



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 16TH DAY OF JULY A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

WITH WILL CONLEY COMMISSIONER, PCT. 3 BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Gary Smith, Retired Air Force Chaplin introduced Ben Nelson of St. Mark's Episcopal Church who gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

PUBLIC COMMENTS

Steven R Werth – Retired military and San Marcos resident spoke.

29144 ADOPT A PROCLAMATION DECLARING JULY 19, 2013 AS SAN MARCOS HAYS COUNTY EMS DAY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to Adopt a Proclamation declaring July 19, 2013 as San Marcos Hays County EMS Day. All present voting "Aye". MOTION PASSED

PRESENTATION OF THE TEXAS HISTORICAL COMMISSION'S DISTINGUISHED SERVICE AWARD CERTIFICATE TO THE HAYS COUNTY HISTORICAL COMMISSION

The Texas Historical Commission presented a 2012 Distinguished Service Award to the Hays County Historical Commission in recognition of its Active and Well-Balanced Preservation Program.

29145 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payment of County Invoices in the amount of \$392,918.80 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

29146 APPROVE COMMISSIONERS COURT MINUTES OF JULY 9, 2013

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of July 9, 2013 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

29147 AUTHORIZE THE GRANTS ADMINISTRATION OFFICE TO TRANSFER FUNDS TO INFORMATION TECHNOLOGY FOR THE PURCHASE OF SOFTWARE LICENSE AND AMEND THE BUDGET ACCORDINGLY

The Grants Administration Office now processes the majority of grant applications and contracts electronically, and many of the forms associated with the grants are often scanned into Adobe Acrobat for transmittal. This subsequently "locks" formatting on incoming documents, making it difficult – if not impossible – to enter data or make changes to areas within these original documents by digital means. The requested Adobe Acrobat Professional software will allow the forms to be "unlocked" for data entry and also facilitate the conversion of Adobe formats into common Microsoft Office applications. This software will simplify and help to expedite the processing of grant applications and contracts and other documents. Funding is available through savings in the office supplies line item of the Grants' budget. Amount required \$ 3.59.00; 001-670-00.5211 - Grants - Office Supplies (\$359.00); 001-680-00.5429 - IT - Software License \$359.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Grants Administration Office to transfer funds to Information Technology for the purchase of software license and amend the budget accordingly. All present voting "Aye". MOTION PASSED



- 29148 APPROVE OUT OF STATE TRAVEL FOR CAPTAIN MARK CUMBERLAND AND LON SHELL FOR THE NATIONAL INSTITUTE OF CORRECTIONS, (NIC) "PLANNING OF NEW INSTITUTIONS" COURSE, AUG 19TH THROUGH AUG 22ND IN AURORA, COLORADO**

This travel is at no expense to Hays County. The course and expenses are covered by NIC. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve out of state travel for Captain Mark Cumberland and Lon Shell for the National Institute of Corrections, (NIC) "Planning of New Institutions" course, Aug 19th through Aug 22nd in Aurora, Colorado. All present voting "Aye". MOTION PASSED

- 29149 AUTHORIZE THE PRECINCT 4 COUNTY COMMISSIONER TO EXECUTED SUPPLEMENT NO. 1 TO THE WORK AUTHORIZATION NO. 2 FOR HALFF ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR THE DARDEN HILL AT RM 1826 PRIORITY ROAD BOND INTERSECTION SAFETY IMPROVEMENT PROJECT**

The Darden Hill Road intersection at RM 1826 was identified as part of the Priority Road Bond Project for Intersection safety improvements due to the extreme skew angle of the current intersection. Supplement No. 1 to Work Authorization No. 2 authorizes the Utility Coordinator to advance the utility relocation efforts in order to have utilities clear prior to letting the project for construction. Amount required \$ 20,185.00; Funds are available within the road bond program budget. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Precinct 4 County Commissioner to executed Supplement No. 1 to the Work Authorization No. 2 for Halff Associates, Inc. to provide Utility Coordination services for the Darden Hill at RM 1826 Priority Road Bond intersection safety improvement project. All present voting "Aye". MOTION PASSED

- 29150 AWARD THE CONSTRUCTION OF THE FINAL TIE-IN OF LAKEWOOD DRIVE PRIORITY ROAD BOND PROGRAM PROJECT TO FM 1626 AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONSTRUCTION CONTRACT DOCUMENTS**

The Lakewood Drive at FM 1626 project was identified as a key project in Precinct 2 as part of the 2008 Priority Road Bond Program. The project design is complete and construction began on November 26, 2012. Lakewood Drive ties to FM 1626 on the northern end of the project. The FM 1626 pass-through finance project ran behind the initial proposed schedule due a delay in project approval by the FHWA as well as utility relocation delays. The project schedules for each project indicate that the new pavement for FM 1626 would not be in place for several months after the Lakewood Drive project is scheduled to be completed. As such, CO #1 was executed to remove the final tie-in work from the Lakewood Drive construction contract to prevent delay claims. The County recently requested construction estimates from four contractors to complete the final tie-in once the work on FM 1626 has advanced enough to do so. Construction cost estimates received from the contractor's is as follows: SEMA Construction, Inc. - \$24,606.10; Allen Keller Construction, Inc. - \$31,046.00; Ashlar Contracting Co. - \$36,321.50; Joe Bland Construction, Inc. - Unresponsive. The Pass-Through and Bond Program Management Team recommend award of the final tie-in construction to SEMA Construction, Inc. and authorization of the County Judge to execute the contract documents. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to award the construction of the final tie-in of Lakewood Drive Priority Road Bond Program project to FM 1626 and authorize the County Judge to execute the construction contract documents. All present voting "Aye". MOTION PASSED

- 29151 BELTERRA PHASE 4, SECTION 19A [13-4-10--31 LOTS] APPROVE FINAL PLAT AND ACCEPT SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$187,603.29**

Clint Garza, Director of Development and Community Services Manager spoke. Phase 4 Section 19A is a proposed section of the Master Planned Belterra Subdivision in precinct 4. The total acreage of this section is 16.10 acres with an average lot size of .51 acres. Water and wastewater to the site will be provided by Hays County WCID #2. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve final plat and accept Surety for the construction of street and drainage improvements in the amount of \$187,603.29 for Belterra Phase 4 Section 19A. All present voting "Aye". MOTION PASSED

- 29152 BELTERRA PHASE 4, SECTION 19B [13-4-11--46 LOTS] APPROVE FINAL PLAT AND ACCEPT SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$228,167.94**

Phase 4 Section 19B is a proposed section of the Master Planned Belterra Subdivision in precinct 4. The total acreage of this section is 24.01 acres with an average lot size of .59 acres. Water and wastewater to the site will be provided by Hays County WCID #2. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat accept Surety for the construction of street and drainage



improvements in the amount of \$228,167.94 for Belterra Phase 4, Section 19B. All present voting "Aye".
MOTION PASSED

29153 SUB-106 BELTERRA PHASE 4, SECTION 12B (101 LOTS) APPROVE FINAL PLAT AND ACCEPT SURETY FOR THE CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS, IN THE AMOUNT OF \$423,800.00

Roxie McInnis Development Services Manager gave staff recommendation. The preliminary plan for Belterra Phase 4 was originally approved in January 2006 as a 938 lot phase covering 812.83 acres. Section 12B covers 29.95 acres and will result in 101 lots with an average residential lot size of 0.21 acres. Water and wastewater services will be provided to all lots by Hays County Water Control and Improvement District No. 2. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve final plat and accept Surety for the Construction of street and drainage improvements, in the amount of \$423,800.00 for Belterra Phase 4, Section 12B. All present voting "Aye". MOTION PASSED**

29154 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MULTIPLE USE AGREEMENT RELATED TO HAYS COUNTY'S USE AND MAINTENANCE OF RIGHT OF WAY AT THE JUNCTION OF RM32 AND RR12 IN PRECINCT 3 OF HAYS COUNTY

This would provide authority to Hays County to beautify and place certain fixture, to be determined, on the property which is owned by Texas Department of Transportation. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Multiple Use Agreement related to Hays County's use and maintenance of Right of Way at the junction of RM32 and RR12 in Precinct 3 of Hays County. All present voting "Aye". MOTION PASSED**

29155 RENAMING A PORTION OF EAST MCCARTY LANE TO RATTLER ROAD

Clint Garza, Director of Development and Community Services gave staff recommendation. Construction for the realignment of East McCarty lane is well under way and once complete the roadway will no longer intersect with CR 266/Old Bastrop Highway. A small section of the old E. McCarty will need to be renamed per Hays County 911 Street Addressing guidelines. Staff proposes continuing Rattler Road as it crosses CR 266. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to rename a portion of East McCarty Lane to Rattler Road in Precinct 1. All present voting "Aye". MOTION PASSED**

29156 CONVERT THE CURRENT WEB ADMINISTRATOR BUDGETED POSITION (JOB # 0933, GRADE 113) TO THE POSITION OF NETWORK ENGINEER (JOB # 0931, GRADE 113)

Jeff McGill IT Director spoke. Currently, the IT department has a (1) Director, (1) Assistant Director, (1) Systems Administrator, (4) Network Engineers, (1) Computer Support Specialist and (1) Web Administrator to meet county wide IT and technological needs. The Web Administrator position has been vacant since April 2013 and those duties have been distributed to the other employees in the IT department. The IT department needs an additional Network Engineer to continue to meet the increasing needs of our workforce and programs. Converting the position of Web Administrator to Network Engineer would allow us to meet that need, with no additional monies required. Both positions are Grade 113. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to convert the current Web Administrator budgeted position (job # 0933, grade 113) to the position of Network Engineer (job # 0931, grade 113). All present voting "Aye". MOTION PASSED**

29157 APPOINT SHANE SCOTT AS THE HAYS COUNTY REPRESENTATIVE ON THE CALDWELL COUNTY FERAL HOG TASK FORCE

Hays County will partner with Caldwell County and local organizations to request and participate in the Texas Department of Agriculture's County Hog Abatement Matching Program (CHAMP). Efforts will support a feral hog action plan developed by the Caldwell County Feral Hog Task Force to reduce and manage the rapidly growing feral swine population Hays and Caldwell County. The grant will be managed by the Caldwell County Feral Hog Task Force. Shane Scott will represent Hays County on the Task Force as the CHAMP program is administered. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to appoint Shane Scott as the Hays County representative on the Caldwell County Feral Hog Task Force. 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 REAL PROPERTY RELATED TO THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES

Court convened into Executive Session at 10:52 a.m. reconvened into opened court at 10:55 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

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

Court convened into Executive Session at 10:50 a.m. reconvened into opened court at 10:52 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

EXECUTIVE SESSION PURSUANT TO SECTION 551.07 OF THE TEXAS GOVERNMENT CODE: DELIBERATION REGARDING SECURITY DEVICES IN THE HAYS COUNTY LAW ENFORCEMENT CENTER ON UHLAND ROAD IN SAN MARCOS, TEXAS

Court convened into Executive Session at 9:52 a.m. reconvened into opened court at 10:50 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell, Capt. Mark Cumberland, Capt. Mike Davenport, and Sheriff Gary Cutler. No action taken.

29158 ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Mark Chambers, Hays County Fire Marshal spoke of the Drought Index and it is currently at 616 and is dropping. Hays County received 1 inch of rain county-wide. There's a 60% chance of rain for today, 50% for Wednesday and 30% for Thursday. It's the recommendation of all the Chiefs in the county to lift the Burn Ban. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to lift the Burn Ban. All present voting "Aye". MOTION PASSED**

County Clerk's Note Agenda Item #20 RE: *DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER, THE PRECINCT 2 FACILITY PROJECT; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT. POSSIBLE ACTION MAY FOLLOW. INGALSBE - was pulled*

County Clerk's Note Agenda Item #21 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR - was pulled*

County Clerk's Note Agenda Item #22 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY - was pulled*

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court.

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 16, 2013.



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

