System ("Contract"), dated April 17, 2018, between Hays County, Texas, a political subdivision of the State of Texas ("Client") and Halff Associates, Inc. ("Engineer"). This addendum includes the addition of specific clauses requirements from the Texas Water Development Board Subcontracting Guidelines. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of an Addendum to the Contract for Professional Services related to the Hays County Flood Monitoring System between Hays County and Halff Associates, Inc. All present voting "Aye". MOTION PASSED**

34068A RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE HURRICANE RECOVERY CRISIS COOPERATIVE AGREEMENT IN THE AMOUNT OF \$79,389.00

Texas was awarded \$16 million for targeted hurricane recovery and preparedness activities from the Centers for Disease Control and Prevention. Of this total, \$11 million has been dedicated to funding local public health activities with a strong link to hurricane recovery and/or preparedness activities. Funding will be used to purchase immunizations for first responders in addition to equipment necessary for storage and distribution of immunizations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to ratify the submission of a grant application to the Texas Department of State Health Services (DSHS) for the Hurricane Recovery Crisis Cooperative Agreement in the amount of \$79,389.00. All present voting "Aye". MOTION PASSED**

34069A AUTHORIZE THE AUDITOR'S OFFICE TO PURCHASE ONE (1) REPLACEMENT DELL LATITUDE 5590 LAPTOP AND AMEND THE BUDGET ACCORDINGLY

The County Auditor's current laptop is not functional and out of warranty. IT has assessed the damages and determined that repairs to the existing machine would be cost prohibitive to the useful life expectancy. Savings are available within the Auditor's operating budget to fund this request. Budget Amendment: Decrease .5551. Increase .5712_400. Harvey Jenkins spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Auditor's Office to purchase one (1) replacement Dell Latitude 5590 Laptop and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



34070A AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE ONE (1) DYNAPAC F800W WHEEL ASPHALT PAVER AND AMEND THE BUDGET ACCORDINGLY

The Transportation Department is requesting approval to utilize salary savings to purchase an Asphalt Paver due to the increased number of maintenance projects for hot mix roads. Having this piece of equipment will reduce the need for outsourcing contract work. Savings within the departments operating budget are available due to attrition. Budget Amendment: Increase Heavy Equipment. Decrease Staff Salaries. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Transportation Department to purchase one (1) Dynapac F800W Wheel Asphalt Paver and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

34071A AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE TEXAS CONVERSION TO THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) IN THE AMOUNT OF \$899,150

On March 27, 2018 the Commissioners Court authorized submission of a grant application to the Office of the Governor, Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System funding. House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by September 1, 2019. In addition the FBI has announced that it will discontinue its support of Summary Reporting System for crime statistics and fully transition to NIBRS data collection methodology by January 1, 2021. Funding will be utilized to ensure Hays County stays proactive in meeting the transition to NIBRS goal. Notice of award has been received and acceptance is done electronically for this Grant Number 3642001. Total project costs are anticipated to be over \$1.8M, with matching funds budgeting in the FY19 budget. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the acceptance of a grant award from the Office of Governor Criminal Justice Division for the Texas Conversion to the National Incident-Based Reporting System (NIBRS) in the amount of \$899,150. All present voting "Aye". MOTION PASSED**

34072A AUTHORIZE THE ACCEPTANCE AND EXECUTION OF A SERVICE AGREEMENT RENEWAL WITH APPRISS SAFETY FOR THE VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE) PROGRAM

The VINE Program is administered by the Office of the Attorney General (OAG), to provide a statewide automated system that will provide relevant offender release information, notification of relevant court settings or events, promote public safety, and support the rights of victims of crime. Appriss Safety is the provider selected by the OAG to support the VINE program and will provide services from September 1, 2018 - August 31, 2019. The renewal agreement is in the amount of \$28,546.78. The OAG SAVNS grant program will cover the expenses for these services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the Acceptance and Execution of a Service Agreement Renewal with Appriss Safety for the Victim Information and Notification Everyday (VINE) Program. All present voting "Aye". MOTION PASSED**

34073A AUTHORIZE A SALARY EXCEPTION AT THE 25TH PERCENTILE FOR THE REGISTERED NURSE, SLOT 1135-002 AT THE HAYS COUNTY LOCAL HEALTH DEPARTMENT FOR THE TB PROGRAM

The Director of County Wide Operations is requesting the court to ratify the hiring of the Local Health Department's TB nurse at the 25th percentile, effective August 23, 2018 date of hire. The newly hired RN has over two years of direct nursing experience and satisfies all the required certifications. Financial Impact: Base Salary Increase: \$6,239 Fringe: \$1,283 Total: \$7,522 (annualized) \$ 784 (FY18 impact for 1.25 months) This position is currently budgeted at \$64,547; the 25th percentile of grade 114 is \$56,152 resulting in an overall savings within the Local Health Departments operating budget. Additionally, over 50% of the positions salary and benefits are reimbursed by the Department of State Health Services (DSHS) grant under the Local Public Health Services funds. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize a salary exception at the 25th Percentile for the Registered Nurse, Slot 1135-002 at the Hays County Local Health Department for the TB Program. All present voting "Aye". MOTION PASSED** An amended motion was made by Commissioner Whisenant, seconded by Commissioner Shell to make the effective date August 23, 2018. All present voting "Aye". MOTION PASSED

34074A AUTHORIZE THE EXECUTION OF WORK AUTHORIZATION NO. 2 BETWEEN HAYS COUNTY AND BOWMAN CONSULTING GROUP, LTD RELATED TO IMPROVEMENTS ON COTTON GIN ROAD



Hays County has requested that Bowman extend the length of the project to encompass all of Cotton Gin Road, from SH 21 to Goforth Road, an addition of approximately 1-mile. All tasks described in the original scope remain the same for the increased project length, except the environmental services which are done under a different contract. Contract will increase from \$301,500.00 to \$432,949.00 an increase of \$131,449.00. Decrease 020-710-00.5351 Road Materials and Supplies \$131,449.00. Increase 020-710-00.5448_008 Contract Services Consultant \$131,449.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Work Authorization No. 2 between Hays County and Bowman Consulting Group, Ltd. Related to improvements of Cotton Gin Road. All present voting "Aye". MOTION PASSED**

34075A AUTHORIZE THE EXECUTION OF A CONSTRUCTION CONTRACT WITH INTERMOUNTAIN SLURRY SEAL, INC. FOR THE TRANSPORTATION DEPARTMENT RELATED TO ROAD IMPROVEMENTS

The Transportation Department would like to utilize Intermountain Slurry Seal for micro surfacing to extend the life of the road pavement for named projects. Projects to be completed include: High Meadows Subdivision, Pct. 1 Sierra West Subdivision, Pct. 3 Friendship Ranch Subdivision, Pct. 4. These projects will be scheduled during the fall and are budgeted within the FY19 Transportation Departments operating budget. Procurement is allowable through the Bexar County ILA purchasing agreement and in accordance with Bexar County solicitation #564. Alex Flores, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a Construction Contract with Intermountain Slurry Seal, Inc. for the Transportation Department related to road improvements. All present voting "Aye". MOTION PASSED**

34076A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 WITH HDR ENGINEERING, INC. RELATED TO THE MOUNTAIN CITY LOOP PROJECT

On December 19, 2017 the Commissioner's Court authorized a contract (\$60k) with HDR Engineering related to the evaluation of environmental constraints and route alternatives for the Mountain City Loop. A supplemental to the original contract is needed due to additional work necessary to determine reasonable and feasible alignment alternatives for the Project. Additionally, the project timeline will be extended to December 31, 2018. Savings within the departments operating budget are available to fund this supplemental. Commissioner Pct. 2, Mark Jones spoke. Alex Flores, Assistant Director Transportation Department, gave staff recommendation. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of Supplemental No. 1 with HDR Engineering, Inc. related to the Mountain City Loop Project. All present voting "Aye". MOTION PASSED**

34077A SUB-827; BIG VALLEY SUBDIVISION (17 LOTS) APPROVE PRELIMINARY PLAN AND GRANT A VARIANCE TO SECTION 715.2.01 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

The proposed Big Valley Subdivision is an 18 lot subdivision across 106.3 acres located off of FM 1626 in Precinct 2. The subdivision crosses two county boundaries: Hays County and Travis County. 17 of the proposed lots are either fully or partially located within the Hays County boundary across 85.19 acres. Water service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Rainwater Harvesting for lots not located within the City of Austin ETJ. Wastewater service will be accomplished through City of Austin for lots located within the City of Austin ETJ and Individual OSSF for lots not located within the City of Austin ETJ. Section 715.2.07 of the Hays County Development Regulations establishes criteria for the submittal of a Water Service Plan at the time of Preliminary Plan approval. Since this development is proposing the use of Rainwater Harvesting for 9 lots, a water availability demonstration utilizing Rainwater Harvesting is required. The owner is requesting that the requirement for water availability be waived at this time of preliminary approval with conditions in place that will require a water availability study to be submitted prior to any issuance of a development authorization on each lot within the County's jurisdiction. Justification for the variance is included in the backup. Marcus Pacheco, Hays County Planner, Commissioner Pct. 2, Mark Jones, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve preliminary plan and grant a variance to Section 715.2.01 of the Hays County Development Regulations for SUB-827 Big Valley Subdivision (17 Lots). All present voting "Aye". MOTION PASSED**

34078A AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HAYS COUNTY AND MILLIMAN, INC. FOR ACTUARIAL SERVICES RELATED TO RETIREE DRUG SUBSIDY

This agreement authorizes Milliman, Inc. to determine whether Hays County's retiree pharmacy plans provide creditable coverage and are actuarially equivalent to the standard Medicare Part D plan as defined by the Centers for Medicare and Medicaid Services (CMS). Shari Miller, Human Resources Director spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution**



of an Agreement between Hays County and Milliman, Inc. for Actuarial Services related to Retiree Drug Subsidy. All present voting "Aye". MOTION PASSED

34079A EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JERRY CASTILLEJA, M.D. RELATED TO PHYSICIAN SERVICES PROVIDED TO THE HAYS COUNTY LOCAL HEALTH DEPARTMENT TB PROGRAM

The physician currently providing services to the Hays County Local Health Department TB Program has given notice to terminate the current contract effective September 30, 2018. Dr. Castilleja graduated from the University of Texas Medical School at San Antonio and has over 29 years' experience. Services will be for on-site consultation at an hourly rate not to exceed \$150 per hour as well as a monthly fee of \$150 for on call services. Funds are budgeted in the FY 2019 budget for these services and are reimbursable through the Department of State Health Services (DSHS) grant under the State TB Program funding. Professional Services Agreement will be brought to Court. Tammy Crumley, Director of Countywide Operations spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Professional Services Agreement with Jerry Castilleja, M.D. related to Physician Services provided to the Hays County Local Health Department TB Program. All present voting "Aye". MOTION PASSED**

34080A APPROVE THE 2019 SHERIFF AND CONSTABLE FEES AS FINALIZED IN OPEN COURT AND AUTHORIZE A WAIVER OF THOSE FEES IN THE FOLLOWING CIRCUMSTANCES: FUNERAL PROCESSION ASSISTANCE AND PERFORMING TRAFFIC CONTROL FOR MUNICIPALITIES AND INDEPENDENT SCHOOL DISTRICT EVENTS, SUCH AS PARADES OR MARCHES

The Sheriff and Constable fees must be adopted each year pursuant to Texas Local Government Code Section 118.131. The approved fees are then submitted to the Texas Comptroller's Office. The fees would go into effect on January 1, 2019. The fees need to be approved by the Commissioners Court. Certain fees are desired to be waived by the Sheriff's Office and the Constables' Offices in particular circumstances. General Counsel, Mark Kennedy, Commissioner Pct. 3, Lon Shell, Constable Pct. 4, Ron Hood, and Commissioner Pct. 4, Ray Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the 2019 Sheriff and Constable Fees as finalized in open court and authorize a waiver of those fees in the following circumstances: funeral procession assistance and performing traffic control for municipalities and Independent School District events, such as parades or marches. All present voting "Aye". MOTION PASSED**

34081A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE A RENEWAL CONTRACT WITH CORRECT CARE SOLUTIONS (CCS) RELATED TO THE HEALTHCARE PROGRAM AT THE HAYS COUNTY JAIL

The Sheriff's Office, Jail Division, is requesting court approval to extend the medical care services contract with Correct Care Solutions (CCS) for one additional year. CCS is currently providing all medical services for jail inmates and has agreed to renew at the standard 3% increase. Due to the complexity of outsourcing medical services, a discretionary exemption is requested and allowable per Local Government Code, Ch. 262.04(a)(4). Funds were included in the FY 2019 Proposed Budget for the contract renewal. Sheriff, Gary Cutler, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioners Court to execute a Renewal Contract with Correct Care Solutions (CCS) related to the Healthcare Program at the Hays County Jail and to authorize discretionary exemptions per Local Government Code, Ch. 262.04(a). All present voting "Aye". MOTION PASSED**

34082A APPROVE THE DEFEASANCE OF A PORTION OF THE UNLIMITED TAX BONDS TOTALING AN AMOUNT NOT TO EXCEED \$5,000,000 OF PRINCIPAL AND AUTHORIZE STAFF TO TAKE NECESSARY ACTIONS TO ACCOMPLISH THE DEFEASANCE

During FY 2019 planning, \$5,000,000 has been identified for debt reduction. If approved, this item will authorize the County Auditor and the County Bond's Counsel to carry out the necessary actions. County Auditor, Marisol, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and Commissioner Pct. 1, Debbie Ingalsbe spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve the Defeasance of a portion of the Unlimited Tax Bonds totaling an amount not to exceed \$5,000,000 of Principal and authorize staff to take necessary actions to accomplish the Defeasance. All present voting "Aye". MOTION PASSED**

34083A AUTHORIZE EXECUTION OF AN ASSESSMENT AND COLLECTION AGREEMENT BETWEEN HAYS COUNTY TAX ASSESSOR COLLECTOR AND



**THE LA CIMA PUBLIC IMPROVEMENT DISTRICT, RELATED TO THE
COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT**

Commissioner Pct. 3, Lon Shell, Commissioner Pct. 2, Mark Jones, Harvey Jenkins, and General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of an Assessment and Collection Agreement between Hays County Tax Assessor Collector and the La Cima Public Improvement District, related to the collection of assessments within the district. All present voting "Aye". MOTION PASSED**

34084A HOLD A PUBLIC HEARING ON THE FY 2019 HAYS COUNTY PROPOSED BUDGET - 1:00 P.M.

Commissioner Ingalsbe opened the public hearing. Dan Lyon, Dave Donnelly, President of Prevent a Litter (PALS), Tricia Schneider, CASA, Shari Miller, Human Resources Director, County Court at Law #2, David Glickler, Clay DeStefano, Price Center, Vickie Dorsett, and Assistant County Auditor spoke. Commissioner Ingalsbe closed the public hearing. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept the proposed changes as discussed. All present voting "Aye". MOTION PASSED**

34085A SET THE FY 2019 SALARIES AND ALLOWANCES FOR HAYS COUNTY ELECTED OFFICIALS

Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to set the FY 2019 Salaries and Allowances for Hays County Elected Officials. All present voting "Aye". MOTION PASSED**

34086A ADOPT THE FY 2019 HAYS COUNTY BUDGET AFTER MAKING ANY FINAL CHANGES AS A RESULT OF THE PUBLIC HEARING

A list of final changes to the FY 2019 budget for the Court to consider will be provided. Additional items for consideration may be submitted by the Court members or as a result of the public hearing. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adopt the FY 2019 Hays County Budget after making any final changes as a result of the public hearing. All present voting "Aye". MOTION PASSED**

34087A RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FY 2019 HAYS COUNTY BUDGET

Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the Commissioner's Court to ratify the property tax increase reflected in the budget. This budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to ratify the property tax increase reflected in the FY 2019 Hays County Budget; this budget will raise more revenue from property taxes than last year's budget by an amount of \$1,463,086, which is a 1.96 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$3,789,867.13. All present voting "Aye". MOTION PASSED**

34088A APPROVE AN ORDER ADOPTING THE TAX RATE FOR FY 2019 AND LEVY THE TAXES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move that the property tax rate be set by the adoption of a tax rate of 43.37¢; 26.53¢ - General Maintenance & Operations, 12.46¢ - General Debt, 4.38¢ - Road and Bridge Maintenance & Operations, which is the effective tax rate. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #36 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 10:52 a.m. and reconvened into open court at 11:29 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley, Human Resources Director, Shari Miller, General Counsel, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, VALUE OF REAL PROPERTY IN OR NEAR RM 3237 BETWEEN FM 150 AND RR 12 IN PCT. 3

Court convened into Executive session at 11:29 a.m. and reconvened into open court at 11:46 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, General Counsel, Jordan Powell, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE OFFICE OF EMERGENCY SERVICES

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:51 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Human Resources Director, Shari Miller, Legal Support Services Specialist, Janice Jones and Director of Office of Emergency Services, Kharley Smith. No action taken.

Clerk's Note Agenda Item #40 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 #42 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 #43 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 2:19 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 September 18, 2018.

Handwritten signature of Liz Q. Gonzalez in cursive script.

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH DAY OF SEPTEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

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

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

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

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

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

34090A APPROVE PAYMENTS OF COUNTY INVOICES

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

34091A APPROVE PAYMENTS OF JUROR CHECKS

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

34092A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

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

34093A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 18, 2018

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

34102A APPROVE UTILITY PERMITS

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

34118A ADOPT THE FY 2019 COUNTY HOLIDAY CALENDAR

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

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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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

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

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

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

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

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

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

Clerk's Note Agenda Item #38 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – was pulled

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW.

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



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

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

Clerk's Note Agenda Item #41 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. - was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn Ban will remain lifted. No action taken.

Clerk's Note Agenda Item #43 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. - was pulled

Clerk's Note Agenda Item #44 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. - was pulled

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 11:58 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on September 25, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2ND DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Vilma Resendiz gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, David Crowell, resident of Kyle, Rodrigo Amaya, resident of San Marcos, Constable Pct. 1, David Peterson made all made public comment. Constable Pct. 1, David Peterson spoke of National Night out.

34124A ADOPT A PROCLAMATION DECLARING OCTOBER 7-13, 2018 AS NATIONAL 4-H WEEK IN TEXAS

Hays County Extension Agent for AG & Natural Resources, Jason Mangold, spoke. Justin Nino, a member of the 4-H program spoke. Also present was Hays County Extension Agent, Kate Blankenship. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a proclamation declaring October 7-13, 2018 as National 4-H week in Texas. All present voting "Aye". MOTION PASSED**

34125A ADOPT A PROCLAMATION DECLARING OCTOBER 7-13, 2018 AS MENTAL ILLNESS AWARENESS WEEK

Ed Kuny, Chair of the board at the Shieb Center spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to adopt a proclamation declaring October 7-13, 2018 as Mental Illness Awareness Week. All present voting "Aye". MOTION PASSED**

34126A APPROVE PAYMENTS OF COUNTY INVOICES

An addition to the invoices, invoice # 2173 from Partners Remodeling Restoration and Waterproofing, authorizing \$64,001.41 and deferring payment of \$11,700.00 that is itemized on the invoice. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of County invoices in the amount of \$ 1,392,072.43 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED**

34127A 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 \$ 1,120.00 as submitted by the County Auditor. All present voting "Aye". **MOTION PASSED**

34128A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of Humana and United Healthcare claims in the amount of \$ 257,756.93 as submitted by the County Auditor. All present voting "Aye". **MOTION PASSED**

34129A APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 25, 2018

HAYS COUNTY COMMISSIONERS' COURT MINUTES



A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 25, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

34130A APPROVE THE PAYMENT OF THE OCTOBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,850,000.00 EFFECTIVE OCTOBER 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 October 15, 2018 payroll disbursements in an amount not to exceed \$2,850,000.00 effective October 15, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

34131A AUTHORIZE COMMERCIAL OSSF PERMIT AT 4000 BELL SPRINGS ROAD, DRIPPING SPRINGS, TEXAS 78620

Oak Grove Partners is proposing an OSSF to accommodate The Barn event center, a proposed tennis center, and four guest cottages. This 15.80-acre property will be served by a public water supply. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which includes pretreatment, flow equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 700 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 4000 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

34132A AUTHORIZE THE EXECUTION OF A SCHEDULED MAINTENANCE PROGRAM WITH HOLT POWER SYSTEMS FOR EMERGENCY GENERATORS LOCATED AT THE JAIL

Rodrigo Amaya, resident of San Marcos, made public comment. The Sheriff's Office, Jail Division is requesting the approval of a three year scheduled maintenance program with Holt Power Systems for emergency generators. The contract is expected to begin 10/1/2018 and end in 2021 and includes annual and triennial service. Funding is available in the Jail Equipment Maintenance and Repair g/l. Attachments: Holt Power Systems Customer Support Agreement (Generator Serial #'s: T3400194 & 346424). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a scheduled maintenance program with Holt Power Systems for emergency generators located at the Jail. All present voting "Aye". MOTION PASSED

34133A AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE ADMINISTRATIVE SERVICES AGREEMENT WITH UNITED HEALTHCARE INSURANCE COMPANY

This amended Administrative Services Agreement, effective 10/1/18, with United Healthcare Insurance Company adjusts the Shared Savings rate from 35% to 29%. This is the percentage of claim payment payable by Hays County and the member participant to health care providers if there are no discounts available for the services received. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amendment to the Administrative Services Agreement with United Healthcare Insurance Company. All present voting "Aye". MOTION PASSED

34134A AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 980 SOUTH LOOP 4, BUDA, TX, 78641

Derrick Lormand, R.S., is proposing a modification of the existing low pressure dose system at 980 S Loop 4 in Buda. The owners are expanding the office/warehouse building on the property and will be adding a 1250 gallon septic tank to treat wastewater from the new addition. The drainfield will not be modified, as it was already oversized in anticipation of this expansion. The expansion is expected to accommodate about 30 new employees and 5 visitors per day. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 980 South Loop 4, Buda, TX, 78641. All present voting "Aye". MOTION PASSED

34135A AUTHORIZE A WAIVER TO THE PURCHASING POLICY FOR THE TAX ASSESSOR COLLECTOR TO UTILIZE AMG PRINTING & MAILING SERVICES RELATED TO ANNUAL TAX STATEMENTS



The Tax Assessor Collector would like to request a waiver to the Purchasing Policy which requires three written quotes for services exceeding \$1,500. The office has utilized AMG Printing in that past, therefore this vendor has the necessary templates on file and no additional set up fees are necessary. Additionally, they are familiar with our software vendor and converting our data to statements accurately and in a timely manner. Funds are budgeted during the annual budget process for this expenditure. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a waiver to the purchasing policy for the Tax Assessor Collector to utilize AMG Printing & Mailing services related to annual Tax Statements. All present voting "Aye". MOTION PASSED**

34136A AUTHORIZE THE EXECUTION OF A RENEWAL LEASE AGREEMENT WITH RICOH CORPORATION FOR A COPIER/FAX/SCANNER FOR THE OFFICE OF GENERAL COUNSEL

The Office of General Counsel has requested adjustments to their current copier lease. The new plan will reduce copy overages and save approximately \$125 per month. Attachment: Ricoh Quote #25290804 DIR Contract #DIR-TSO-3041. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of a renewal lease agreement with Ricoh Corporation for a copier/fax/scanner for the Office of General Counsel. All present voting "Aye". MOTION PASSED**

34137A AUTHORIZE THE EXECUTION OF SOCIAL SERVICE CONTRACTS AS APPROVED IN THE FY 2019 BUDGET

Annual contracts that outline approved funding, services provided, and reporting requirements will be executed as approved during the FY19 budget process. Attachment: FY19 Social Service Funding. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Social Service contracts as approved in the FY 2019 budget. All present voting "Aye". MOTION PASSED**

34138A AUTHORIZE THE EXECUTION OF A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC. FOR SERVICES RELATED TO THE 2-DIMENSIONAL MODELING OF PURGATORY CREEK AND WILLOW SPRINGS CREEK

As provided in the Professional Services Agreement, Halff Associates, Inc. has requested an extension to complete the work related to the 2-Dimensional Modeling of the Purgatory Creek and Willow Springs Creek Overflow area. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a Second Amendment to the Professional Services Agreement with Halff Associates, Inc. for services related to the 2-Dimensional Modeling of Purgatory Creek and Willow Springs Creek. All present voting "Aye". MOTION PASSED**

34139A AUTHORIZE THE EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC. FOR SERVICES RELATED TO THE HAYS COUNTY DRAINAGE MANUAL, CRS, AND FLOODPLAIN REGULATIONS

As provided in the Professional Services Agreement, Halff Associates, Inc. has requested an extension to complete the Hays County Drainage Criteria Manual, FEMA's Community Rating System, and the Hays County Floodplain Regulations. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of a First Amendment to the Professional Services Agreement with Halff Associates, Inc. for services related to the Hays County Drainage Manual, CRS, and Floodplain Regulations. All present voting "Aye". MOTION PASSED**

34140A AUTHORIZE THE EXECUTION OF CHANGE ORDER 001 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BLAIR WILDLIFE CONSULTING FOR SERVICES RELATED TO REQUIRED THIRD PARTY INSPECTIONS ON THE DAHLSTROM PRESERVE

As provided in the Professional Services Agreement, Blair Wildlife Consulting has requested an extension to complete the required third party inspections that are required during the construction of the parking areas and hiking trails located at the Dahlstrom Preserve. Amendment request attached. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Change Order 001 to the Professional Services Agreement with Blair Wildlife Consulting for services related to required third party inspections on the Dahlstrom Preserve. All present voting "Aye". MOTION PASSED**



34141A RECEIVE THE HAYS COUNTY 2015 HOUSING GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)

Eligible housing activities supported by these funds will be administered by Hays County under the guidelines and oversight of the GLO. Thus, Hays County adopts with minor changes the general housing guidelines put forth by GLO published August 3, 2018 for the 2015-2016 Community Development Block Grant Disaster Recovery (CDBGDR) Flood Recovery. The purpose of these Guidelines is to aid in the long-term recovery efforts following the 2015 storms and floods; specifically, to facilitate the replenishment of housing stock lost during the storms and subsequent flooding and to assist in moving eligible homeowners out of harm's way through fair market value buyouts or acquisitions. Upon approval the Hays County 2015 Housing Guidelines will be posted for a 14 day public comment period. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive the Hays County 2015 Housing Guidelines for the Community Development Block Grant Disaster Recovery (CDBG-DR). All present voting "Aye". MOTION PASSED**

34142A AUTHORIZE THE DIRECTOR OF COUNTYWIDE OPERATIONS TO EXECUTE ALL NECESSARY DOCUMENTS PERTAINING TO THE ENTERPRISE VEHICLE LEASE PROGRAM

Authorization rights will need to be given to the Director of Countywide Operations to finalize any necessary FY 18 vehicle lease documents as well as execute any documents necessary for the FY 19 lease program. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Director of Countywide Operations to execute all necessary documents pertaining to the Enterprise Vehicle Lease Program. All present voting "Aye". MOTION PASSED**

34143A RECEIVE AND ACCEPT THE UPDATED MERIT-BASED STEP PLAN ASSOCIATED WITH THE COLLECTIVE BARGAINING AGREEMENT BETWEEN HAYS COUNTY AND THE HAYS COUNTY LAW ENFORCEMENT ASSOCIATION (HCLEA), AS BARGAINING AGENT

The current Collective Bargaining Agreement, which has a 4-year term, barring Evergreen, ending in 2020, provides for an update to the Merit-Based Step Plan in 2018, to be implemented in the 2019 budget. That update has been done. It is reflected in the MBS Plan attached hereto. The Commissioners Court has already substantially accepted the terms of that update by budgeting the funds needed to fulfil the plan. Acceptance of the plan creates an official clerk record of the change and confirms the Court's agreement with the analysis done to provide the update. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to receive and accept the updated Merit-Based Step Plan associated with the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association (HCLEA), as bargaining agent. All present voting "Aye". MOTION PASSED**

34144A ACCEPT THE RESIGNATION OF THE FIRE MARSHAL, CLINT BROWNING, EFFECTIVE OCTOBER 5, 2018; AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PERFORM THE DUTIES OF THE FIRE MARSHAL UNTIL A REPLACEMENT IS APPOINTED

A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to accept the resignation of the Fire Marshal, Clint Browning, effective October 5, 2018; authorize the Office of Emergency Services to perform the duties of the Fire Marshal until a replacement is appointed. All present voting "Aye". MOTION PASSED

34145A ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE LETTER OF CREDIT #SBP702571 IN THE AMOUNT OF \$758,411.55, AND ACCEPTANCE OF THE 2-YEAR MAINTENANCE BOND #70164632 IN THE AMOUNT OF \$30,280.64 FOR BELTERRA SUBDIVISION, SECTION 20-1

Transportation Director, Jerry Borcharding spoke. 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. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to accept road construction and drainage improvements, release of the Letter of Credit #SBP702571 in the amount of \$758,411.55, and acceptance of the 2-year maintenance bond #70164632 in the amount of \$30,280.64 for Belterra subdivision, Section 20-1. All present voting "Aye". MOTION PASSED**



34146A RELEASE OF THE CONSTRUCTION BOND#PB03010404350 IN THE AMOUNT OF \$2,360,556.00 FOR THE SUNFIELD SUBDIVISION, PHASE 2, SECTION 11

Transportation Director, Jerry Borcharding spoke. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. Both a maintenance bond for streets & drainage, and a revegetation bond for ROW have been accepted for this project on August 21, 2018. The Transportation Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to release of the construction bond#PB03010404350 in the amount of \$2,360,556.00 for the Sunfield subdivision, Phase 2, Section 11. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #24 RE: SUB-1054; HEATON HOLLOW SUBDIVISION (18 LOTS). DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 725.3.07 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS, ACCEPT FISCAL SURETY, AND APPROVE FINAL PLAT – was pulled

34147A AUTHORIZE EXECUTION OF AN AGREEMENT REGARDING COST ALLOCATION AND REIMBURSEMENT FOR THE DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONES NUMBERS 1 AND 2, BETWEEN HAYS COUNTY, THE CITY OF DRIPPING SPRINGS, THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT, AND THE DRIPPING SPRINGS LIBRARY DISTRICT

Commissioner Whisenant spoke. General Counsel, Mark Kennedy spoke. The entities involved in the improvements that are contemplated within the Dripping Springs TIRZ boundaries (1and 2) have proposed the attached agreement to further define the possible cost allocations associated with the improvements. This agreement does not represent the commitment of any additional monies, other than those appropriated by Commissioners Court in past budgets or in present or future budgets by way of the existing TIRZ Interlocal Agreement between Hays County and Dripping Springs. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize execution of an Agreement regarding Cost Allocation and Reimbursement for the Dripping Springs Tax Increment Reinvestment Zones Numbers 1 and 2, between Hays County, the City of Dripping Springs, the Dripping Springs Independent School District, and the Dripping Springs Library District. All present voting "Aye". MOTION PASSED**

34148A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive session at 10:59 a.m. and reconvened into open court at 11:05 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Human Resoces Director, Shari Miller, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize settlement between Hays County and Curby Olanheiser, Diane Deringer, and Carolyn Scurlock for Right of Way associated with the FM 110 project in the amount of \$1,866,000.00. All present voting "Aye". MOTION PASSED**

34149A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL EXEMPT LAW ENFORCEMENT POSITIONS AND ALL EXEMPT CIVILIAN POSITIONS WITHIN THE SHERIFF'S OFFICE. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 10:24 a.m. and reconvened into open court at 10:58 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Captain Mike Davenport, Human Resources Director, Shari Miller, County Treasurer, Michelle Tuttle, Sheriff Admin. Sandra Galvan, and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to provide interpretation to the Collective Bargaining Agreement between Hays County and the Hays County Law Enforcement Association. Effective October 1, 2018, interpret Article 11, Section 2 to include Lieutenants who are required to work holidays as part of regularly-scheduled shift. All present voting "Aye". MOTION PASSED**



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

Court convened into Executive session at 9:59 a.m. and reconvened into open court at 10:22 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Chris Duran and Legal Support Services Specialist, Janice Jones. No action taken.

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

Court convened into Executive session at 11:07 a.m. and reconvened into open court at 11:48 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, and Commissioner Whisenant. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE USE OF THE HAYS COUNTY PROPERTY LOCATED AT 111 E. SAN ANTONIO ST, SAN MARCOS, TEXAS. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 11:48 a.m. and reconvened into open court at 12:05 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Court convened into Executive session at 12:05 p.m. and reconvened into open court at 12:27 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Director of Countywide Operations, Tammy Crumley and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #32 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Per Hays County Fire Marshal Burn Ban will remain lifted.

Clerk's Note Agenda Item #34 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 #35 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 12:32 p.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 2, 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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

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

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

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

Josh Murrillo gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

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

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

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

34151A ADOPT A PROCLAMATION DECLARING OCTOBER 2018 AS MANUFACTURING MONTH

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

34152A APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$ 2,755,836.24 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34153A APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$ 2,884.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

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

34154A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 2, 2018

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

34164A APPROVE UTILITY PERMITS

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

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

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

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



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

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

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

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

On February 13, 2018 the Commissioners Court approved the submission of a grant application and accompanying Resolution to the Office of the Governor, Criminal Justice Division, to provide support to the salary, benefits, and supplies for a Victims Assistance Coordinator position for the District Attorney's Office. A Victim Assistance Coordinator will provide direct victim services to victims of crime, and their families within Hays County. The grant period is 10/1/18 to 9/30/19, matching funds were budgeting during the FY19 budget process. Attachment: CJD Notice of award - Grant Number 3607601 (grant award acceptance completed electronically) Budget Amendment: Move Salary/Fringe & Intergovernmental Revenue from DA Operating budget to Grant Cost Center. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the acceptance of a grant award from the Office of the Governor, Criminal Justice Division for the District Attorney's Office related to the Victim's Assistance Program and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

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

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

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

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



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

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

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

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

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

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

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

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

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

Interim Director of Development Services, Caitlyn Strickland spoke. Rolling Oaks Section 3 is a recorded subdivision located off of FM 3237 in Precinct 3. The proposed re-plat will divide the 12.0382 acre lots 4-5 into 2 lots. Water service will be provided by individual water wells and wastewater treatment will be accomplished by individual on-site sewage facilities. A variance is being requested from Chapter 721.5.05.B of the Hays County Development Regulations to allow for a flag lot. Justification for the variance is included in the backup. A motion was made by Commissioner Shell, seconded by Commissioner Jones to grant a variance from Chapter 721.5.05.B of the Hays County Development Regulations and approve final plat; hold public hearing. All present voting "Aye". MOTION PASSED

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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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

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

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

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

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

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

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

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

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

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

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



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

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

34183A EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

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

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

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

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

34184A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

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

Clerk's Note Agenda Item #38 RE: DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – was pulled

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Burn Ban will remain lifted.

Clerk's Note Agenda Item #40 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. - **was pulled**

Clerk's Note Agenda Item #41 RE: DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. - **was pulled**

ADJOURNMENT

A motion was made by Commissioner Jones seconded by Commissioner Whisenant to adjourn court at 12:14 p.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 16, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23RD 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:

Michael Myers gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Daphne Tenorio, Kyle resident, Dan Lyon, San Marcos resident, and Rodrigo Amaya, San Marcos resident spoke.

PRESENTATION BY THE HAYS COUNTY MENTAL HEALTH STAKEHOLDERS GROUP

Tara Arredondo, Hays County Mental Health Stakeholders gave a powerpoint presentation.

34185A 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 \$2,910,718.84 and \$3,431.20 for Dyed Diesel Fuel Tax as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34186A 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 \$400.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34187A APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the payment of United Healthcare claims in the amount of \$394.26 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

34188A APPROVE COMMISSIONERS COURT MINUTES OF OCTOBER 16, 2018

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of October 16, 2018. All present voting "Aye". MOTION PASSED

34189A APPROVE THE PAYMENT OF THE OCTOBER 31, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,720,000.00 EFFECTIVE OCTOBER 31, 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 October 31, 2018 payroll disbursements in an amount not to exceed \$3,720,000.00 effective October 31, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED



34190A AUTHORIZE COMMERCIAL OSSF PERMIT AT 1910 PROCHNOW ROAD, DRIPPING SPRINGS, TEXAS 78620

Phil Barnes of Querencia Stables is proposing a new OSSF for the property located at 1910 Prochnow Road. This system will serve two apartments and the restrooms for the customers visiting the stables. The system is designed to accommodate up to 6 guests and 4 employees daily. This 12.38-acre tract of land will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a proprietary treatment system using flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 1910 Prochnow Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34191A AUTHORIZE COMMERCIAL OSSF PERMIT AT 31430 RANCH ROAD 12, DRIPPING SPRINGS, TEXAS 78620

Moxie Gymnastics is proposing an OSSF to serve a new gymnasium. The system is designed to accommodate up to 100 employees and customers. This 19.9-acre property is Lot 1 of the newly created Ghost Hill Ranch Subdivision. The lot will be served by a public water supply. The system designer, Steve Wenzel, 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 400 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Commercial OSSF Permit at 31430 Ranch Road 12, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

34192A AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT ATTORNEY'S OFFICE

The District Attorney's legal staff currently utilizes Westlaw for legal research and requests the Courts to consider the modification to the terms to the current contract. The attached amendment will add one additional attorney (established FY19 budget) to the current plan. Thomson Reuters offers an unparalleled suite of legal resources and tools for legal counsel and government professionals. The software allows access to the most comprehensive collection of legal information and is the only search engine designed specifically for the law. Funds are available within the DA's Office operating budget to fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

AUTHORIZE COMMERCIAL OSSF PERMIT AT 315 MYSTIC CREEK ROAD, DRIPPING SPRINGS, TEXAS 78620 – TABLED

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. Jimmy Skipton, Caitlyn Strickland, Interim Director of Development Services, Mark Kennedy, General Counsel and Commissioner Whisenant spoke. Item tabled until next week.

34193A AUTHORIZE COMMERCIAL OSSF PERMIT AT 860 HIGH RD, KYLE, TX 78640

G2K Development Partners, LLC is proposing an OSSF to serve a Family Dollar retail store. The store will have no more than four employees and no public restrooms. This site is located in Kyle's ETJ. Water will be supplied by a public water supply. The system designer, Corrie Smith, R.S., has designed a system, which consists of a 500 gallon pretreatment tank, 1000 flow equalization tank, a NuWater aerobic treatment unit and a drip emitter system. The maximum daily usage rate on average is 180 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Commercial OSSF Permit at 860 High Rd, Kyle, TX 78640. All present voting "Aye". MOTION PASSED**

34194A AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 4 TO THE LANDSCAPE ARCHITECTURAL DESIGN SERVICES AGREEMENT BETWEEN HAYS COUNTY AND RVI FOR WORK RELATED TO THE DAHLSTROM PRESERVE PROJECT

Additional time and funding will be needed in order to complete the work outlined in the original PSA between Hays County and RVi. It is being requested to extend the contract and provide additional funding in order to



complete the project scope as outlined. Additionally, this action will ratify expenditures previously incurred for cost overruns associated with CO No. 3. Funds are available in the Park Bond Fund for this change order. Original contract was awarded on September 14, 2014 through RFQ 2014-P01. All change orders to date are 48.88% of the original contract award, and allowable per Local Government Code, 262.024(4). Funding for this project has been provided by the Texas Parks & Wildlife Department and County Park Bond Funds. Dan Lyon spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the execution of Change Order No. 4 to the Landscape Architectural Design Services Agreement between Hays County and RVi for work related to the Dahlstrom Preserve Project. All present voting "Aye". MOTION PASSED**

34195A RATIFY THE COUNTY FERAL HOG ABATEMENT GRANT SUBMISSION TO THE TEXAS A&M AGRILIFE EXTENSION SERVICES, WILDLIFE SERVICES PROGRAM

The County Feral Hog Abatement Grant is designed to encourage counties across the State of Texas to make a concentrated and coordinated effort to reduce the feral hog population and the damage caused by these animals throughout the year. Hays County will participate in a co-managed, regional feral hog abatement effort with cooperating counties including, Caldwell and Guadalupe. The total project cost \$13,100.00. The Bounty Program will not be included for this grant application submission. Dan Lyon, Commissioner Ingalsbe, Commissioner Jones and Grants Writer, Lindsay McClune spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to ratify the County Feral Hog Abatement Grant submission to the Texas A&M AgriLife Extension Services, Wildlife Services Program. All present voting "Aye". MOTION PASSED**

34196A AUTHORIZE THE EXECUTION OF A REQUEST FOR ADDITIONAL CONSTRUCTION MATERIALS OBSERVATION AND TESTING SERVICES NO. 1 DATED OCTOBER 15, 2018 FROM TERRACON FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT

Terracon Request for Additional Construction Materials Observation and Testing Services No. 1 for non-destructive testing of complete joint penetration welded connections as required. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of a Request for Additional Construction Materials Observation and Testing Services No. 1 dated October 15, 2018 from Terracon for work related to the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED**

34197A AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY 18 FUNDING UNDER THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

The County has been receiving the State Criminal Alien Assistance Program (SCAAP) for a number of years to recover jail operations expenses associated with incarceration of undocumented criminal aliens. FY2018 award will be determined based on the inmate data submitted with the application. The application is submitted electronically and is due on or before October 29th, 2018. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for the FY 18 funding under the State Criminal Alien Assistance Program (SCAAP). All present voting "Aye". MOTION PASSED**

34198A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 1 TO WORK AUTHORIZATION NO. 1 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. FOR ENGINEERING MANAGEMENT SERVICES ON FOR THE 2016 ROAD BOND STATE HIGHWAY SYSTEM PROGRAM

The Supplemental Work Authorization will be effective Oct.1, 2018 in order to catch some work that PSI already performed and will extend the period of work by Prime Strategies to December 31, 2018. WA#1 divides the responsibility for projects between PSI and Hays County agents, with Bond-funded projects being managed by PSI. Dan Lyon spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Supplemental No. 1 to Work Authorization No. 1 related to an agreement between Hays County and Prime Strategies, Inc. for engineering management services on for the 2016 Road Bond State Highway System Program. All present voting "Aye". MOTION PASSED**

34199A AUTHORIZE THE EXECUTION OF SUPPLEMENTAL NO. 2 TO WORK AUTHORIZATION NO. 2 RELATED TO AN AGREEMENT BETWEEN HAYS COUNTY AND PRIME STRATEGIES, INC. FOR ENGINEERING



MANAGEMENT SERVICES FOR THE HAYS COUNTY 2016 ROAD BOND PROGRAM, ROAD & BRIDGE DEPARTMENT-FUNDED PROJECTS

The Supplemental Work Authorization will extend the period of work by Prime Strategies to December 31, 2018. WA#2 divides the responsibility for projects between PSI and Hays County agents, with Bond-funded projects being managed by PSI. Dan Lyon and Commissioner Shell spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the execution of Supplemental No. 2 to Work Authorization No. 2 related to an agreement between Hays County and Prime Strategies, Inc. for engineering management services for the Hays County 2016 Road Bond Program, Road & Bridge Department-Funded Projects. All present voting "Aye". MOTION PASSED**

34200A AUTHORIZE THE RELEASE OF THE IRREVOCABLE STANDBY LETTER OF CREDIT #1887 IN THE AMOUNT OF \$150,000.00, ASSOCIATED WITH THE INSTALLATION OF LOW-WATER CROSSING WARNING SYSTEMS WITHIN HAYS COUNTY BY WATER AND EARTH TECHNOLOGIES, INC

Water and Earth Technologies has completed installation of the low-water crossing warning systems and has requested release of the LoC associated with the project. The LoC will be released back to Guaranty Bank & Trust Company as requested. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to authorize the release of the Irrevocable Standby Letter of Credit #1887 in the amount of \$150,000.00, associated with the installation of low-water crossing warning systems within Hays County by Water and Earth Technologies, Inc. All present voting "Aye". MOTION PASSED**

34201A AUTHORIZE THE COURT TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH FRANK SURVEYING CO. INC. DBA FSC INC. TO PROVIDE PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR US 290 WEST INTERSECTIONS (HENLEY LOOP & MARTIN RD) AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM

The intersection safety improvements at US 290 West at Henly Loop and Martin Road are part of the Hays County 2016 Road Bond Program. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Court to execute a Professional Service Agreement with Frank Surveying Co. Inc. dba FSC Inc. to provide Plans, Specifications & Estimates (PS&E) services for US 290 West Intersections (Henley Loop & Martin Rd) as part of the Hays County 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

34202A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND DOUCET & ASSOCIATES, INC. REGARDING SURVEYING SERVICES FOR EASEMENT AND RIGHT OF WAY PARCELS ALONG CR190 (CREEK ROAD) AT OR NEAR THE BRIDGE OVER ONION CREEK

Through statewide on/off-system bridge evaluations, The Texas Department of Transportation has identified the Hays County Road 190 (Creek Road) bridge over Onion Creek south of the city of Dripping Springs to be in poor condition and in need of planned bridge replacement design. Survey was conducted in 2015 to support design. We understand that Hays County is requesting 11 easement and right-of-way acquisition parcel descriptions be prepared to facilitate design construction of the planned bridge replacement. Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the execution of a Professional Services Agreement between Hays County and Doucet & Associates, Inc. regarding surveying services for easement and right of way parcels along CR190 (Creek Road) at or near the bridge over Onion Creek. All present voting "Aye". MOTION PASSED**

34203A APPROVE FINAL PLAT OF SUB-1104; RAINBOW RANCH TRACT 1 SUBDIVISION (2 LOTS)

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

34204A AUTHORIZE THE COUNTY CLERK TO UTILIZE KOFILE TECHNOLOGIES FOR THE CONSOLIDATION OF EXISTING PLAT CABINETS



The County Clerk's Office currently has 17 plat cabinets. Kofile Technologies will consolidate these into 4 cabinets allowing for more office space and efficient filing and access of records. Dedicated funds within the County Clerks Records Management and Archive fund are available to fund this project. Liz Gonzalez, County Clerk, Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Clerk to utilize Kofile Technologies for the consolidation of existing Plat Cabinets. All present voting "Aye". MOTION PASSED**

34205A AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WATER AND EARTH TECHNOLOGIES FOR THE ANNUAL MAINTENANCE OF THE LOW WATER CROSSINGS AND FLOOD DETECTION SYSTEM THROUGHOUT HAYS COUNTY

Requesting the execution of a PSA All work will be related to the maintenance of the County's existing real-time monitoring stations, radio repeaters and road-way flashers. A discretionary exemption per Local Government Code, Ch. 262.024(a)(7) is requested due to sole source services that can only be provided by the vendor. A statement from the Emergency Services Director will be submitted to the County Clerk to enter into the record of minutes to this effect. Funds were budgeted during the budget process for this maintenance agreement. Attachment: WET Annual Field Maintenance Agreement. Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the execution of a Professional Services Agreement with Water and Earth Technologies for the annual maintenance of the low water crossings and flood detection system throughout Hays County. All present voting "Aye". MOTION PASSED**

34206A AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND FALLS COUNTY FOR HOUSING AND CARE OF HAYS COUNTY CORRECTIONS INMATES, EFFECTIVE OCTOBER 18, 2018

This Agreement will be utilized if and when the Hays County corrections inmate population exceeds capacity. Dan Lyon, Commissioner Whisenant, Commissioner Jones, Commissioner Ingalsbe, Commissioner Shell Captain, Julie Villalpando spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Commissioners Court to execute an Interlocal Cooperation Agreement between Hays County and Falls County for housing and care of Hays County corrections inmates, effective October 18, 2018. All present voting "Aye". MOTION PASSED**

34207A RE-GRADE THE SQL DATABASE ADMINISTRATOR/PROJECT ANALYST POSITION FROM GRADE 113 TO 114

This position was re-titled in October 2017 and assigned higher level duties, including maintaining and enhancing the county's database and application environment; project analysis to determine infrastructure needs for county systems; SQL Reporting within the Odyssey program; supporting and maintaining the county's database environment, reports, and third-party developed database applications; system tuning and performance monitoring; and maintaining documentation related to support applications and databases. Due to the complexities of the designated duties, the IT Director requests the courts consideration to re-grade the position to a 114. This position was budgeted at the minimum of a grade 113 (\$45,375). Request to ratify the regrade and a salary exception of \$54,000, which is approximately the 16th percentile of a grade 114. Salary savings in County Wide due to attrition may be used to fund this request. Financial Impact: Base Salary Increase: \$ 8,625 Fringe: \$ 1,774 Total: \$10,399 Budget Amendment: \$8,625 - Increase Staff Salaries \$ 535 - Increase FICA \$ 125 - Increase Medicare \$1,114 - Increase Retirement (\$10,399) - Decrease County Wide Salary Adjustments. Shari Miller, Human Resources Director spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to re-grade the SQL Database Administrator/Project Analyst position from grade 113 to 114. All present voting "Aye". MOTION PASSED**

34208A ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF A PLAN TO REACH NO-KILL STATUS FOR THE SAN MARCOS REGIONAL ANIMAL SHELTER

The San Marcos Regional Animal Shelter provides Animal Shelter and Control services to all of Hays County. The purpose of this resolution is for Hays County to state their support to cooperatively work with all stakeholders to find alternatives and improvements to shelter operations and for the development of a plan to reach No-Kill status for the shelter. The resolution supports the creation of an Inter-Local Animal Services Commission to implement steps necessary for the San Marcos Regional Animal Shelter to achieve No-Kill status of 90% Live Outcome by achieving milestones in a multi-phased approach. The Hays County Inter-Local Animal Services Commission will share in governance over Animal Services and be comprised of each of the participating city and county entities which contract for Animal Shelter and Animal Control Services. Shari Boyette, Rodrigo Amaya, Commissioner Shell, Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Mark Kennedy, General Counsel spoke. **A motion was made by Commissioner Ingalsbe,**



seconded by Commissioner Shell to adopt a resolution in support of the creation of a plan to reach no-kill status for the San Marcos Regional Animal Shelter. All present voting "Aye". MOTION PASSED

Clerk's Note: Court took a break at 10:37 a.m. and reconvened into open court at 10:46 a.m.

34209A ADOPT THE HAYS COUNTY 2015 HOUSING GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR)

Eligible housing activities supported by these funds will be administered by Hays County under the guidelines and oversight of the GLO. Thus, Hays County adopts with minor changes the general housing guidelines put forth by GLO published August 3, 2018 for the 2015-2016 Community Development Block Grant Disaster Recovery (CDBGDR) Flood Recovery. The purpose of these Guidelines is to aid in the long-term recovery efforts following the 2015 storms and floods; specifically, to facilitate the replenishment of housing stock lost during the storms and subsequent flooding and to assist in moving eligible homeowners out of harm's way through fair market value buyouts or acquisitions. No public comment(s) were received during the 14 day public comment period. Tammy Crumley, Director of Countywide Operations spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the Hays County 2015 Housing Guidelines for the Community Development Block Grant Disaster Recovery (CDBG-DR). All present voting "Aye". MOTION PASSED**

34210A AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER WITH HYDE REGULATORY CONSULTING, LLC, RELATED TO THE CONSULTING IN CONNECTION WITH MATTERS BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Hyde Regulatory Consulting ("HRC") will consult Hays County regarding the proposed permit amendment for direct discharge of effluent by City of Blanco in the Blanco River. That application is currently in the "response to comments" period. It appears that multiple requests for a Contested Case Hearing will be made by interested parties. Hays County representatives have offered to assist the City of Blanco in finding a better solution than their currently proposed treatment facility. HRC has the expertise to help in that regard. Contract will terminate on or before September 30, 2019. Dan Lyon, Commissioner Shell, Mark Kennedy, General Counsel, and Commissioner Whisenant spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of an engagement letter with Hyde Regulatory Consulting, LLC, related to the consulting in connection with matters before the Texas Commission on Environmental Quality. 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

Court convened into Executive session at 11:26 a.m. and reconvened into open court at 11:38 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

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 11:38 a.m. and reconvened into open court at 11:49 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. Dan Lyon spoke. No action taken.

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

Court convened into Executive session at 12:04 p.m. and reconvened into open court at 12:50 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.



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 PROJECTS KING & SHAMROCK

Court convened into Executive session at 11:49 a.m. and reconvened into open court at 12:04 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Jordan Powell and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL EXEMPT CIVILIAN POSITIONS WITHIN THE SHERIFF'S OFFICE

Court convened into Executive session at 11:08 a.m. and reconvened into open court at 11:26 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Legal Support Services Specialist, Janice Jones, Jordan Powell, Gary Cutler, Sheriff, Capt. Mike Davenport, Marisol Villarreal Alonzo, Auditor, Vickie Dorsett, Assistant Auditor and Shari Miller, Human Resources Director. No action taken.

Clerk's Note Agenda Item #34 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 #36 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 #37 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:51 p.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 23, 2018.




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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF OCTOBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN EMERGENCY 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:

34211A EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING A THREAT OF LITIGATION BY THE TEXAS CIVIL RIGHTS PROJECT REGARDING EARLY VOTING AND ELECTION DAY POLLING PLACES

Commissioner Shell, Commissioner Whisenant, Commissioner Ingalsbe and Mark Kennedy, General Counsel spoke. Court convened into Executive session at 12:24 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, Jordan Powell, Elections Administrator, Jennifer Anderson, and Director of Information Technology, Jeff McGill.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to amend the Branch Voting Schedule within Hays County for the November 2018 mid-term Election, providing additional temporary branch polling places as follows:

- Precinct 1 - Live Oak/Health Dept. 401 Broadway St. San Marcos, Texas 78666 (Thursday, Nov. 1 and Friday, Nov. 2 - 7:00 a.m. to 7:00 p.m.)
Precinct 3 - Texas State University LBJ Student Center 700 Student Center Dr. San Marcos, TX 78666 (Thursday, Nov. 1 and Friday, Nov. 2 - 7:00 a.m. to 7:00 p.m.)
Precinct 4 - Belterra Welcome Center 151 Trinity Hills Dr. Austin, Texas 78737 (Thursday, Nov. 1 and Friday, Nov. 2 - 7:00 a.m. to 7:00 p.m.)

This amendment of Early Voting Polling locations provides additional locations for any voter within Hays County (or within a municipality), regardless of location. This action should also be taken to authorize the posting of Notice pursuant to Section 85.067 of the Texas Election Code to provide notice of the above amendment of temporary branch polling place locations, dates, and/or hours. All present voting "Aye". MOTION PASSED

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to relocate Precinct 334 Election Day Polling location, which is currently consolidated with Precincts 330 and 318, to Texas State University, LBJ Student Center, 700 Student Center Dr., San Marcos, Texas 78666, and authorize the posting of notice in compliance with the Texas Election Code. All present voting "Aye". MOTION PASSED

ADJOURNMENT

Court was adjourned at 1:36 p.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on October 26, 2018.



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



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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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**



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.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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



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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 14TH 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
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COUNTY JUDGE, ALBERT H. COBB, JR. AND COMMISSIONER, PCT. 1, DEBBIE GONZALES INGALSBE BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

33279 CANVASS ELECTION RESULTS FOR THE GENERAL ELECTION HELD ON NOVEMBER 6, 2018 PURSUANT TO CHAPTER 67 OF THE TEXAS ELECTION CODE

Elections Administrator, Jennifer Anderson spoke. The canvass election results from November 6, 2018 were presented to the Court. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to canvass election results for the General Election held on November 6, 2018 pursuant to Chapter 67 of the Texas Election Code. All present voting "Aye". MOTION PASSED

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 10:07 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on November 14, 2018.



Liz Q Gonzalez

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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 20TH DAY OF NOVEMBER A.D., 2018, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

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

Vilma Resendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Harvey Jenkins, resident of San Marcos, Dan Lyon, resident of San Marcos, Deborah Marasco, resident of San Marcos, and Rodrigo Amaya, resident of San Marcos, all made public comments.

PRESENTATION OF HAYS COUNTY SERVICE AWARDS

HR Specialist, Kim Jeter presented the Hays County Service Awards. 5 – Years, Shannon Follis, District Attorney's office. 10 –Years, John Dempsey Tomlin, Sheriff's office, Patricia Sanchez, Building Maintenance, Valerie Marie Zerr, Juvenile Probation office. 15 –Years, Marisol Villarreal-Alonzo, Auditor's office, Tom Mayfield, Transportation, Nelson Mark Wray, Sheriff's office. 20 –Years, Tammy L. Crosby, District Clerk's office. Retirement – Lisa Rodriguez, Sheriff's office.

33280 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of County invoices in the amount of \$2,122,865.49, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33281 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve payments of Juror checks in the amount of \$930.00, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33282 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of United Healthcare claims in the amount of \$133,166.43, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33283 APPROVE COMMISSIONER COURT MINUTES OF NOVEMBER 13 & NOVEMBER 14, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Commissioner Court Minutes of November 13 & November 14, 2018, as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33284 APPROVE THE PAYMENT OF THE NOVEMBER 30, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,650,000.00



EFFECTIVE NOVEMBER 30, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the payment of the November 30, 2018 payroll disbursements in an amount not to exceed \$3,650,000.00 effective November 30, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33285 APPROVE AND EXECUTE THE SHERIFF'S OFFICE EQUITABLE SHARING AGREEMENT AND CERTIFICATION IN ACCORDANCE WITH THE STATUTES AND GUIDELINES THAT GOVERN THE FEDERAL EQUITABLE PROGRAM

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve and execute the Sheriff's Office Equitable Sharing Agreement and Certification in accordance with the statutes and guidelines that govern the Federal Equitable Program. All present voting "Aye". MOTION PASSED

33286 APPROVE UTILITY PERMITS

Permit 1115 Road Name 2011 Mustang Lane Utility Electric(PEC), Permit 1116 Road Name Harris Hill Road Utility Water(Whisper Master Community), Permit 1117 Road Name Windy Hill Road At Triumph Road Utility Communication Line(Grande Communications, Permit 1118 Road Name Old San Antonio Road Utility Waste Water & Water Line(Bartlett Cocke). A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve Utility Permits # 1115 located on 2011 Mustang Lane issued to Electric (PEC), Permit # 1115 located on 2011 Mustang Lane issued to Electric (PEC), Permit # 1116 located on Harris Hill Road issued to Water (Whisper Master Community), Permit # 1117 located on Windy Hill Road at Triumph Road issued to Communication Line (Grande Communications), and Permit # 1118 located on Old San Antonio Road issued to Waste Water & Water Line (Bartlett Cocke) as submitted by the Transportation Director. All present voting "Aye". MOTION PASSED

33287 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO HOST THE ANNUAL LOCAL EMERGENCY PLANNING COMMITTEE LUNCHEON

In accordance with the Emergency Planning and Community Right to Know Act (EPCRA and under the direction of the Texas Commission on Environmental Quality (TCEQ), Hays County Office of Emergency Services is requesting authorization to host the annual Local Emergency Planning Committee working lunch meeting. Business and Community partners will meet to provide updates on emergency response planning and provide/receive information on hazardous materials sites. LEPC Stakeholder participation is required and must include local business/facility representatives.). A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Office of Emergency Services to host the annual Local Emergency Planning Committee Luncheon. All present voting "Aye". MOTION PASSED

33288 APPROVE THE INTERGOVERNMENTAL TRANSFER (IGT) OF LOCAL PROVIDER PARTICIPATION FUNDS (LPPF) FOR THE DY7 UNCOMPENSATED CARE (UC) PAYMENT TO THE STATE OF TEXAS THROUGH THE TEXNET ELECTRONIC PAYMENT SYSTEM PURSUANT TO CHAPTER 355 OF THE TEXAS ADMINISTRATIVE CODE

General Counsel, Mark Kennedy spoke. A date for transfer of the DY7 UC payment has been announced. 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 12-7-18): The IGT amount is not to exceed the LPPF account balance. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the Intergovernmental Transfer (IGT) of Local Provider Participation Funds (LPPF) for the DY7 Uncompensated Care (UC) payment, IGT amount is not to exceed the LPPF account balance to the State of Texas through the TexNet electronic payment system pursuant to Chapter 355 of the Texas Administrative Code. All present voting "Aye". MOTION PASSED



33289 AUTHORIZE THE HISTORICAL COMMISSION TO PURCHASE OR LEASE CHRISTMAS DÉCOR FOR THE HAYS COUNTY GOVERNMENT CENTER UTILIZING DONATED FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Historical Commission Director has received donation commitments from various foundations and individuals for the purchase or lease of Christmas decorations for the Hays County Government Center. The Director will coordinate with the Auditor's Office to acquire quotes for the purchase or lease of Christmas decorations to ensure competitive pricing and procurement policies are met. If a rental agreement is determined to be the best option, the Director will consult with the Office of General Counsel to negotiate the terms of the contract and execute the agreement. The cost to purchase or lease the Christmas decorations will not exceed the amount of donations received for this project. Additionally, the purchase or lease will not take place until all donated funds are received. No County funds are required. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Historical Commission to purchase or lease Christmas Décor for the Hays County Government Center utilizing donated funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33290 AUTHORIZE THE HAYS COUNTY AUDITOR'S OFFICE TO CONDUCT THE AUDIT REQUIRED BY ARTICLE 59.06 OF THE TEXAS CODE OF CRIMINAL PROCEDURE FOR THE HAYS COUNTY CONSTABLE PRECINCT 2 CHAPTER 59 ASSET FORFEITURE FUNDS FOR FISCAL YEAR 2018 AND FOR FUTURE FISCAL YEARS

Per the Texas Code of Criminal Procedures Section 59.06, it is necessary for the Commissioners Court to grant authorization to the Auditor's Office for the performance of a Chapter 59 audit. This item will grant that authority for FY 2018 and all future Fiscal Years unless authorization is rescinded by Commissioners Court. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Hays County Auditor's Office to conduct the audit required by Article 59.06 of the Texas Code of Criminal Procedure for the Hays County Constable Precinct 2 Chapter 59 Asset Forfeiture Funds for Fiscal Year 2018 and for future Fiscal Years. All present voting "Aye". MOTION PASSED**

33291 AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH ELECTRONIC COMMERCE LINK, INC. (DBA E-GOV LINK) RELATED TO THE COUNTY WEBSITE REDESIGN PROJECT AND AMEND THE BUDGET ACCORDINGLY

On June 26, 2018 the Commissioner's Court approved a contract with E-Gov Link for the County Website Redesign in response to RFP 2018-P04. Due to additional content migration, additional funds and a time extension is needed to complete the final design elements and required staff training. Budget Amendment: Decrease Co-Wide Contingencies - 001-645-00.5399 Increase County Wide Operations Software_Capital - .5718_700. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the execution of a Supplemental Agreement with Electronic Commerce Link, Inc. (dba E-Gov Link) related to the County Website Redesign Project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33292 AUTHORIZE TRANSFER OF DEPUTY CONSTABLE POSITION 0885-001 FROM CONSTABLE PRECINCT 1 TO CONSTABLE PRECINCT 5, ALONG WITH ALL EQUIPMENT, PER THE AGREEMENT OF ALL PARTIES EFFECTIVE 11/16/18 AND AMEND THE BUDGET ACCORDINGLY

Rodrigo Amaya, resident of San Marcos, made public comment. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize transfer of Deputy Constable position 0885-001 from Constable Precinct 1 to Constable Precinct 5, along with all equipment, per the agreement of all parties effective 11/16/18 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33293 AUTHORIZE THE COUNTY AUDITOR'S OFFICE TO PROCESS NECESSARY EXPENDITURES RELATED TO INCOMING ELECTED OFFICIALS

Per Local Government Code, Sec. 152.907 the commissioners court of a county may authorize payment of reasonable continuing education expenses incurred by a county or precinct officer if the expenses are related to the officer's official duties, including expenses incurred by the officer between the general election at which the officer is elected and the beginning of the officer's term of office. The County Auditor's Office would like authority to approve expenditures related to incoming elected officials for continuing education expenses or necessary



supplies to ensure a seamless transition. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Auditor's Office to process necessary expenditures related to incoming Elected Officials. All present voting "Aye". MOTION PASSED**

33294 RELEASE OF THE MAINTENANCE BOND #1036862 IN THE AMOUNT OF \$858,565.00, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR SUNFIELD SUBDIVISION, PHASE 2, SECTION 5

Transportation Director, Jerry Borcharding spoke and gave staff recommendation. Staff recommends acceptance of the roads into the county road maintenance system. The roads include: Kerr Drive (219 ft.), Betony Loop (2,543 ft.), Cenizio Drive (955 ft.), Esperanza Drive (722 ft.), Rayburn Drive (314 ft.), and a segment of Campo Del Sol Parkway (538 ft.). **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to release the maintenance bond #1036862 in the amount of \$858,565.00, and the acceptance of roads into the county road maintenance system for Sunfield subdivision, Phase 2, Section 5. All present voting "Aye". MOTION PASSED**

33295 APPROVE THE EXECUTION OF AN ADVANCE FUNDING COMMITMENT AGREEMENT (AFCA) BETWEEN HAYS COUNTY AND PERRY HOMES, LLC REGARDING THE CONSTRUCTION OF A RIGHT TURN LANE ON FM 967 IN PRECINCT 2

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the execution of an Advance Funding Commitment Agreement (AFCA) between Hays County and Perry Homes, LLC regarding the construction of a right turn lane on FM 967 in Precinct 2. All present voting "Aye". MOTION PASSED

33296 ACCEPT LETTER OF CREDIT NO. 1018 FOR STREET AND DRAINAGE IMPROVEMENTS FOR 6 CREEKS PHASE 1 SECTION 1 IN THE AMOUNT OF \$280,830.45

The final plat for the 6 Creeks Phase 1 Section 1 Subdivision has been reviewed under the interlocal cooperation agreement with the City of Kyle and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept Letter of Credit No. 1018 for street and drainage improvements for 6 Creeks Phase 1 Section 1 in the amount of \$280,830.45. All present voting "Aye". MOTION PASSED**

33297 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

Later this year, TCEQ will come out with new permitting requirements. Activities required to maintain compliance with the County's TPDES permit and prepare for the new permit include: Public education/outreach program Public involvement process Illicit discharge detection and elimination program Construction site stormwater runoff control Post-construction stormwater management Pollution prevention and good housekeeping for County operations. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to 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. All present voting "Aye". MOTION PASSED**

33298 AUTHORIZE A SALARY EXCEPTION FOR THE COUNTY COURT AT LAW VETERANS COURT PROGRAM MANAGER SLOT 0449-001, FUNDED THROUGH THE TEXAS VETERAN'S COMMISSION GRANT PROGRAM

The Veteran's Treatment Court Program Manager position was filled on August 21, 2018 at the minimum grade 113 salary of \$45,375.13 pursuant to county promotion policy. The candidate has served in the capacity of Veterans Treatment Court Coordinator for the past 22 months and brings vast and complete experience in the operation of Hays County's Veterans Court processes and procedures. The grant funding from the Veterans



Treatment Court grant is sufficient to award the requested salary of \$51,563. This requested salary is at 27.27 percentile of the grade 113 range. No county funds are required. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a salary exception for the County Court at Law Veterans Court Program Manager slot 0449-001, funded through the Texas Veteran's Commission grant program. All present voting "Aye". MOTION PASSED**

33299 AUTHORIZE A SALARY EXCEPTION FOR THE COUNTY COURT AT LAW VETERAN'S COURT COORDINATOR SLOT 0447-001, FUNDED THROUGH THE OFFICE OF THE GOVERNOR VETERAN'S COURT GRANT PROGRAM

The Veteran's Court Coordinator position was filled on October 1, 2018 at the minimum grade 110 salary of \$34,091.28 with a candidate that brings past work experience and familiarity with the administrative duties associated with court scheduling and updating the court's case management system. The candidate has worked as a Military Veterans Peer Network counselor and Jail Liaison Specialist supporting Hays County Veterans Treatment Court as well as holding a Bachelor of Science in Human Development and Family Services. The grant funding from the Veterans Treatment Court grant is sufficient to award the requested salary of \$35,459. This requested salary is at 8.02 percentile of the grade 110 range. No county funds are required. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize a salary exception for the County Court at Law Veteran's Court Coordinator slot 0447-001, funded through the Office of the Governor Veteran's Court grant program. All present voting "Aye". MOTION PASSED**

33300 AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE GUADALUPE-BLANCO RIVER AUTHORITY REGARDING THE IMPLEMENTATION OF PLUM CREEK WATERSHED PROTECTION PLAN

Commissioner Jones spoke. General Counsel, Mark Kennedy spoke. This is a one year renewal and extension of an interlocal agreement regarding the implementation of the Plum Creek Watershed Protection Plan. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the execution of an interlocal agreement with the Guadalupe-Blanco River Authority regarding the implementation of Plum Creek Watershed Protection Plan. All present voting "Aye". MOTION PASSED**

33301 AUTHORIZE THE COMMISSIONERS COURT TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE SAN MARCOS ACADEMY TO ESTABLISH ONE (1) NEW SCHOOL RESOURCE OFFICER (SRO) MBS 6 TO THE ACADEMY AND AMEND THE BUDGET ACCORDINGLY

Dan Lyon, resident of San Marcos made public comment. Dr. Brian Guenther, President of the San Marcos Academy spoke. General Counsel, Mark Kennedy spoke. The SRO would be 75% funded by the Academy and 25% funded by the County, as is the case with all other SRO positions on various campuses. Matching funds will be covered through salary savings due to attrition within the SO Operating budget. Attachment: San Marcos Academy ILA Budget Amendment: Increase Intergovernmental Revenue .4301 - \$51,887 Increase Staff Salaries .5021 - \$34,564 Increase Fringe Benefits - \$17,323. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Commissioners Court to execute an Interlocal Cooperation Agreement between Hays County and the San Marcos Academy to establish one (1) new School Resource Officer (SRO) MBS 6 to the Academy and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33302 EXECUTE AN AMENDMENT TO THE TYLER TECHNOLOGIES STANDARD SOFTWARE LICENSE AND SERVICES AGREEMENT FOR THE COUNTY CLERK'S OFFICE RELATED TO THE CONVERSION OF VITAL STATISTICS AND REAL PROPERTY RECORD KEEPING AND AMEND THE BUDGET ACCORDINGLY

Commissioner Shell spoke. General Counsel Mark Kennedy spoke. Client is a member of the Sourcewell (formerly known as the National Joint Powers Alliance). This would be an amendment to the New World Contract but also to the Sourcewell Co-Op resource. The County Clerk would like to utilize the Tyler Technologies Eagle Tyler Software Product for their Land & Vital Statistics Software package. Eagle will easily manage the recording and filing of land records, transfer documents, trust deeds, mortgages, and tax liens. Additionally, the software can maintain the integrity of official records by easily indexing all documents, including birth, death, and marriage certificates, notary bonds, and filings for DBAs. Funds were budgeted during the FY19 budget process to implement the new software package. Attachment: Tyler Technologies Software Agreement Amendment Budget Amendment: Decrease Contract Services .5448 - (\$122,466) Increase Software

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Maintenance .5429 - \$53,026 Increase Software Capital .5718_700 - \$69,440. A motion was made by Commissioner Shell, seconded by Commissioner Jones to execute an Amendment to the Tyler Technologies Standard Software License and Services Agreement for the County Clerk's Office related to the conversion of vital statistics and real property record keeping and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33303 APPOINT COMMISSIONER LON A. SHELL TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) GENERAL ASSEMBLY TO REPLACE THE HAYS COUNTY POSITION PRESENTLY FILLED BY JUDGE BERT COBB

Dan Lyon, resident of San Marcos, made public comment. Rodrigo Amaya, resident of San Marcos, made public comment. Commissioner Mark Jones spoke. Commissioner Ingalsbe spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to appoint Commissioner Lon A. Shell to the Capital Area Council of Governments (CAPCOG) General Assembly to replace the Hays County position presently filled by Judge Bert Cobb. All present voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #26 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

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 9:59 a.m. and reconvened into open court at 10:58 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Transportation Director, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #28 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

Clerk's Note Agenda Item #29 RE: ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - was pulled

Clerk's Note Agenda Item #30 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 #31 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 Shell to adjourn court at 11:03 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on November 20, 2018.




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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 4TH 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:

Commissioner Jones 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 made public comment.

33304 ADOPT A PROCLAMATION DECLARING DECEMBER 2 - 8, 2018 AS NATIONAL INFLUENZA VACCINATION WEEK

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a proclamation declaring December 2 - 8, 2018 as National Influenza Vaccination Week. All present voting "Aye". MOTION PASSED

PRESENTATION OF A \$25,000 DONATION TO THE HAYS COUNTY FOOD BANK FROM THE CAPITAL AREA HOUSING FINANCE COMMITTEE

Commissioner Jones thanked the Capital Areal Housing Finance Committee for their donation to the Hays County Food Bank.

PRESENTATION OF A \$25,000 DONATION TO THE HAYS COUNTY CHILD PROTECTIVE BOARD FROM THE CAPITAL AREA HOUSING FINANCE COMMITTEE

Commissioner Jones thanked the Capital Areal Housing Finance Committee for their donation to the Hays County Child Protective Board.

PRESENTATION OF A \$25,000 DONATION TO THE SOUTHSIDE COMMUNITY CENTER FROM THE CAPITAL AREA HOUSING FINANCE COMMITTEE

Commissioner Jones thanked the Capital Areal Housing Finance Committee for their donation to the Southside Community Center.

33305 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve payments of County invoices in the amount of \$4,049,282.14 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33306 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve payments of Juror checks in the amount of \$4,650.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



33307 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the payment of Humana claims in the amount of \$2,166.96 and United Healthcare claims in the amount of \$490,066.85. All present voting "Aye". MOTION PASSED

33308 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 20, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve Commissioners Court Minutes of November 20, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33309 AUTHORIZE COMMERCIAL OSSF PERMIT AT 12507 PAULS VALLEY ROAD #5, AUSTIN, TEXAS 78737

Delton Glass is proposing an OSSF to serve a new office/warehouse building. The system is designed to accommodate up to 6 employees and 10 customers per day. This OSSF is for Building #5 on this 6.33-acre property and will be served by its own rainwater collection system. The system designer, Dan Balboa, R.S., has designed a proprietary treatment system with flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 100 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to authorize Commercial OSSF Permit at 12507 Pauls Valley Road #5, Austin, Texas 78737. All present voting "Aye". MOTION PASSED**

33310 AUTHORIZE COMMERCIAL OSSF PERMIT AT 12507 PAULS VALLEY ROAD #6, AUSTIN, TEXAS 78737

Delton Glass is proposing an OSSF to serve a new office/warehouse building. The system is designed to accommodate up to 6 employees and 10 customers per day. This OSSF is for Building #6 on this 6.33-acre property and will be served by its own rainwater collection system. The system designer, Dan Balboa, R.S., has designed a proprietary treatment system with flow equalization. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 100 gallons. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to authorize Commercial OSSF Permit at 12507 Pauls Valley Road #6, Austin, Texas 78737. All present voting "Aye". MOTION PASSED**

33311 APPROVE CHANGE ORDER #2 TO PROFESSIONAL SERVICES AGREEMENT WITH DOUCET & ASSOCIATES RELATED TO DESIGN IMPROVEMENTS TO OLD SAN ANTONIO ROAD IN PRECINCT 2

This action will allow Doucet & Associates to move monies within their current PSA to provide for additional services, that is, ROW acquisition document preparation. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve Change Order #2 to Professional Services Agreement with Doucet & Associates related to design improvements to Old San Antonio Road in Precinct 2. All present voting "Aye". MOTION PASSED**

33312 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO PURCHASE THREE (3) SOLAR SCHOOL ZONE FLASHING SYSTEMS FROM ELECTRONICS CORPORATION (ELTECH) FOR TRAFFIC CALMING IN SCHOOL ZONES ON OLD SAN ANTONIO ROAD AND MANCHACA SPRINGS ROAD

The Transportation Department would like an exemption to the Purchasing Policy requiring three quotes in order to utilize ELTECH for the purchase of school zone flashing systems. This vendor has been utilized for prior purchases, therefore these systems will interface with the current software for programming and remotely managing the school zone flashing beacons. ELTEC's School Zone Systems Flashing Beacon Systems meet the Federal Highway Administration's MUTCD (Manual on Uniform Traffic Control Devices) specifications and ITE (Institute of Transportation Engineers) standards. Funds are available within the Transportation's Department Operating budget for this purchase. Attachment: ELTEC Quote #5236. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to authorize the Transportation Department to purchase three (3) Solar School Zone Flashing Systems from Electronics Corporation (ELTECH) for traffic calming in school zones on Old San Antonio Road and Manchaca Springs Road. All present voting "Aye". MOTION PASSED**



33313 APPROVE THE RE-APPOINTMENT OF BRUCE SCHNEIDER, ROGER BOYD, AND CARLA SISK TO THE BOARD OF EMERGENCY SERVICES DISTRICT #9, TERM ENDING DECEMBER 31, 2020

Bruce Schneider, Roger Boyd and Carla Sisk have agreed to serve on this board for another term. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to approve the re-appointment of Bruce Schneider, Roger Boyd, and Carla Sisk to the Board of Emergency Services District #9, term ending December 31, 2020. All present voting "Aye". MOTION PASSED

33314 APPROVE THE APPOINTMENT OF ALEXANDRA THOMPSON TO THE EXECUTIVE COMMITTEE OF THE CYPRESS CREEK WATERSHED PROTECTION PLAN

The Executive Committee is made up of a several key stakeholder groups within the Cypress Creek area. Alexandra, the County's Natural Resource Manager, will represent the County and replace the position formerly held by Clint Garza. Within a watershed protection planning process, it is important to understand the needs, priorities, perspectives, and culture of the community and its stakeholders. Watershed stakeholders include anyone who lives or works in the watershed, or shares an interest in protecting its resources. Stakeholder involvement is an essential component of successful watershed protection efforts because it enhances cooperation, collaboration, and community participation. Stakeholders provide local insight about history, public concerns and values that help bridge scientific research and community-driven efforts. This watershed protection plan exists, in great part, because of the efforts of Cypress Creek's dedicated stakeholders and their work over the last several years. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to approve the appointment of Alexandra Thompson to the Executive Committee of the Cypress Creek Watershed Protection Plan. All present voting "Aye". MOTION PASSED

33315 APPROVE UTILITY PERMITS

Permit 1119, Road Name Old Bastrop Hwy, Utility Water Line(Crystal Clear SUD). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to approve Utility Permit # 1119 located on Old Bastrop Hwy issued to Water Line (Crystal Clear SUD). All present voting "Aye". MOTION PASSED

33316 APPROVE OVERNIGHT LODGING FOR OSCAR MEJIA WITH THE COUNTY CLERK'S OFFICE TO ATTEND THE 64TH ANNUAL VITAL STATISTICS CONFERENCE HELD IN AUSTIN, TEXAS

The County Clerk is seeking court approval to allow their Senior Deputy Clerk III to secure overnight lodging to attend the 64th Annual Vital Statistic Conference. The conference will be held in Austin, Texas on 12/10/2018 to 12/12/2018. Per the current travel policy, the county will not pay for lodging unless the meeting/conference site is at least 45 miles from the employee's office. The actual mileage for this conference travel will be 33 miles. This employee will be receiving in depth training on the new TxEver System which will be rolled out on 01/01/2019. Funds are available within the County Clerk's continuing education budget. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to approve overnight lodging for Oscar Mejia with the County Clerk's Office to attend the 64th Annual Vital Statistics Conference held in Austin, Texas All present voting "Aye". MOTION PASSED

33317 AUTHORIZE THE HAYS COUNTY AUDITOR'S OFFICE TO CONDUCT THE AUDIT REQUIRED BY ARTICLE 59.06 OF THE TEXAS CODE OF CRIMINAL PROCEDURE FOR THE HAYS COUNTY CONSTABLE PRECINCT 2 CHAPTER 59 ASSET FORFEITURE FUNDS FOR FISCAL YEAR 2017

Per the Texas Code of Criminal Procedures Section 59.06, it is necessary for the Commissioners Court to grant authorization to the Auditor's Office for the performance of a Chapter 59 audit. During the Fiscal Year 2018 audit, it was noted that assets were seized in the prior fiscal year 2017. This item will grant the Auditor audit authority for fiscal year 2017. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the Hays County Auditor's Office to conduct the audit required by Article 59.06 of the Texas Code of Criminal Procedure for the Hays County Constable Precinct 2 Chapter 59 Asset Forfeiture Funds for Fiscal Year 2017. All present voting "Aye". MOTION PASSED

33318 AUTHORIZE HAYS COUNTY TO ACCEPT A DONATION FROM H.E.B. FOR SUPPLIES RELATED TO THE ANNUAL COURTHOUSE LIGHTING EVENT AND AMEND THE BUDGET ACCORDINGLY



HEB donated an \$85 gift card to Hays County for the purchase of paper goods and other supplies needed for the annual courthouse lighting event. Budget Amendment: Increase Contributions .4610 Increase Misc. Expense .5391. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize Hays County to accept a donation from H.E.B. for supplies related to the Annual Courthouse Lighting event and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33319 APPROVE CHANGE ORDER #5 WITH HD COOKS ROCK SOLID, INC. RELATED TO THE AUXILIARY SPILLWAY REPAIR PROJECT AND AMEND THE BUDGET ACCORDINGLY

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 #4 decrease in vegetation/seeding quantity for Site 1 and Site 5 and additional working days due to weather delays; Change Order No. 5 - (\$ 260) decrease in sediment filters for Site 3 - \$57,393 decrease in sediment filters, rock berms vegetation; and increase in shotcrete, rock riprap for Site 4 - \$57,133 total increase All change orders to date are 30.66% of the original contract award, and allowable per Local Government Code, 262.031(b). Funding for this project is provided by NRCS (75%), TSSWCB (23.75%) and Hays County (1.25%). Attachment: Change Order No. 5 Budget Amendment: Increase Intergovernmental Revenue: .4301 - \$56,418 Increase Construction: .5611_400 - \$57,132 Decrease Co-Wide Contingencies: .5399 - (\$714). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to approve Change Order #5 with HD Cooks Rock Solid, Inc. related to the Auxiliary Spillway Repair project and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33320 AUTHORIZE THE COUNTY COURT AT LAW OFFICE TO PURCHASE ONE (1) SURFACE PRO LAPTOP AND ACCESSORIES FOR THE VETERANS TREATMENT COURT UTILIZING AVAILABLE GRANT FUNDS AND AMEND THE BUDGET ACCORDINGLY

The Texas Veteran's Commission has authorized the purchase of computer equipment and accessories for the Hays County Veteran's Treatment Court Program. The laptop will be utilized by the Mentor Coordinator for assessments, training presentations and general program management for the veteran's program. The granting agency will provide 100% of the funding needed for this purchase. No county funds are required. Budget Amendment: Increase Data Supplies: .5202 - \$515 Increase Computer Eqpt_Ops: .5712_400 - \$1,285 Decrease Medical Insurance: .5160_400 - (\$1,800). **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the County Court at Law Office to purchase one (1) Surface Pro Laptop and accessories for the Veterans Treatment Court utilizing available grant funds and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33321 AUTHORIZE THE ADDITION OF THE FY '19 LEASE VEHICLES TO THE MASTER EQUITY LEASE AGREEMENT BETWEEN HAYS COUNTY AND ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST AND AUTHORIZE THE DIRECTOR OF COUNTY WIDE OPERATIONS TO COMPLETE ORDER

Director of County Wide Operations is requesting to add the five patrol vehicles and one truck that were approved in the FY '19 budget for the Sheriff's Office to the existing Master Equity Lease Agreement. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the addition of the FY '19 lease vehicles to the Master Equity Lease Agreement between Hays County and Enterprise FM Trust, a Delaware statutory trust and authorize the Director of County Wide Operations to complete order. All present voting "Aye". MOTION PASSED**

33322 AUTHORIZE THE TRANSPORTATION DEPARTMENT TO ACCEPT DONATIONS FOR THEIR ANNUAL SAFETY LUNCHEON AND AMEND THE BUDGET ACCORDINGLY

The Transportation Director will host an annual safety luncheon on December 14th for all transportation staff. The purpose of the luncheon is to honor individuals that have excelled in their job performance while maintaining a high standard of safety awareness. Additionally, a safety presentation is held for in depth review and training purposes. The Director would like to accept donations to offset costs related to food and safety related items for all staff. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the Transportation Department to accept donations for their Annual Safety Luncheon and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



33323 AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH BROWN & GAY ENGINEERS, INC FOR A PRELIMINARY ENGINEERING REPORT (PER) ON THE HILLSIDE TERRACE PROJECT FROM IH-35 TO FM 2001 AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM

PSA is for the Preliminary Engineering Report (PER) for the reconstruction and widening of Hillside Terrace from the existing 2-lane roadway to a 3-lane facility, including one travel lane with shoulders in each direction divided by a continuous left turn lane (or as determined by the preliminary engineering evaluation). The intent of this phase is to have the preferred route design ready to move into the formal schematic phase and ultimately to final PS&E design and construction as funding becomes available. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to authorize the execution of a Professional Services Agreement (PSA) with Brown & Gay Engineers, Inc for a Preliminary Engineering Report (PER) on the Hillside Terrace project from IH-35 to FM 2001 as part of the Hays County 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33324 AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH LNV, INC FOR PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR SH 21 AT FM 1966 INTERSECTION IMPROVEMENTS AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM

Transportation Director, Jerry Borcharding spoke. PSA is for preparation of construction documents associated with the proposed construction of turn lanes and roadway widening along SH 21 at FM 1966. The project length and ROW of the project will be identified during the traffic signal warrant analysis phase. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones, to authorize execution of a Professional Services Agreement (PSA) with LNV, Inc for Plans, Specifications & Estimates (PS&E) services for SH 21 at FM 1966 Intersection Improvements as part of the Hays County 2016 Road Bond Program. All present voting "Aye". MOTION PASSED**

33325 ACCEPTANCE OF A 1-YEAR REVEGETATION BOND #HSIFSU0704229 IN THE AMOUNT OF \$2,186.60 FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 2

Transportation Director, Jerry Borcharding spoke. Staff recommends acceptance of the revegetation bond for all disturbed areas within the County ROW. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell, to accept a 1-year revegetation bond #HSIFSU0704229 in the amount of \$2,186.60 for Reunion Ranch subdivision, Phase 3, Section 2. All present voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM #26 RE: *CONSIDER THE ACCEPTANCE OF 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 – was pulled*

CLERK'S NOTE AGENDA ITEM #27 RE: *CONSIDER THE ACCEPTANCE OF 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 – was pulled*

33326 ACCEPTANCE OF A 1-YEAR REVEGETATION BOND #HSIFSU0704229 IN THE AMOUNT OF \$1,659.50 FOR REUNION RANCH SUBDIVISION, PHASE 3, SECTION 5

Transportation Director, Jerry Borcharding spoke. Staff recommends acceptance of the revegetation bond for all disturbed areas within the County ROW. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell, to accept a 1-year revegetation bond #HSIFSU0704229 in the amount of \$1,659.50 for Reunion Ranch subdivision, Phase 3, Section 5. All present voting "Aye". MOTION PASSED**

33327 SUB-810; REUNION RANCH PHASE 3 SECTION 2 (53 LOTS). ACCEPT PENALTY RIDER TO DECREASE BOND NO. SU1146031 FOR STREET AND DRAINAGE IMPROVEMENTS FOR REUNION RANCH PH 3, SEC 2, REDUCING THE AMOUNT FROM IN THE AMOUNT OF \$775,909.00 TO \$8,512.00

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Transportation Director, Jerry Borcharding spoke. The construction of street and drainage improvements in Reunion Ranch Phase 3, Section 2 is partially complete. The amendment will release \$767,397.00 back to the developer. The remaining amount is sufficient to complete the improvements, which have not yet been constructed. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones, to accept penalty rider to decrease Bond No. SU1146031 for street and drainage improvements for Reunion Ranch PH 3, SEC 2, reducing the amount from in the amount of \$775,909.00 to \$8,512.00. All present voting "Aye". MOTION PASSED**

33328 SUB-1135; COLLEEN'S CORNER SUBDIVISION (2 LOTS). APPROVE PRELIMINARY PLAN

County Planner, Marcus Pacheco spoke and gave staff recommendation. Colleen's Corner is a proposed 2 lot subdivision located along FM 2325 in PCT 3. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to approve preliminary plan of SUB-1135; Colleen's Corner Subdivision (2 Lots). All present voting "Aye". MOTION PASSED**

33329 SUB-1077; COBB RANCH ESTATES (5 LOTS) DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE FROM CHAPTER 721.5.05 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Interim Director of Development Services, Caitlyn Strickland, spoke. Jon Thompson spoke. Cobb Ranch Estates is a proposed 5 lot subdivision located off of Reunion Boulevard. Water will be provided by private wells and wastewater service will be accomplished by individual OSSF. The developer is requesting a variance from Chapter 721.5.05 of the Hays County Development Regulations. The subdivision does not have direct frontage onto a regulated roadway, which is required by our rules. The owner of the parcel between the proposed subdivision and regulated roadway has approved the use of their property for access. This subdivision is being reviewed under the 1445 Interlocal Agreement with City of Dripping Springs, and the approval of this variance is required for preliminary plan approval. Additional information is provided in backup. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to approve SUB-1077; Cobb Ranch Estates (5 Lots), approve a variance from Chapter 721.5.05 of the Hays County Development Regulations including a qualification for the road maintenance of a private easement. All present voting "Aye". MOTION PASSED**

33330 APPROVE A RESOLUTION OF SUPPORT FOR DRIFTWOOD HISTORICAL CONSERVATION SOCIETY'S EFFORT TO HAVE THE LEGISLATURE RECOGNIZE A PORTION OF FM 150 AS THE WILLIAM B. TRAVIS HERITAGE TRAIL

Casey Cutler, resident of Driftwood spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell, to approve a resolution of support for Driftwood Historical Conservation Society's effort to have the legislature recognize a portion of FM 150 as the William B. Travis Heritage Trail. All present voting "Aye". MOTION PASSED**

33331 APPOINT COUNTY JUDGE-ELECT RUBEN BECERRA TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) GENERAL ASSEMBLY

Commissioner Ingalsbe spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones, to appoint County Judge-elect Ruben Becerra to the Capital Area Council of Governments (CAPCOG) General Assembly. All present voting "Aye". MOTION PASSED**

33332 WAIVE THE HAYS COUNTY PERMIT FEES FOR THE WIMBERLEY VALLEY HABITAT FOR HUMANITY PROJECT LOCATED AT 50 MESQUITE TRAIL, WIMBERLEY, TX 78676

Wimberley Valley Habitat for Humanity is a non-profit community assistance organization that utilizes volunteers to build houses for low income families. The Commissioners Court has waived the fees for development permits for this group in the past. This home will be the 20th that the organization has built in the Wimberley Valley. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to action to waive the Hays County permit fees for the Wimberley Valley Habitat for Humanity project located at 50 Mesquite Trail, Wimberley, TX 78676. All present voting "Aye". MOTION PASSED**



33333 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR LOW WATER CROSSING MONITORING EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY

The OES Director would like to have the following repairs completed at three (3) Low Water Crossing Monitoring sites throughout the County: 1. Woodacre Drive - move master pole, connect conduit and reinstall pressure transducer 2. Old Bastrop Hwy - replace pole base, solar panel and frame due to vehicular accident 3. Creek Rd at Onion Creek - replace pressure transducer Attachment: Water & Earth Technologies Quote #A637-210 > \$1,438 - Woodacre Dr > \$2,328 - Old Bastrop Hwy > \$1,421 - Creek Rd at Onion Creek Possible Funding: Co-Wide Self Insurance - 001-645-00.5342 - Site 2 \$2,328 Co-Wide Contingencies - 001-645-00.5399 - Sites 1 & 3 - \$2,859. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell, to authorize the Office of Emergency Services to repair Low Water Crossing Monitoring equipment and amend the budget accordingly. 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

Court convened into Executive session at 12:00 p.m. and reconvened into open court at 12:05 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Transportation Director, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. No action taken.

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 AND PROJECT MAGIC MINT

Court convened into Executive session at 10:35 a.m. and reconvened into open court at 11:56 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Transportation Director, Jerry Borcharding, Laura Harris and Legal Support Services Specialist, Janice Jones. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING A PROPOSED TIRZ IN PRECINCT 2

Court convened into Executive session at 11:57 a.m. and reconvened into open court at 11:59 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Transportation Director, Jerry Borcharding, and Legal Support Services Specialist, Janice Jones. No action taken.

33334 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING EMPLOYMENT AND DUTIES OF THE RECORDS MANAGER WITHIN THE HAYS COUNTY SHERIFF'S OFFICE

Court convened into Executive session at 9:53 a.m. and reconvened into open court at 10:33 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, Mike Davenport, Sheriff Cutler, Jeri Schrocki, Mike Cumberland and Legal Support Services Specialist, Janice Jones. No action taken. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize retitling the Sheriff's Office Records Manager to Records Program Administrator, moving the position from a Grade 114 to a Grade 116, amending the budget accordingly utilizing salary savings, as a necessary to hire the position within the County Policy to be effective January 1, 2019. All present voting "Aye". MOTION PASSED**

CLERK'S NOTE AGENDA ITEM # 40 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

Burn Ban remains lifted.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



CLERK'S NOTE AGENDA ITEM # 42 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 #43 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION – was pulled*

ADJOURNMENT

Court adjourned at 12:09 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 4, 2018.





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



HAYS COUNTY COMMISSIONERS' COURT MINUTES



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 11TH 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
CHRISTOPHER ALANIZ	DEPUTY COUNTY CLERK

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

Vilma Resendiz gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

PUBLIC COMMENTS

Dan Lyon, resident of San Marcos, and Trampas Sibert, resident of San Marcos, all made public comment.

33335 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve payments of County invoices in the amount of \$2,491,057.40 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33336 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve payments of Juror checks in the amount of \$360.00 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33337 APPROVE THE PAYMENT OF HUMANA AND UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the payment of United Healthcare claims in the amount of \$525,109.08 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

33338 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 4, 2018

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve Commissioners Court Minutes of December 4, 2018 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

33339 APPROVE THE PAYMENT OF THE DECEMBER 15, 2018 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,000.00 EFFECTIVE DECEMBER 14, 2018 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the payment of the December 15, 2018 payroll disbursements in an amount not to exceed \$2,650,000.00 effective December 14, 2018 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

33340 APPROVE UTILITY PERMITS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve Utility Permit # 1120 located on McGregor Lane issued to Electric (PEC). All present voting "Aye". MOTION PASSED



33341 APPROVE THE REAPPOINTMENT OF JERRY BORCHERDING, DIRECTOR OF TRANSPORTATION, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO AND TIM VANDEVORDE, ASSISTANT TRANSPORTATION SUPERINTENDENT, AS THE ALTERNATE VOTING MEMBER, TERM ENDING DECEMBER 31, 2019

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the reappointment of Jerry Borcharding, Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO and Tim VandeVorde, Assistant Transportation Superintendent, as the alternate voting member, term ending December 31, 2019. All present voting "Aye". MOTION PASSED

33342 APPROVE THE REAPPOINTMENTS OF SHARON O'BRIEN AND TOM RICHEY TO THE BOARD OF HAYS COUNTY ESD #3, TERM ENDING DECEMBER 31, 2020

Sharon O'Brien and Tom Richey have agreed to serve an additional term. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to approve the reappointments of Sharon O'Brien and Tom Richey to the board of Hays County ESD #3, term ending December 31, 2020. All present voting "Aye". MOTION PASSED

33343 RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR FLOOD MITIGATION ASSISTANCE (FMA) GRANT FUNDING

This grant application is for the Hays County Community Flood Mitigation Project. The Flood Mitigation Assistance grant program under FEMA, provides federal funding to assist states and communities to fund cost effective measures to reduce or eliminate the long-term risk of flood damage to structures insurable under the National Flood Insurance Program. The application is due to TWDB through the FEMA eGrants system by noon on Monday December, 10, 2018. This project was submitted to FEMA in the FY17 FMA, but did not receive funding. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to ratify the submission of a grant application to the Texas Water Development Board for Flood Mitigation Assistance (FMA) grant funding. All present voting "Aye". MOTION PASSED

33344 AUTHORIZE THE EXECUTION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE PRE-DISASTER MITIGATION (PDM) GRANT FUNDING FOR THE HAYS COUNTY COMMUNITY FLOOD MITIGATION PROJECT

The Pre-Disaster Mitigation program is designed to reduce the overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters. This project is also being submitted for funding under the FY18 FMA, as well as was submitted through HMGP. The application is due to TDEM through the FEMA eGrants system by December 14, 2018 for considerations and prioritization. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the execution of a grant application to the Texas Department of Emergency Management for the Pre-Disaster Mitigation (PDM) grant funding for the Hays County Community Flood Mitigation Project. All present voting "Aye". MOTION PASSED

33345 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE PRE-DISASTER MITIGATION (PDM) GRANT FUNDING FOR THE EXPANSION OF THE EXISTING FLOOD SYSTEM INFRASTRUCTURE

The Pre-Disaster Mitigation program is designed to reduce the overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters. Funding will be utilized to expand the existing flood system infrastructure which will include flood inundation mapping, models, and discharge rating work. The total project cost is \$106,000 (75% Federal Funding - \$79,500; 25% County Funding \$26,500). The application is due to TDEM through the FEMA eGrants system by December, 14, 2018 for considerations and prioritization. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the submission of a grant application to the Texas Department of Emergency



Management for the Pre-Disaster Mitigation (PDM) grant funding for the expansion of the existing flood system infrastructure. All present voting "Aye". MOTION PASSED

33346 APPROVE THE APPOINTMENT OF ALEXANDRA THOMPSON AS THE HAYS COUNTY REPRESENTATIVE TO PLUM CREEK WATERSHED PARTNERSHIP

The Plum Creek Watershed Partnership, composed of local stakeholders, was formed to guide the planning process and address the bacteria and nutrient concerns in the stream. Led by a Steering Committee, the Partnership works with citizens, businesses, and officials in the watershed to restore the health of Plum Creek, recognizing that success in improving and protecting water resources depends on the people who live and work there. Our Steering Committee includes representatives from the following organizations: - Caldwell and Hays Counties - The Cities of Lockhart, Luling, Kyle, Uhland, and Buda, - The Guadalupe - Blanco River Authority - Plum Creek Conservation District - Polonia Water Supply Corporation - Hays and Caldwell County Soil and Water Conservation Districts. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the appointment of Alexandra Thompson as the Hays County representative to Plum Creek Watershed Partnership. All present voting "Aye". MOTION PASSED**

33347 APPROVE SELECTION OF CONTRACTORS PURSUANT TO RFQ 2018-P17 UTILITY COORDINATOR AND AUTHORIZE GENERAL COUNSEL TO NEGOTIATE CONTRACTS

Dan Lyon, resident of San Marcos, made public comment. General Counsel, Mark Kennedy spoke. The top two firms ranking wise were LJA Engineering, Inc. and Binkley & Barfield, Inc. The third firm was Cobb, Fendley & Associates, Inc. A recommendation is to go with the top three. Purchasing received Statements of Qualifications from the following firms in response to RFQ 2018-P16 Utility Coordinator: Binkley & Barfield, Inc. Cardno, Inc. Cobb, Fendley & Associates, Inc. Costello, Inc. Criado & Associates, Inc. Halff Associates, Inc. HDR Engineering, Inc. KCI Technologies LJA Engineering, Inc. Maestas & Associates, LLC MWM DesignGroup Pike Engineering, LLC Quora Ipsum, LLC RESPEC Surveying and Mapping, LLC Texas Engineering Solutions, LLC Texas Utility Engineering, Inc. The evaluating committee has reviewed the respondents' qualifications and will identify the highest-ranking firms in court. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to approve the selected recommended top three firms LJA Engineering, Inc., Binkley & Barfield, Inc. and Cobb, Fendley & Associates, Inc. as contractors pursuant to RFQ 2018-P17 Utility Coordinator and authorize General Counsel to negotiate contracts. All present voting "Aye". MOTION PASSED**

33348 AUTHORIZE OUT OF STATE TRAVEL FOR CAPTAIN JULIE VILLALPANDO AND LIEUTENANT ERIC BATCH TO HUNTSVILLE, ALABAMA RELATED TO JAIL EQUIPMENT INSPECTIONS AND AMEND THE BUDGET ACCORDINGLY

Captain Villalpando and Lt. Batch will travel to the Huntsville, Alabama to visit the City Jail to inspect similar cell inserts for purchase consideration for the new Jail Facility. This onsite meeting is necessary to confirm that the layout, logistics, functionality and construction of the premanufactured cell meets the expectations of the Sheriff's Office and will satisfy the operational needs as designed. Equipment inspection is required as part of the submittal/manufacturing process to accept the cell design prior to the continued manufacturing of the remaining cells and before they are delivered to the site. Any changes after the cells are delivered will be costly and timely therefore it is imperative to obtain visual inspections as required. Travel costs are currently estimated at \$868 for airfare and hotel accommodations for both individuals. Additional funds may be needed if costs have increased at the time of booking all accommodations. The Jail Division does not have a miscellaneous travel budget, therefore requests the Courts consideration to move funds from contingencies. The total funds moved will not exceed the actual costs of all related travel items. Budget Amendment: Increase Jail Travel: 001-618-03.5501 – TBD Decrease County-Wide Contingencies: 001-645-00.5399 – TBD. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to authorize out of state travel for Captain Julie Villalpando and Lieutenant Eric Batch to Huntsville, Alabama related to Jail equipment inspections and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

33349 AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE ONE (1) NEW DELL SMART-UPS 5000VA RACK TOWER AND AMEND THE BUDGET ACCORDINGLY

The new Dell Storage Server that was ordered as part of the Law Enforcement NIBRS project has different power requirements than our existing Dell Storage Servers. The new server requires a 220v UPS and circuit, which was discovered once the equipment was received. The new UPS and circuit will need to be installed and complete prior to the deployment of the new hardware. Attachment: Dell Quote #3000030948200.1 DIR Contract # DIR-TSO-3763 Budget Amendment: Increase Computer Eqpt_Ops .5712_400 Decrease Data Supplies .5202). **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to**



authorize the Information Technology Department to purchase one (1) new Dell Smart-UPS 5000VA Rack Tower and amend the budget accordingly. All present voting "Aye". MOTION PASSED

33350 AUTHORIZE THE EXECUTION OF AN AMENDMENT TO THE TYLER TECHNOLOGIES CLIENT SUPPORT AND SOFTWARE SERVICES AGREEMENT FOR THE TAX OFFICE RELATED TO PUBLIC ACCESS SOFTWARE PRODUCTS

The Tax Assessor would like to utilize the Tyler Technologies Public Access Software Product to enhance their current Orion Tax Products. Public Access will provide taxpayers with online access to local property assessment and valuation data, tax billing and collection information, and other important records. Constituents will be able to contact our office through our website and find information easily and securely anytime. Some key product information includes; >Search for property information, valuation notices, and tax bills >Review tax amounts, assessment notices, or tax bills >Find property information, such as ownership, location, parcel, and legal description Funds were budgeted during the FY19 budget process to add this product to the current software package. Attachment: Tyler Technologies Software Agreement Amendment Sourcewell Contract #110515-TTI. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant, to authorize the execution of an Amendment to the Tyler Technologies Client Support and Software Services Agreement for the Tax Office related to Public Access software products. All present voting "Aye". MOTION PASSED**

33351 APPROVE EXECUTION OF PROFESSIONAL SERVICE AGREEMENTS WITH FREESE & NICHOLS TO MANAGE TCEQ'S MUNICIPAL SEPARATE STORMWATER SYSTEM PROGRAM (MS4) FOR HAYS COUNTY

Transportation Director, Jerry Borcharding spoke. Later this year, TCEQ will come out with new permitting requirements. Activities required to maintain compliance with the County's TPDES permit and prepare for the new permit include: Public education/outreach program Public involvement process Illicit discharge detection and elimination program Construction site stormwater runoff control Post-construction stormwater management Pollution prevention and good housekeeping for County operations. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe, to approve execution of Professional Service Agreements with Freese & Nichols to manage TCEQ's Municipal Separate Stormwater System program (MS4) for Hays County. All present voting "Aye". MOTION PASSED**

33352 SUB-870; SUNSET OAKS SUBDIVISION (2227 LOTS) DISCUSSION AND POSSIBLE ACTION TO APPROVE VARIANCES FROM CHAPTER 721.5.03 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS

Interim Director of Development Services, Caitlyn Strickland, spoke. Transportation Director, Jerry Borcharding spoke. Sunset Oaks is a master planned subdivision located at the corner of Yarrington Road and Hwy 21. The subdivision will be served by Maxwell WSC and wastewater service will accomplished by Aqua Texas INC. The developer is asking for variances from Chapter 721.5.03 of the Hays County Development Regulations, which outline building line setbacks from county roadways and driveway spacing. Building Lines Setbacks: The county regulation for roadways fronting along a roadway is a standard 25 ft setback. The developer would like to follow the City of San Marcos standard of 10ft corner side setback for lots that have two sides of the lot fronting along a roadway. Driveway Spacing: The county regulation for driveway spacing is 50 feet. The developer would like to follow the city of San Marcos standard of "one driveway per property" with no distance separation limitation. The size of the lots will not allow for the 50ft spacing requirement the county has. Additional information is provided in back up. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones, to approve SUB-870; Sunset Oaks Subdivision (2227 Lots) variances from Chapter 721.5.03 of the Hays County Development Regulations. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #19 RE: 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. – was pulled

33353 APPROVE THE APPOINTMENT OF ALEX GARCIA TO THE BOARD OF EMERGENCY SERVICES DISTRICT #3, TERM ENDING DECEMBER 31, 2020

Commissioner Whisenant spoke. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell, to approve the appointment of Alex Garcia to the board of Emergency Services District #3, term ending December 31, 2020. All present voting "Aye". MOTION PASSED**



33354 AUTHORIZE THE EXECUTION OF AN ENGAGEMENT LETTER BETWEEN HAYS COUNTY AND DAVIS KAUFMAN PLLC RELATED TO THE 86TH LEGISLATIVE SESSION OF THE TEXAS LEGISLATURE

Dan Lyon, resident of San Marcos, made public comment. Commissioner Shell spoke. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant, to authorize the execution of an engagement letter between Hays County and Davis Kaufman PLLC related to the 86th legislative session of the Texas Legislature. All present voting "Aye". MOTION PASSED**

33355 AUTHORIZE THE EXECUTION OF THE CONFIDENTIAL DATA RELEASE AND INDEMNIFICATION AGREEMENT BETWEEN HAYS COUNTY, UNITED HEALTHCARE SERVICES INC., FROST INSURANCE AND ZYWAVE, INC

HR Director, Shari Miller spoke. General Counsel, Mark Kennedy spoke. Hays County utilizes benefit data analysis services from Zywave, Inc. in conjunction with Frost Insurance and United Healthcare. United Healthcare requires this multi-party agreement authorizing the release of data. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell, to authorize the execution of the Confidential Data Release and Indemnification Agreement between Hays County, United Healthcare Services Inc., Frost Insurance and Zywave, Inc. All present voting "Aye". MOTION PASSED**

33356 AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT (ILA) BETWEEN HAYS COUNTY AND THE CITY OF BUDA FOR LIBRARY SERVICES

Commissioner Jones spoke. General Counsel, Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe, to authorize the execution of an Interlocal Agreement (ILA) between Hays County and the City of Buda for library services. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #24 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT. – was pulled

33357 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 HAYS COUNTY AUDITOR'S OFFICE. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into Executive session at 9:43 a.m. and reconvened into open court at 10:29 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, HR Director, Shari Miller, County Auditor, Marisol Villarreal – Alonso, First Assistant County Auditor, Vickie Dorset and Legal Support Services Specialist, Janice Jones. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell, to move to accept the Auditors Office proposed reorganization as presented regrade the Purchasing Manager position grade 116 to 117 effective 1/1/19, hire the Accounting Associate slot 002 at 28.86 percentile effective 12/27/18, delay an Accounting Manager start date 3/1/19, the pros of restructure will be an estimated savings \$5362.00 due to vacant positions and attrition. All present voting "Aye". MOTION PASSED**

Clerk's Note Agenda Item #26 RE: 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. – was pulled

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 SAND. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

HAYS COUNTY COMMISSIONERS' COURT MINUTES



Court convened into Executive session at 10:32 a.m. and reconvened into open court at 11:03 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Commissioner Whisenant, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. No action taken.

Clerk's Note Agenda Item #28 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW. – was pulled*

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Burn Ban will remain lifted.

Clerk's Note Agenda Item #30 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 #31 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. – was pulled*

ADJOURNMENT

Court adjourned at 11:07 a.m.

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on December 11, 2018.




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



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

HAYS COUNTY COMMISSIONERS' COURT MINUTES



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.

Liz Q Gonzalez

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

