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AGENDA ITEM REQUEST FORM

Hays County Commissioners Court

Tuesdays at 9:00 AM

Request forms are due in Microsoft Word Format via email by 2:00 p.m. on Wednesday.

AGENDA ITEM

Approve Commissioner Court Minutes of July 9, 2013.

ITEM TYPE

CONSENT

MEETING DATE

July 16, 2013

AMOUNT REQUIRED

LINE ITEM NUMBER

AUDITOR USE ONLY

AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR REVIEW: N/A

REQUESTED BY

Gonzalez

SPONSOR

COBB

CO-SPONSOR

N/A

SUMMARY

07 16 13

FILED:

HAYS COUNTY COMMISSIONERS' COURT

Resolution # 2919C VOL V PG 192



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 9TH 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
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Ben Nelson of St. Mark's Episcopal Church 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

Charlie Johnson – Wimberley resident spoke.

29125 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 \$657,186.47 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

An amended motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to add an invoice to JI Special Risks Insurance Co. in the amount of \$1,448.81. All voting "Aye". MOTION PASSED

29126 APPROVE COMMISSIONER COURT MINUTES OF JULY 2, 2013

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioner Court Minutes of July 2, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

29127 AUTHORIZE THE SHERIFFS' OFFICE TO PURCHASE TWO WRAP RESTRAINT SYSTEMS AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office Law Enforcement Bureau is requesting to purchase two each Wrap Restraint Systems. The Restraint Systems will be used while attempting to control a violent subject. This piece of equipment is designed to help save lives and prevent injuries. Safe Restraints Incorporated, SRI is the sole provider for the Wrap restraint system. No additional funds are needed; funds have been identified in the Sheriff's Office budget. Amount Required \$1,900.00; 001-618-00.5206 Law Enforcement Supplies (\$1,900.00); 001-618-00.5717_400 Law Enforcement Equipment \$1,900.00. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the Sheriff's Office to purchase two Wrap restraint systems and amend the budget accordingly. All voting "Aye". MOTION PASSED

29128 ACCEPT A DONATION OF \$250.00 TO THE SHERIFF'S OFFICE, COMMUNITY OUTREACH PROGRAM AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office received a donation in the amount of \$250.00 for the 2013 Jr. Deputy Program and request to deposit into g/l 052-618-00.5222. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a donation of \$250.00 to the Sheriff's Office, Community Outreach Program and amend the budget accordingly. All voting "Aye". MOTION PASSED

29129 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permit #893 on McCarty Lane West issued to Pedernales Electric Cooperative, Inc. All voting "Aye". MOTION PASSED

29130 RATIFY THE PURCHASE OF A REPLACEMENT CONSOLE MONITOR FOR THE 911 EMERGENCY DISPATCH CENTER AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office, 911 Emergency Dispatch Center was in need of a replacement monitor for a console 217. The console cannot operate without this particular monitor; it is a vital piece of equipment for dispatching fire,



EMS etc. Amount required \$734.00; Increase Misc Eqpt Op: 001-618-00.5719_400 \$734; Decrease Office Supplies: 001-618-00.5211 (\$734). **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to ratify the purchase of a replacement console monitor for the 911 Emergency Dispatch Center and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29131 AUTHORIZE THE SHERIFF'S OFFICE TO UPGRADE THE ELECTRICAL PANEL FOR THE 911 EMERGENCY DISPATCH CENTER'S SERVER ROOM AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office is requesting to utilize \$12,950 of salary savings in order to upgrade the outdated electrical panel in 911. The current panel is not efficient for the new LCRA radio system. The expansion to the 911 Server Room requires a new cooling system and the new electrical work is required to support this and the upgraded UPS and server equipment necessary to run the emergency communications center 24/7. Amount required \$12,950.00; 001-618-03.5021 Staff Salaries (\$12,950); 001-618-03.5741 Misc. Capital Improvements \$12,950. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the Sheriff's Office to upgrade the electrical panel for the 911 Emergency Dispatch Center's server room and amend the budget accordingly. All voting "Aye". MOTION PASSED**

29132 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 7398 CREEK ROAD, DRIPPING SPRINGS, TX

Field of Dreams Ventures Inc. is constructing a Select Baseball Complex in Precinct 4. The on-site sewage facility is designed so that the peak weekend flows of 2300 gallons per day are equalized throughout the week at a daily rate of 658 gallons. The property is 18.21 acres in size. This on-site sewage facility is composed of a 2000 gallon pretreatment tank, 750 gallon grease trap, 5235 gallon equalization tank, 1500 gallon per day aerobic treatment unit, and drip irrigation dispersal. The water service will be from a public water supply that is trucked in then stored in and pumped from holding tanks. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Institutional OSSF Permit at 7398 Creek Road, Dripping Springs, TX. All voting "Aye". MOTION PASSED**

29133 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 1905 ELDER HILL ROAD, DRIFTWOOD, TX

Robin Garrison is proposing an event center that will include 5 bed and breakfast rooms in Precinct 4. The on-site sewage facility is designed so that the peak weekend flows are equalized throughout the week at 900 gallons per day. The property is 84.83 acres in size. This on-site sewage facility is composed of pretreatment tanks, grease trap, equalization tank, 2- 1000 gallon per day aerobic treatment units and low pressure dosed dispersal. The water supply will be private water well. This is a renewal of a permit that was originally authorized in November 2011, but the project was delayed and the permit expired. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Institutional OSSF Permit at 1905 Elder Hill Road, Driftwood, TX. All voting "Aye". MOTION PASSED**

29134 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 1630 N. ELDER HILL ROAD, DRIFTWOOD, TX

Christopher and Janet Dietz are proposing an OSSF to serve the Wildflower Event Center #2 at 1630 N Elder Hill Rd in Precinct 4. This property is 4.54 acres. Water will be supplied by private water well. The system designers David McGhee, R.S. and Greg Johnson, P.E. have designed a treatment system which consists of a 500 gallon pretreatment tank, a 1500 gallon equalization tank, and an 800 gallon per day aerobic treatment unit which doses to a drip irrigation dispersal field. The wastewater from weekend daily flows of 450 gallons per day will be held and dosed to the treatment system at a rate of 160 gallons per day throughout the week. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Institutional OSSF Permit at 1630 N. Elder Hill Road, Driftwood, TX. All voting "Aye". MOTION PASSED**

29135 AMEND THE SHERIFF, JAIL DIVISION BUDGET FOR THE CORRECT CARE SOLUTIONS, LLC CONTRACT FOR MEDICAL SERVICES

On March 29, 2013 the Commissioner's Court approved a contract with Correct Care Solutions for contract medical services. Savings in medic unit salaries, medical services and supplies and SO, Jail & ESD salary savings will be used to fund this amendment. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend the Sheriff, Jail Division budget for the Correct Care Solutions, LLC contract for medical services. All voting "Aye". MOTION PASSED**



29136 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENT NO. 2 TO THE ROGERS DESIGN SERVICES AGREEMENT AND COUNTY COMMISSIONER TO EXECUTE WORK AUTHORIZATION NO. 4 FOR THE DARDEN HILL AT RM 1826 PRIORITY ROAD BOND INTERSECTION SAFETY IMPROVEMENT PROJECT

Commissioner Whisenant and Special Counsel Mark Kennedy spoke. 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. Work Authorization No. 4 authorizes the design engineer to advance final design with an alignment which significantly improves the intersection geometry and addresses concerns of adjacent property owners. Funds are available within the road bond program budget. Amount required \$179,350.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute Supplement No. 2 to the Rogers Design Services Agreement and County Commissioner to execute Work Authorization No. 4 for the Darden Hill at RM 1826 Priority Road Bond intersection safety improvement project. All voting "Aye". MOTION PASSED**

29137 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT # 1 TO THE ADVANCED FUNDING AGREEMENT FOR A STP MM AND TXDOT FUNDED PROJECT TO PROVIDE LEFT TURN LANES AT THE INTERSECTION OF RM 12 WITH OAKWOOD LOOP, SUMMER MOUNTAIN DR, RANCHO ENCINO DR. AND FALCONWOOD DR. (CSJ 0285-03-053) IN REFERENCE TO THE ADVANCE FUNDING AGREEMENT (AFA) EXECUTED BY THE COUNTY AND TXDOT ON NOVEMBER 28, 2012 IN THE AMOUNT OF \$705,155

Mike Aulick of Aulick and Associates spoke. The recommended Amendment No. 1 to the Advanced Funding Agreement (AFA) executed on November 28, 2012 for the above referenced project. Also attached is Attachment C in the executed AFA. There has been an increase in the construction cost estimate from \$943,800 to \$1,748,955. Therefore, it has become necessary to amend the AFA to increase the State participation towards construction by \$100,000 from \$201,642 to \$301,642, and to provide for a Hays County payment of \$705,155 to the State for construction. The project is expected to be let for construction in August. It is anticipated that the \$705,155 construction cost payment by Hays County will be offset by a future TxDOT contribution to the purchase of right-of-way for the proposed RM 12 Parkway Development, approved as a Priority Project in the 2008 bond proposition. Staff recommends that the Court approve the AFA amendment contingent on that TxDOT reimbursement of funds. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute Amendment # 1 to the Advanced Funding Agreement for a STP MM and TxDOT funded project to provide left turn lanes at the intersection of RM 12 with Oakwood Loop, Summer Mountain Dr, Rancho Encino Dr. and Falconwood Dr. (CSJ 0285-03-053) in reference to the Advance Funding Agreement (AFA) executed by the County and TxDOT on November 28, 2012 in the amount of \$705,155. All voting "Aye". MOTION PASSED**

29138 CALL FOR A PUBLIC HEARING ON JULY 23, 2013 TO ESTABLISH TRAFFIC REGULATIONS IN BEAR CREEK ESTATES SUBDIVISION

This will establish a speed limit of 25 MPH throughout Bear Creek Estates subdivision. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on July 23, 2013 to establish traffic regulations in Bear Creek Estates subdivision. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

29139 CALL FOR A PUBLIC HEARING ON JULY 23, 2013 TO ESTABLISH TRAFFIC REGULATIONS ON WINDY HILLS RD

This will establish a speed limit of 25 MPH on Windy Hills Rd from Martin Rd to the end. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to call for a public hearing on July 23, 2013 to establish traffic regulations on Windy Hills Rd. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

29140 APPROVE THE TEMPORARY APPOINTMENT OF CLEMENTE VERASTEGUI, DEPUTY CONSTABLE, PRECINCT 2 FOR AN ADDITIONAL PERIOD NOT TO EXCEED 8 DAYS AND CONVERT THE POSITION TO A FULL-TIME RESERVE UNPAID POSITION FOR THE REMAINDER OF FY 2013 AND AMENDED THE BUDGET ACCORDINGLY

Commissioner Jones spoke of Constable Kohler, Precinct 2 will be out of the office for an additional period of 8 days and continues to need a temporary Deputy Constable position to ensure the current workload is handled. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the**



temporary appointment of Clemente Verastegui, Deputy Constable, Precinct 2 for an additional period not to exceed 8 days and convert the position to a full-time Reserve unpaid position for the remainder of FY 2013 and amended the budget accordingly. All voting "Aye". MOTION PASSED

29141 ACCEPT PERMIT AND AUTHORIZE DEVELOPMENT SERVICES ON THE IMPLEMENTATION TASK OF THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN

Clint Garza Development Services Director introduced Amanda Aurora with SWCA Environmental Consultants and Clifton Ladd with Bowman Consulting who made a short presentation on the Hays County Regional Habitat Conservation Plan. In 2005, Hays County began the process of developing a Regional Habitat Conservation Plan (RHCP). After a number of years in development, the USFWS approved the plan (2011) and issued the permit in (2012). To date, Hays County has not implemented the plan and has not sought participation. This tool will be available to the county in order to help with mitigation when needed for private development, public development, and conservation. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to accept the permit and authorize the Development Services Department to complete implementation tasks, start moving forward on material to bring back to court to acquire initial preserve and to begin working on the processes of enrolling participants into the plan. All voting "Aye". MOTION PASSED**

29142 CANCEL THE AUGUST 27TH, NOVEMBER 19TH, DECEMBER 3RD, AND DECEMBER 31ST COMMISSIONERS COURT MEETINGS

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to cancel the August 27th, November 19th, December 3rd, and December 31st Commissioners Court meetings. All voting "Aye". MOTION PASSED

County Clerk's Note Agenda Item #19 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 REAL PROPERTY RELATED TO THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES – was pulled

County Clerk's Note Agenda Item #20 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ALL PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY- was pulled

29143 ADOPT THE BURN BAN AND/OR DISASTER DECLARATION

Mark Chambers Hays County Fire Marshal spoke of the 4th of July and there weren't too many fires as in years past. Drought Index is currently at 597, it will probably be over 600 by the end of today. There's no rain in sight and he is recommending placing the Burn Ban in effect for the next 90 days. It will be reviewed week to week to see if it can be lifted. Mark Chambers spoke of the reason that sticks and fins weren't banned on the 4th of July is because by Statute on June 15th the Drought Index has to be at 565 and Hays County was in the 400's. Judge Cobb read the Burn Ban Resolution. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt the Burn Ban Resolution. All voting "Aye". MOTION PASSED**

County Clerk's Note Agenda Item #22 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 – was pulled

DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR

Allen Crozier of HDR gave a brief synopsis of the Hays County Priority Road Bond Program Master Project List – Revised 7/5/13. US 290 (Mighty Tiger to McGregor) – Project Complete. RM 12 @ Sports Park Dr. – Project Complete. RM 1826 @ Nutty Brown Rd – Safety improvements (left turn land and other intersection safety improvements). RM 1826 @ Crystal Hill Dr (Goldenwood) – Safety improvements (left turn lane and other intersection safety improvements (potential acceleration lane)). RM 1826 @ Darden Hill Rd (CR 162) – Safety Improvements (left turn lane and other intersection safety improvements realignment of Darden Hill Rd at Intersection). RM 1826 @ RM 967- Project Complete. RM 2325 Fisher Store Rd. (CR 181) to Carney Lane – Projected Complete. RM 12 @ Old Kyle Road – Project Complete. RM 12 & RM 32 Junction – Project Complete. RM 12 Parkway Development – ROW Preservation & Environmental Studies for 4 Lane Divided Parkway. RM 12 @ Hugo Road (CR 214) – Project Complete. RM12 @ Sink Creek – Project Complete. RM 12 @ Wonder World Drive – Project Complete. RM 1826 @ RM 967 – Project Complete. RM 2325 Fisher Store Rd



(CR 181) to Carney Lane – Project Complete. RM 12 @ Old Kyle Road- Project Complete. RM 12 & RM 32 Junction – Project Complete. RM 12 Parkway Development – ROW Preservation & Environmental Studies for 4 Lane Divided Parkway. RM @ Hugo Road (CR 214) - Project Complete. RM12 @ Sink Creek - Project Complete. RM 12 @ Wonderworld Drive - Project Complete. Old Bastrop Highway (CR 266) – 1.9 Mi – Widen to 3 Lanes (2+ CLTL) & 4'Shldrs/ Aquire ROW for a ultimate 4-Lane section – under construction. SH21 @ High Road (CR 127) - Project Complete. SH 21 @ FM 2001- Project Complete. SH 21 @ Rhode Road (CR 126) – Road Improvements by County Forces. Dacy Lane (CR 205 Bebee Rd to Windy Hill - Engineering / Environmental Studies & ROW Preservation (2-12'Lanes, 14' Lt Turn Lane, Bicycle Lanes & Sidewalks) (1.5 mi.). Lime Kilm Road @ Sink Creek- Study Complete. Post Road (CR 140) – Study Complete. Lakewood Drive @ FM 1626 – Project Complete. Mike Weaver of Prime Strategies spoke bringing a full report next week and gave an update on TXDoT/ Hays County Partnership Program.

County Clerk's Note Agenda Item #24 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 Whisenant, seconded by Commissioner Conley 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 9, 2013.



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

