



JUNE 25, 2019

**STATE OF TEXAS    \***  
**COUNTY OF HAYS    \***

**ON THIS THE 25<sup>TH</sup> DAY OF JUNE A.D., 2019, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

**RUBEN BECERRA  
DEBBIE GONZALES INGALSBE  
MARK JONES  
LON A. SHELL  
ELAINE H. CÁRDENAS**

**COUNTY JUDGE  
COMMISSIONER, PCT. 1  
COMMISSIONER, PCT. 2  
COMMISSIONER, PCT. 3  
COUNTY CLERK**

**WITH COMMISSIONER, PCT. 4, WALT SMITH, BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Lora Hardway gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

#### **PUBLIC COMMENTS**

Kristin McGarity resident of Kyle spoke of the opioid lawsuits. Dan Lyon, resident of San Marcos, spoke of the disbursements of county invoices. Rodrigo Amaya, resident of San Marcos spoke of the Sheriffs safety measures and county invoices.

#### **PRESENTATION OF HAYS COUNTY SERVICE AWARDS**

Human Resources Specialists, Kim Jeter gave presentation of Hays County Service Awards.

5 – Year Service Awards – District Attorney's Office – Rhonda Wiederstein, District Court –Rebecca Lyn Linkhart, Juvenile Probation – Alexandra Alyce Luna, Tax Office – Mary Garza, Sheriff's Office – Dianne Renee Luna, 10 – Year Service Awards – Sheriff's Office – Jason Cowan, Sheriff's Office – Richard Lozano, 15 Year Service Awards – Tax Office – Priscilla Rodriguez, 30 – Year Service Awards – IT Department – Virginia Sierra, Retirement – Sheriff's Office –Jimmy Quick.

#### **PRESENTATION BY MARTHA JOYCE REGARDING AN UPDATE ON THE CENTRAL TEXAS DISPUTE RESOLUTION CENTER**

Martha Joyce spoke. The mediation services location has moved to 300 CM Allen Parkway Suite 400. The center has more room for mediators and also more public parking. The center has continued to train mediators and all mediators are volunteers. A new mediation program called Peer Mediation was implemented last year. Dispute Resolution Center has received \$93,637.00 in alternate dispute resolution funds, monthly average of \$4,682.00. Total ADR Funds of Hays County, Caldwell County and Comal County are \$180,836.00. The case intake for Hays County 128 for the residence of Hays County. The Dispute Resolution Center has other services such as legal clinics; referral to other counties, state agencies and inquiring's to a total of 900 persons.

#### **34007           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 \$1,869,990.37, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **34008           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 \$15,938.00, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

#### **34009           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 United Healthcare claims in the amount of \$ 161,426.21, as submitted by the County Auditor. All present voting "Aye". MOTION PASSED



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**34010 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 18, 2019**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of June 18, 2019. All present voting "Aye". MOTION PASSED

**34011 APPROVE THE PAYMENT OF THE JUNE 30, 2019 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$3,575,000.00 EFFECTIVE JUNE 28, 2019 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the June end of month payroll disbursements not to exceed \$3,575,000.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the June 30, 2019 payroll disbursements in an amount not to exceed \$3,575,000.00 effective June 28, 2019 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**34012 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CHANGE ORDER #1 WITH MAC, INC. RELATED TO THE OLD SAN ANTONIO ROAD IMPROVEMENTS PROJECT**

On February 26, 2019 the Court awarded a contract to MAC, Inc. in response to IFB 2019-B01 for improvements to Old San Antonio Road. The original contract award was \$1,411,463.80 which will increase to \$1,458,640.10 or 3.34% if approved. Change Order #1 is needed to address the following issues: >Revision 1: Cost adjustments due to commutation line conflicts >Change Directive 1: Cost adjustments to driveways to Hays County standards >Change Directive 2: Cost adjustments to install conduit for communication line & back fill holes from power poles Funds are available within the Transportation Department operating budget for this change order. Attachment: MAC, Inc. CO #1. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Change Order #1 with MAC, Inc. related to the Old San Antonio Road Improvements Project. All present voting "Aye". MOTION PASSED

**34013 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT \$679 IN ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) FOR COMMUNITY BASED PROGRAMS AND AMEND THE BUDGET ACCORDINGLY**

The Texas Juvenile Justice Department awarded the Hays County Juvenile Probation Department an additional \$679 for expenses related to regional community-based programs. Funds may be utilized for juvenile programs for individuals that are on probation. 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 Ingalsbe to authorize the Juvenile Probation Department to accept \$679 in additional grant funding from the Texas Juvenile Justice Department (TJJD) for Community Based Programs and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**34014 ACCEPT ADDITIONAL GRANT FUNDING FROM THE DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF) AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya, resident of San Marcos, made public comment. County Auditor, Marisol Villarreal-Alonzo spoke. The Sheriff's Office receives funding annually from the Drug Enforcement Administration to offset overtime costs for the detective assigned to the OCDETF program. Attachment: DOJ OCDETF Grant Notification Budget Amendment: Increase Intergovernmental Revenue .4301 Increase Overtime Compensation-CBA .5032. A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept additional grant funding from the Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF) and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**34015 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS FOR VEHICLE MAINTENANCE & REPAIRS; A REPLACEMENT HVAC EQUIPMENT PURCHASE AND AMEND THE BUDGET ACCORDINGLY**



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Dan Lyon, resident of San Marcos, made public comment. Rodrigo Amaya, resident of San Marcos, made public comment. Captain Burns spoke on the vehicle maintenance and repairs. Captain Julie Villalpando spoke. Captain Davenport spoke. The Sheriff's Office operating budget for vehicle maintenance & repair is currently at \$3k, which is not sufficient to cover the remainder of the fiscal year for preventative maintenance and repairs for the SO fleet. Additional funds are needed due to an increase in collision repair costs that are now being funded through the SO Operating budget. Current expenses average around \$17k per month, therefore an additional \$60k is estimated to cover the remainder of this fiscal year. Additionally, the Jail is requesting the replacement of RTU 23i, air conditioning unit serving D-Multipurpose room. The A/C unit is nine years old and the estimate for repairs is \$11,146. A total replacement of the unit is \$14,251. The Sheriff is requesting replacement of this unit, as the most cost-effective approach and to gain a 10- year warranty on the new system. SI Mechanical will be utilized as the county contractor for HVAC equipment. They are registered with the State of Texas and licensed as air conditioning contractors. This work involves the use of refrigerant recovery equipment and licensed technicians. Attachment: SI Mechanical Quote Budget Amendment: Decrease SO Operating Staff Salaries - 001-618-00.5021 - (\$60,000) Increase SO Vehicle Maintenance & Repair - 001-618-00.5413 - \$60,000 Decrease Jail Division Staff Salaries - 001-618-03.5021 - (\$14,251) Increase Miscellaneous Equipment\_Ops - 001-618-03.5719\_400 - \$14,251. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Sheriff's Office to utilize salary savings for vehicle maintenance & repairs; a replacement HVAC equipment purchase and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34016 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO PURCHASE TWO (2) MISTING FANS UTILIZING DSHSHAZARDS GRANT FUNDING FOR USE DURING EMERGENCY INCIDENTS AND AMEND THE BUDGET ACCORDINGLY**

Authorize the Office of Emergency Services to purchase two portable misting fans that will be used during emergency incidents. These fans can cool up to 500 sq. ft. by 25°F and have 10-gallon water tanks that provide up to 5 hours of use. Funding for these fans has been identified in the DSHS Hazards Grant. Attachment: Uline Quote and Product Specs Budget Amendment: Increase Misc. Equipment\_Ops Decrease General Supplies. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to purchase two (2) misting fans utilizing DSHSHazards grant funding for use during emergency incidents and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34017 AUTHORIZE THE COMMISSIONER PCT. 1 OFFICE TO SUPPORT THE HAYS CARES SHOES OF HOPE EVENT RELATED TO SHOE DISTRIBUTION INITIATIVES FOR HAYS COUNTY CHILDREN**

The Commissioner Pct. 1 would like to provide sponsorship funding to Samaritan's Feet for the Hays Cares Shoes of Hope event to be held at Lehman High School 1700 Lehman Rd. Kyle on August 3rd. This program will provide children with the essentials needed to return to school. Objectives of the Shoes of Hope program are: • Provide new athletic shoes and socks for needy individuals. • Partner with local schools, corporations, non-profits, and other organizations, utilizing the power of collaboration to transform communities through service. • Encourage both students and volunteers with the life-changing message of hope and respect for all people. Attachment: Hays Cares Shoes of Hope Sponsorship Information Funds are available within the Commissioner's operating budget to provide sponsorship support. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Commissioner Pct. 1 Office to support the Hays Cares Shoes of Hope event related to shoe distribution initiatives for Hays County children. All present voting "Aye". MOTION PASSED**

**34018 APPROVE AND CONFIRM THE APPOINTMENT OF JENNINGS B. GRAHAM AS RESERVE DEPUTY CONSTABLE, FOR PRECINCT 3, EFFECTIVE JUNE 25, 2019**

Graham has 38 years in Law Enforcement and has retired from the Nassau Bay Police Department with 23 years. He spent 15 years as a Sheriff Deputy for Galveston County & Brazoria County. He holds a Masters Peace Officer License and is a motorcycle Officer. 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 commissioner's 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 commissioner's court shall approve and confirm the appointment of the deputy only if the commissioner's 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



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approval of the commissioner's 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 Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Jennings B. Graham as Reserve Deputy Constable, for Precinct 3, effective June 25, 2019. All present voting "Aye". MOTION PASSED**

**34019      AUTHORIZE THE RECORDS MANAGEMENT OFFICER TO EXTEND TEMPORARY PART-TIME POSITIONS RELATED TO RECORDS RETENTION AND PRESERVATION OF RECORDS FOR THE CRIMINAL DISTRICT ATTORNEY'S OFFICE AND AMEND THE BUDGET ACCORDINGLY**

The Records Management Officer is requesting the Courts authorization to continue current scanning projects. In October 2017, the Commissioners Court approved the funding of several scanning projects for FY 2018 and FY 2019. The Records Management Officer is requesting an additional 3,484 hours to assist with the completion of this project. The additional hours are due to a higher count in files per box for more recent years that results in more data entry, additional tasks needed for completing the project, changes to the retention schedules that affected the processing of juvenile records and the final total number of files for 2017 and 2018. Since October 2017, the Records Management office has completed the scanning of 12,980 folders containing 90,140 documents. The total includes 6,579 Misdemeanor case files with 69,228 documents, 6,015 Felony case files with 20,075 documents, and 386 CPS case files with 837 documents. There is an estimate total of 31,653 files that remain to be processed. Funds are available in the Records Preservation Fund for these projects. Budget Amendment: Increase Salaries - \$38,324 Increase FICA - \$2,376 Increase Medicare - \$556 Decrease Contract Services - (\$41,256) Attachment: Scanning Project Details. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Records Management Officer to extend temporary part-time positions related to records retention and preservation of records for the Criminal District Attorney's Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34020      AUTHORIZE THE SUBMISSION OF THE RENEWAL GRANT APPLICATION TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE FY20 TUBERCULOSIS/FEDERAL CONTRACT IN THE AMOUNT OF \$22,297**

The DSHS 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 year FY20 from existing salaries, benefits, and operating expenses. Grant Period: 1/1/2020 - 12/31/2020 with an option to renew to extend through 12/31/2021 The application is due on July 2, 2019 and will be submitted electronically. Attachments: FY20 TB FED ILA Packet FY20 Budget Templates with Match. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of the renewal grant application to the Texas Department of State Health Services (DSHS) for the FY20 Tuberculosis/Federal Contract in the amount of \$22,297. All present voting "Aye". MOTION PASSED**

**34021      AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT AT THE WINDY HILL RD (CR 131) LOCATION AND AMEND THE BUDGET ACCORDINGLY**

Assistant Director of Emergency Services, Justin McInnis spoke. The flasher #1 pole at 50030 Windy Hill Rd (CR 131) at Andrews Branch was damaged during a vehicular accident on May 27th, 2019. The vehicle broke the pole base, causing the pole to fall over and damage the electronics enclosure, the batteries, the lights and cabling. All of these items must be replaced before the station can be reinstalled. The Emergency Services Director has received quotes from our current LWC installation vendor to complete 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. Attachments: Water & Earth Technologies Quotes #A637-216 - \$3,894.13 Possible Funding: Co-Wide Self Insurance - 001-645-00.5342. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment at the Windy Hill Rd (CR 131) location and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34022      AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING FLASHER STATIONS IMPACTED BY THE MAY 2019 FLOODS AND AMEND THE BUDGET ACCORDINGLY**

Rodrigo Amaya, resident of San Marcos, made public comment. During the May 2019 flood event, the Hays County flood early warning system sustained damages to its infrastructure. Damages to the system include: Uhland Rd Pressure Transducer & Riser Replacement Flasher Uhland Rd Light Replacement Wayside Drive Riser Repair Mt. Gainor Pressure Transducer Replacement Flasher Creek Rd Pressure Transducer & Riser Replacement Flasher Trautwein Rd Light Replacement The Emergency Services Director has received quotes





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from our contracted vendor to complete the repairs. Attachment Water & Earth Technologies Quote XPHC007-1> Uhland Road PT & Riser \$4,672.58 >Uhland Road Light Replacement \$235.88 >Wayside Drive Riser Repair \$460.00 >Mt. Gainor \$3,297.25 >Creek Road \$5,235.95 >Trautwein Rd Light Replacement \$235.88 Possible Funding: Co-Wide Self Insurance - 001-645-00.5342. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to repair damaged Low Water Crossing Flasher stations impacted by the May 2019 floods and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**34023            AUTHORIZE THE CONSTABLE PCT. 1 OFFICE TO PURCHASE REPLACEMENT WEAPONS FOR LAW ENFORCEMENT OFFICER SAFETY**

Dan Lyon, resident of San Marcos, made public comment, Rodrigo Amaya, resident of San Marcos, made public comment. Constable Pct. 1, David Peterson spoke. The Constable's Office is in need of four (4) Mossberg SP LE 12Ga Shotguns for full time Deputies for law enforcement and safety needs. Funds are available in the Constable's budget for this purchase. Attachment: GT Distributor's Quote #QTE0106179 BuyBoard Contract #524-17.

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Constable Pct. 1 Office to purchase replacement weapons for law enforcement officer safety. All present voting "Aye". MOTION PASSED**

**APPROVE OUT OF STATE TRAVEL FOR CHIEF OF STAFF ALEX VILLALOBOS TO ATTEND THE NATIONAL ASSOCIATION OF COUNTIES (NACO) 84TH ANNUAL CONFERENCE & EXPOSITION IN LAS VEGAS, NEVADA ON JULY 12 - 15, 2019**

Dan Lyon, resident of San Marcos, made public comment. Chief of Staff, Alex Villalobos spoke. The County Judge is requesting authorization for his Chief of Staff to travel out of state to attend the NACo Conference in Las Vegas. This conference provides key opportunities to exchange cutting-edge best practices and shape NACo's federal policy agenda for the year ahead. Estimated costs for registration, airfare and hotel are \$2,000. Funds are available within the County Judge's operating budget to cover this expense. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state travel for Chief of Staff Alex Villalobos to attend the National Association of Counties (NACo) 84th Annual Conference & Exposition in Las Vegas, Nevada on July 12 - 15, 2019. Commissioner Ingalsbe and Judge Becerra voting "Aye". Commissioner Shell and Commissioner Jones voting "No". MOTION NOT PASSED**

**34024            AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) WITH REYNOLDS, SMITH & HILLS CS, INC. (RS&H) FOR THE FM 1626 SOUTH CONSTRUCTION MANAGEMENT PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$986,819.00 FROM \$2,535,000 TO \$3,521,819**

Commissioner Jones spoke. Transportation Director, Jerry Borcharding spoke. General Counsel, Mark Kennedy spoke. Requesting a discretionary exemption per Local Government Code, Ch. 262.04(a)(4) due to amended contract value exceeding 25%. The additional authorized money will allow for the execution of a Supplemental #5 to Work Authorization #1 for FM 1626 South construction management services. The FM 1626 South project was originally expected to have a duration of around 20 months. But through different utility and ROW issues along with plans revisions, we are in month 32 and the project is expected to continue through the end of 2019 according to the current contractor schedule. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute a Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Reynolds, Smith & Hills CS, Inc. (RS&H) for the FM 1626 South construction management project as part of the Pass-Through Finance Program in Hays County, increasing the Compensation Cap by \$986,819.00 from \$2,535,000 to \$3,521,819. All present voting "Aye". MOTION PASSED**

**34025            SUB-1304; BUSH RANCH, PHASE 4, SECTION 1 (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

County Planner, Marcus Pacheco spoke and gave staff recommendation. The proposed Bush Ranch Phase 4, Section 1 is a 1 lot subdivision located off of W US Highway 290 in Precinct 4. Water service will be provided by West Travis County Public Utility Agency. Wastewater service will be accomplished by Hays County Municipal Utility District No. 4. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve preliminary plan of SUB-1304; Bush Ranch, Phase 4, Section 1 (1 Lot). All present voting "Aye". MOTION PASSED**



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**34026      AUTHORIZE ON-SITE SEWAGE SYSTEM PERMIT FOR 5 SHORT-TERM RENTAL CABINS AND GRANT A VARIANCE TO SECTION 10 W. 6. OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 405 MARTIN ROAD, DRIPPING SPRINGS, TEXAS 78620**

Director of Development Services, Caitlyn Strickland spoke. Trevor Cutler is proposing an On-Site Sewage System to serve 5 short-term rental cabins. This 4.00-acre tract of land is Lot 2 in the Booky T Subdivision and will be served by a private well. The system designer has designed a standard treatment system. After treatment, the effluent will be disposed via standard disposal for a maximum daily rate of 500 gallons. The system designer, Jim Conner, R.S., is requesting a variance to Section 10 W. 6. of the Hays County Rules for On-Site Sewage Facilities which requires that this on-site sewage system to be equipped with a flow metering device capable of measuring and recording the average daily flow rate. His justification for the variance request is that the "a flow meter placed on the water line entering each cabin will provide equal protection the same amount of water going through the meter will be going to the OSSF." **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize On-Site Sewage System Permit for 5 short-term rental cabins and grant a variance to Section 10 W. 6. of the Hays County Rules for On-Site Sewage Facilities at 405 Martin Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**34027      AWARD RFP 2019-P05 EMPLOYEE ASSISTANCE PROGRAM TO DEER OAKS EAP SERVICES, LLC AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT**

HR Director, Shari Miller spoke. On May 14, 2019 the Commissioners Court approved the specifications for a solicitation for an Employee Assistance Program. Purchasing received proposals from two vendors: Cigna Behavioral Health, Inc. and Deer Oaks EAP Services, LLC. After reviewing the proposals and interviewing both vendors, the evaluation committee recommends that the award be made to Deer Oaks EAP Services. The vendors proposal is for approximately \$12,750/year for 3 years. The county's current cost for a similar program is approximately \$13,158 annually. Attached: Average Score Sheet RFP 2019-P05. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner to award RFP 2019-P05 Employee Assistance Program to Deer Oaks EAP Services, LLC and authorize staff and General Counsel to negotiate a contract. All present voting "Aye". MOTION PASSED**

**34028      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MULTIPLE USE AGREEMENT (MUA) BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND HAYS COUNTY REGARDING THE INSTALLATION AND MAINTENANCE OF FLOOD EARLY WARNING EQUIPMENT WITHIN THE TXDOT RIGHT OF WAY ON RM 150 AT THE ONION CREEK DOUBLE CROSSING**

Assistant Director of Emergency Services, Justin McInnis spoke. Commissioner Jones and Commissioner Shell spoke. The Commissioners Court approved a resolution on April 30, 2019 in support of a partnership with TxDOT for the installation and maintenance of flood early warning equipment on State highways or State right of ways. This MUA will provide for the installation and maintenance of such equipment within the TxDOT Right of Way on RM 150 at the Onion Creek double crossing. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute a Multiple Use Agreement (MUA) between the Texas Department of Transportation (TxDOT) and Hays County regarding the installation and maintenance of flood early warning equipment within the TxDOT Right of Way on RM 150 at the Onion Creek double crossing. All present voting "Aye". MOTION PASSED**

**34029      ACTION TO ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF "HAYS COUNTY, TEXAS UNLIMITED TAX ROAD BONDS"; LEVYING AN ANNUAL AD VALOREM TAX, WITHOUT LIMIT AS TO RATE OR AMOUNT, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; DELEGATING AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

Dan Wegmiller and Julia Houston spoke. These delegation/parameter bond orders are needed for the issuance of bonds authorized by the citizens of Hays County in November 2016. Attached: Parameter Order. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the issuance of Hays County, Texas Unlimited Tax Road Bonds, levying an annual ad valorem tax, without limit as to rate or amount, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other**



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matters incident and related to the issuance, sale and delivery of the bonds; delegating authority to certain members of the Commissioners Court and County Staff to execute certain documents relating to the sale of the Bonds; authorizing the execution of paying agent/registrar agreement; and providing an effective date of 06/25/2019. All present voting "Aye". MOTION PASSED

**34030      AUTHORIZE THE CONSTABLE PCT. 3 OFFICE TO CONVERT TWO PART-TIME DEPUTY CONSTABLE POSITIONS INTO ONE FULL-TIME POSITION EFFECTIVE JULY 1, 2019 AND AMEND THE BUDGET ACCORDINGLY**

Constable Pct. 4, Ray Helm spoke. First Assistant County Auditor, Vickie Dorsett, spoke. The Constable is requesting approval to convert two part-time positions into one full-time position due to complications with hiring part-time law enforcement officers. If approved, insurance benefits (\$11,802 annualized) will be added to the cost of the position. These two positions are currently being funded by the City of Woodcreek and Wimberley ISD. The General Counsel's office is working with the two agencies to draft amended Interlocal Agreements to cover the additional cost for the insurance benefits. It is anticipated that these amended ILA's will be presented for approval with an effective date of 10/1/19 with the county covering the additional cost for the remaining three months of FY19. Budget Amendment: \$2,833 - Increase Medical Insurance \$ 101 - Increase Dental Insurance \$ 16 - Increase Life Insurance Possible funding source: County Wide salary adjustments due to attrition. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Constable Pct. 3 Office to convert two part-time Deputy Constable positions into one full-time position effective July 1, 2019 and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**CLERK'S NOTE: AGENDA ITEM # 28 RE: DISCUSSION AND POSSIBLE ACTION TO CONSIDER 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 AT 4605 AIRPORT HIGHWAY 21 MAXWELL, TEXAS 78656. – WAS PULLED**

**CLERK'S NOTE: COURT TOOK A BREAK AT 10:18AM – 10:25AM.**

**WORKSHOP ON VIRTUAL HEALTHCARE FOR CITIZENS OF HAYS COUNTY WHO ARE INDIGENT AND/OR UNDERSERVED WITH CHRONIC DISEASES**

Merchant's Resource Group, CEO, Kyle Hayungs spoke. See backup for more information and additional information may be presented in Court during the Workshop.

**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 11:22 a.m. and reconvened into open court at 11:32a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Shell, Judge Becerra, Chief of Staff Alex Villalobos, General Counsel, Mark Kennedy, Assistant General Counsel, Jordan Powell, and Legal Support Services Specialist, Janice Jones. No action taken.

**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, LEASE AND/OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY ALONG REBEL DRIVE IN PCT 2 & PCT. 4. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. – WAS PULLED**

**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**

**CLERK'S NOTE: AGENDA ITEM # 33 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. – WAS PULLED**



JUNE 25, 2019

**CLERK'S NOTE: AGENDA ITEM # 34 RE:** *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, WADE BENTON, 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*

**DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS**


Hays County's current maximum jail capacity is 362 inmates. Jail Standards recommends holding approximately 10% of capacity open. The jail's daily average was 551 and peak was 557 on June 21<sup>st</sup> for the week of June 16<sup>th</sup> to June 22<sup>th</sup>, 2019. Estimated cost for outsourcing inmates this week as \$76,448.00. The average number of outsourced males is 199 and females are 13. This week's inmates were housed in the following counties: Bastrop, Bell, Blanco, Burnett, Caldwell, Guadalupe, McLennan and Walker.

**ADJOURNMENT**

A motion was made by Commissioner Jones to adjourn court at 11:42 a.m.

I, ELAINE H. CÁRDENAS, 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 24, 2019.



  
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ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

