



STATE OF TEXAS ?
 COUNTY OF HAYS ?

ON THIS THE 11th DAY OF DECEMBER A.D., 2001, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS
DEBBIE GONZALES INGALSBE
H. S. "SUSIE" CARTER
WILLIAM "BILL" BURNETT
RUSS G. MOLENAAR
LINDA C. FRITSCH

COUNTY JUDGE
COMMISSIONER, PCT. 1
COMMISSIONER, PCT. 2
COMMISSIONER, PCT. 3
COMMISSIONER, PCT. 4
DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Powers called the meeting to order and gave the invocation. Commissioner Burnett led the Court in the Pledge of Allegiance to the Flags.

PUBLIC COMMENT

Paul Parks spoke regarding need for a "noise ordinance" – he spoke of the Terrace Club (located in the Dripping Springs ETJ) near his home creating noise all hours of the night. He made three different calls to the Sheriff's Dept. (9:35PM, 10:00PM, & 10:30PM) and he was finally told that they felt like the club was within State regulations level for noise (85 decibels) and there was nothing they could do. Mr. Parks advised that they were kept awake from the noise coming through double pane windows and a solid stone house. To add insult to injury, at 11:15PM they started shooting off fireworks and that continued on until midnight. The statute states that "a noise is presumed to be unreasonable if the noise exceeds a decibel level of 85 after the person making the noise receives notice from a magistrate or peace officer that the noise is a public nuisance". Mr. Parks stated that Capt. Williams advised him the next day, on Monday, that their definition of the statute is that it has to be a continuous noise exceeding 85 decibels. Mr. Parks stated that the statute does not say that it has to be a constant noise and he asked the court to adopt a Noise Ordinance setting out a time period (9 or 10 PM) – 85 decibels at 12 noon is OK, but 85 decibels at 12 midnight is different.

19942 APPROVE THE COMMISSIONERS' COURT MINUTES OF DECEMBER 4, 2001

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve the Commissioners' Court Minutes of December 4, 2001 as presented by the County Clerk. All voting "Aye".

19943 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve payment of county invoices in the amount of \$397,551.52 as presented by the County Auditor. All voting "Aye".

Vouchers Payable	\$ 2,722.86	Public Safety Svcs	\$ 95,756.45	Fines	\$ 987.77
Lease Pmt	\$ 2,257.40	Auditors Office	\$ 1,364.00	Treasurer's Office	\$ 553.44
Extension Office	\$ 687.55	Grants Admin	\$ 228.74	Juvenile Probation	\$ 1,670.42
Election Admin	\$ 158.84	Transfer Station	\$ 81.46	Building Mtc. Dept	\$ 5,272.17
Environmental Health	\$ 2,147.23	Civic Center	\$ 89.86	Countywide Oper	\$ 3,775.92
Tax A/C Office	\$ 1,004.99	District Clerk	\$ 412.74	Sheriffs Office	\$ 19,259.03
Jail Operations	\$ 3,671.44	County Judge	\$ 240.78	Human Resources	\$ 254.35
Co Court at Law 1	\$ 244.97	District Attorney	\$ 1,110.98	J.P. 1-1	\$ 110.44
J.P. 1-2	\$ 198.78	J.P. 2	\$ 279.43	J.P. 3	\$ 118.85
J.P. 5	\$ 102.00	DPS	\$ 231.99	Constable 1	\$ 347.28
Constable 2	\$ 625.96	Constable 3	\$ 250.66	Constable 4	\$ 402.99
Constable 5	\$ 306.22	District Court Oper	\$ 14,987.63	Co & JP Court Oper	\$ 2,665.57
Precinct 1	\$ 85.45	Precinct 2	\$ 302.65	Precinct 3	\$ 40.12
Veterans Admin	\$ 661.59	Computer Services	\$ 2,207.81	DPS/L&W	\$ 345.00
Fire Marshal/EMC	\$ 546.38	Dist Court Reprtrs	\$ 72.84	TJPC CCAP Grant	\$ 11,572.50
Assoc Judge/Family Law	\$ 158.72	Spec Counsel Ofc	\$ 163.07	Comm Court Exp	\$ 15.08
CJD/VOCA Grant	\$ 579.51	Auto Theft Task Frc	\$ 55.57	911 Addrs Mtc Grant	\$ 117.45
Juv Justice Alt Ed Grant	\$ 619.57	General Fund Credit	<\$30.90>	Road & Bridge Oper	\$ 39,534.36
Right of Way	\$ 697.00	R&B Gen Fund Credit	<\$93.13>	Sheriff Abandon Veh	\$ 66.25
Anticip Notes '95	\$ 35,620.62	Hays Co Parks Fund	\$ 79.89	Rec Mngmnt/Co Clerk	\$ 1,252.78
Health Svcs Grants	\$ 3,907.36	Law Library Fund	\$ 2,019.31	Courthouse Security	\$ 85.16
Sheriffs Drug Forf Fund	\$ 270.00	Family Health Svcs	\$ 3,063.64	Tobacco Settlement	\$ 128,789.54



19444 APPROVE BUDGET AMENDMENT 02-07

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Budget Amendment No. 02-07 as proposed by the County Auditor. All voting "Aye".

				AMENDMENT NO. 2002-07 FY 2002 BUDGET 12-11-01
FUND NO. 01 FUND TITLE <u>GENERAL FUND</u>				
<u>LINE ITEM - EXPENDITURES</u>	APPROPRIATION BEFORE	<u>AMENDMENT</u>		APPROPRIATION AS <u>AMENDED</u>
	<u>AMENDMENT</u>	<u>INCREASES</u>	<u>DECREASES</u>	
<u>EXTENSION OFFICE (403):</u>				
01-403-5411 Office Maintenance	250	650		900
01-403-5021 Staff	64,525		(650)	63,875
<i>Transfer for doors/locks repair from personnel savings.</i>				
<u>JAIL OPERATIONS (419):</u>				
01-419-5474 Kitchen/Maint. Uniforms	-0-	4,500		4,500
01-419-5234 Inmate Uniforms	12,000		(2,250)	9,750
01-419-5236 Bedding/Linens	8,300		(2,250)	6,050
		<u>4,500</u>	<u>(4,500)</u>	
<i>Transfer for unbudgeted item.</i>				
<u>HUMAN RESOURCES (421):</u>				
01-421-5331 Cont Ed	1,500	2,000		3,500
01-421-5801 Personnel Training	1,800	900		2,700
01-421-5021 Staff	53,118		(2,900)	50,218
		<u>2,900</u>	<u>(2,900)</u>	
<i>Transfer personnel savings (grade/step) to training.</i>				
<u>TAX OFFICE (415):</u>				
01-415-5411 Equipment Maintenance	-0-	200		200
<u>COMPUTER SERVICES (456):</u>				
01-456-5712 Data Proc Equipment	119,450	800		120,250
<u>COUNTYWIDE (414):</u>				
01-414-5711 Office Equipment	15,950		(1,000)	14,950
		<u>1,000</u>	<u>(1,000)</u>	
<i>Transfer savings on copier for maintenance agreement and computer system for Tax Office.</i>				
<u>COMPUTER SERVICES (456):</u>				
01-456-5712 Data Proc Equipment	120,250	8,750		129,000
<u>SHERIFF (418):</u>				
01-418-5717 Law Enf Equipment	21,628		(3,100)	18,528
<u>COUNTYWIDE (414):</u>				
01-414-5399 Contingencies	73,916		(5,650)	68,266
		<u>8,750</u>	<u>(8,750)</u>	
<i>Transfer as approved for modems and mobile terminals 12-4-01 meeting.</i>				

19945 APPROVE UTILITY PERMIT #01525

The Road Department submitted the following for court approval: Utility Permit #01525 issued to F. F. Properties of Houston, Inc. to place an underground electric, telephone, and cable TV conduit within the county right-of-way on Huber Lane/Thomas Place. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve Utility Permit #01525 as submitted. All voting "Aye".

19946 APPROVE REFUND OF DOUBLE PAYMENTS ON TAXES

County Tax Assessor-Collector Luanne Caraway submitted the following request for refund of double payments on taxes:

Lot 9 Blk A Plum Creek Phase 1 Section 2A =	\$3,175.31
Lot 30 Blk D Sequoyah Section 3 =	\$3,273.28

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to approve refund of double payments on taxes as submitted by the County Tax Assessor-Collector. All voting "Aye".



19947 ACCEPT AUDIT OF HAYS COUNTY SHERIFF'S OFFICE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to accept audit of Hays County Sheriff's Office. All voting "Aye".

19948 AWARD BID FOR USED SINGLE AXLE DIESEL CAB & CHASSIS TO SANTEX TRUCK CENTER, LTD. IN THE AMOUNT OF \$15,750

Three bids were received:

COMPANY	MODEL	BID PRICE	DEVIATIONS
101 BUSES 707 IH35 North, Pearsall, Tx	1996 4700	\$ 12,985.00	180+K miles, trade-in, may have had overhaul, GVW 26,000 lbs.
SANTEX TRUCK CENTER LTD. 1380 Ackerman Rd, San Antonio, Tx	1995 Intl 4954 4X2	\$ 15,750.00	276,460 miles, inframe overhaul, GVW 33,000
GRANDE FORD TRUCK CENTER P.O.Box 201210, San Antonio, Tx	98 Ford LT 9513	\$ 30,500.00	87,000 miles

The lowest bid meeting specs was SANTEX TRUCK CENTER LTD. – 101 BUSES bid was lower but did not meet specs. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to award bid for used single axle diesel cab & chassis to Santex Truck Center Ltd. in the amount of \$15,750.00. All voting "Aye".

19949 ARROYO RANCH, SECTION 1 [58 LOTS] [PCT. 2 #01-2-055] * APPROVE FINAL PLAT

[T1-94] Environmental Health Director Allen Walther advised that this is a phase development located on Hwy 150 west of Kyle – it complies with county requirements and he gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve final plat of "Arroyo Ranch Section". All voting "Aye".

19950 RESUBDIVISION PRESIDIO ALMA LOT 4 [2 LOTS] [PCT. 2 #01-2-093] * APPROVE PRELIMINARY PLAT [T1-110]

Environmental Health Director Allen Walther advised that Lot 4 is 15+ acres and will be divided into 2 lots [5 & 10+ acres]. He gave staff recommendation for final plat approval. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve preliminary plat of "Resubdivision of Presidio Alma Lot 4". All voting "Aye".

19951 RIVER MOUNTAIN RANCH SECTION 6 PHASE 2 [28 LOTS] [PCT. 4 #00-4-102] * APPROVE FINAL PLAT [T1-121]

Environmental Health Director Allen Walther gave staff recommendation for final plat approval. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to approve final plat of "River Mountain Ranch Section 6 Phase 2". All voting "Aye".

19952 ACCEPT ENCHANTED OAKS DRIVE AND ONION CREEK RANCH DRIVE FOR COUNTY MAINTENANCE [T1-130]

Commissioner Molenaar advised that these roads are located off Darden Hills Road and residents have petitioned for acceptance as county maintained roads – they will give us title to the roads and they have taken out the cattle guards. These roads were developed as private roads due to agriculture exemptions and need for cattle guards. Onion Creek Ranch Drive received a variance to slope. Road Supt/Eng. Jerry Borcharding advised that the roads are in excellent condition at this time, although mowing of R-O-W is needed – he gave staff recommendation for acceptance. A motion was made by Commissioner Molenaar, seconded by Commissioner Burnett to accept Enchanted Oaks Drive and Onion Creek Ranch Drive for county maintenance contingent on receiving right-of-way deeds. All voting "Aye".

19953 CALL FOR A PUBLIC HEARING TO CONSIDER TRAFFIC REGULATIONS IN DOVE HOLLOW SUBDIVISION [T1-194]

Commissioner Carter spoke of internal roads in the Dove Hollow Subdivision that have become raceways for young people and residents are requesting speed limits to control speed on these roads. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to call for a public hearing to be held January 8, 2002 to consider traffic regulations in Dove Hollow Subdivision. All voting "Aye".



19954 ACCEPT BIDS ON PROPERTY HELD IN TRUST [DELINQUENT TAX PROPERTY] [T1-213]

Tax Assessor-Collector Luanne Caraway spoke of five properties with bids to be considered. Action was taken as follows:

Lot 79 South End Addition, City of San Marcos. Bid is \$4,000 which represents a 63% recovery. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Burnett to accept bid of \$4,000.00 for Lot 79 South End Addition in the City of San Marcos. All voting "Aye".

Lot SC-97 Woodcreek Section 9A. Bid is \$750 which represents 0% recovery and Lot 217 Woodcreek Section 8. Bid is \$2,001 which represents a 38% recovery. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bid of \$750 for Lot SC-97 Woodcreek Section 9A and bid of \$2,001 for Lot 217 Woodcreek Section 8. All voting :Aye".

Lot 126 Woodcreek Section 9A. Bid is \$2,500 which represents a 100% recovery. This bid has been approved by the Wimberley ISD. A motion was made by Commissioner Burnett, seconded by Commissioner Molenaar to accept bid of \$2,500.00 for Lot 126 Woodcreek Section 9A. All voting "Aye".

Lot 41 Rolling Hills Section 2 Bid is for \$301 which represents a 13% recovery. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to accept bid of \$301 for Lot 41 Rolling Hills Section 2. All voting "Aye".

19955 AUTHORIZE PURCHASE OF COMPUTER FOR TAX ASSESSOR-COLLECTOR AND AMEND THE BUDGET [T1-277]

Tax Assessor-Collector Luanne Caraway advised that she has had problems with her PC in her office (runs on Windows 95) and she wants to purchase a new HP 7915 (\$795.35) for her office. She wants to use the money she saved when purchasing a replacement copier (\$3,000 budgeted and used only \$2,087.88) to purchase the new PC and the old PC will be used as a public assistance computer in the office. A motion was made by Commissioner Molenaar, seconded by Commissioner Carter authorize purchase of a computer for the Tax Assessor-Collector and amend the budget accordingly. All voting "Aye".

19956 ACTION TO SELECT A PROJECT MANAGER AND PREQUALIFIED ENGINEERING FIRMS FOR THE HAYS COUNTY ROAD BOND PROJECT [T1-298]

Road Supt./Eng. Jerry Borcharding spoke of committee composed of Lamarr Peterson (Grants Auditor), Debbie Ingalsbe (Commissioner Pct. 1), Bill Burnett (Commissioner Pct. 3), Cindy Miaorka (Purchasing Agent), Allen Walthers (Environmental Health), and himself (Jerry Borcharding-Rd Dept. Supt/Eng), that was formed to review the design and management firms submitting qualifications – approx 40 engineering firms responded – each member reviewed the 40 firms, the committee met and compared notes and invited 6 firms to personally interview with the committee to determine which would be most qualified – the committee then met and discussed the firms and came to a unanimous conclusion which would be most qualified. Commissioner Burnett advised that there are 25 firms that could be used for engineering different projects – the committee will recommend a Project Manager (from the firms that were interviewed). The Court needs to hire a Project Manager in order to proceed with the Road Bond Projects. Commissioner Burnett spoke of scope of committee and asked if the court is willing to accept the committee's recommendation. Commissioner Molenaar advised that he is confident that the committee did a good job and he will support their recommendation. Commissioner Carter asked about criterion for selection and rating of each firm – she would like to see a copy of this information. Commissioner Burnett spoke of interview process – the committee's main criterion in the interview process was the firm's ability to work with the county in helping us prioritize TxDot Projects – the list does not reflect a rating of the firms. [T1-419] A motion was made by Commissioner Burnett, seconded by Commissioner Ingalsbe to authorize the committee to negotiate a contract with Turner Collie & Braden for Project Manager for the 2001 Bond Package in Hays County and bring that contract back to Commissioners' Court as soon as possible for review and approval and to furthermore, accept the list of Pre-Qualified Engineering Firms for possible work and engineering design on this bond package. All voting "Aye".

PREQUALIFIED ENGINEERING FIRMS FOR ROAD BOND DESIGN

- | | |
|-------------------------|-------------------------------------|
| 1. HDR Engineering | 14. Cobb Fendley & Associates, Inc. |
| 2. URS Corporation | 15. Baker-Aicklen & Associates |
| 3. PBS&J Associates | 16. S D Kallman, Inc. |
| 4. Othon Corporation | 17. Prime Strategies Inc. |
| 5. LAN/Loomis | 18. Klotz & Associates |
| 6. Pate Engineers | 19. Furgo South Inc. |
| 7. HNTB Corporation | 20. Murfee Engineering Co. |
| 8. Huggins-Seiler | 21. Martinez Wright & Mendez |
| 9. CMA Engineering | 21. Byrn & Associates |
| 10. Malone/Wheeler | 22. K C Engineering |
| 11. Jones & Carter Inc. | 23. Half Associates |
| 12. Doucet & Associates | 24. Turner Collie & Braden |
| 13. Huitt-Zollars | 25. Dannenbaum Engineering Corp. |

Clerk's Note: There are two #21's on the original list, therefore, the actual number of firms is 26 instead of 25.

**19957 ADOPT RESOLUTION SUPPORTING O3 FLEX AGREEMENT PROGRAM [T1-462]**

County Road Supt/Engineer Jerry Borcharding spoke of O3 Flex Plan – the court needs to take action to formally agree to make a voluntary effort in coop with other 4 counties in this region to reduce ozone producing pollutants. It will not be costly to the county or overly oppressive to any county department to make these efforts. We need to show EPA that we are interested in cooperating to reduce air pollution in the region – most of the things we will be doing are good practices. He read the proposed resolution. He spoke of using low sulfur diesel fuels (no addl cost), low emission gas cans (get rid of plastic gas containers and go to spill-proof metal containers – will cost the county approx. \$2500-4000), proper maintenance of vehicles and equipment, low VOC striping materials, and fueling of vehicles in the evening. A motion was made by Commissioner Molenaar, seconded by Judge Burnett to adopt a Resolution supporting O3 Flex Agreement Program. All voting “Aye”.

**RESOLUTION OF THE HAYS COUNTY COMMISSIONERS' COURT SUPPORTING THE
O₃ FLEX AGREEMENT PROGRAM**

WHEREAS, Hays County, Texas is committed to protecting the health and economic vitality of its community; and

WHEREAS, protecting the region's air quality is important to the community's health and economic vitality; and

WHEREAS, Hays County has examined a variety of measures to improve the area's air quality; and

WHEREAS, Hays County understands that entering into an O₃ Flex Agreement with the Environmental Protection Agency and the Texas Natural Resource Conservation Commission provides Central Texas with a mechanism to address effectively the region's air quality issues; and

WHEREAS, the O₃ Flex Agreement provides Hays County with flexibility to choose those air quality improvement strategies most suitable to its circumstances and resources;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Hays County commits to implementation of air quality improvement strategies as described in the attached document, "Hays County Central Texas O₃ Flex Agreement Commitments."

Adopted December 11, 2001.

19958 APPOINTMENTS TO THE PARKS AND OPEN SPACE ADVISORY BOARD [T1-630]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to appoint Carolyn Holesovsky and Johnny Diaz to the Parks and Open Space Advisory Board and re-appoint Eileen Trainor and Chris North for an additional one year term. All voting “Aye”.

Clerk's Note: Agenda Item #18 Re: The Calaboose African History Museum Annual Allocation was PULLED – no discussion and no action taken.

19959 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO TEXAS DEPARTMENT OF PUBLIC SAFETY FOR UP TO \$159,660 AND TO EXECUTE A CONTRACT [T1-648]

Grants Administrator Richard Salmon spoke of Legislature amending the Code of Criminal Procedures relating to racial profiling... The amendment deals with the collection of data on traffic stops. This new legislation requires the DPS to provide grant funds for the purpose of installing video and audio equipment in patrol cars. Hays County's grant request is for 36 units at #4,435 each for a total of \$159,660. No county match is required. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize the County Judge to submit a grant request to the Texas Department of Public Safety for up to \$159,660.00 and to execute a contract. All voting “Aye”.

19960 AUTHORIZE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE CAPITAL AREA PLANNING COUNCIL – SOLID WASTE GRANT PROGRAM FOR UP TO \$32,250. AND TO EXECUTE A CONTRACT [T1-670]

Grants Administrator Richard Salmon advised that this is a grant request to CAPCO-Solid Waste Program for \$32,250 to be used to pay the salary of a 2nd Code Enforcement Officer in Environmental Health for FY2002-2003. The county's match will be the “benefits” and “vehicle” required. Environmental Health Director Allen Walther advised that the grant funding cycle has changed and he is proposing to give the new vehicle or vehicle being replaced to this officer - there will still be a deficiency in needed funds (apprx \$9,000) for the fringe benefits – he proposed that this money be taken out of his - a budget amendment may be needed at a later date. A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to authorize the County Judge to submit a grant request to the Capital Area Planning Council – Solid Waste Grant Program for up to \$32,250 and to execute a contract. All voting “Aye”.



RESOLUTION

RESOLUTION OF HAYS COUNTY AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE CAPITAL AREA COUNCIL OF GOVERNMENT (CAPCO) FOR A SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING COUNTY JUDGE JIM POWERS TO ACT ON BEHALF OF HAYS COUNTY IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED HAYS COUNTY WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CAPITAL AREA COUNCIL OF GOVERNMENT, THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AND THE STATE OF TEXAS.

WHEREAS, the Capital Area Council of Government is directed by the Texas Natural Resource Conservation Commission to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

WHEREAS, Hays County in the State of Texas is qualified to apply for grant funds under the Request for Applications.

NOW, THEREFORE, BE IT RESOLVED BY HAYS COUNTY IN San Marcos, TEXAS;

1. That Jim Powers, Hays County Judge, is authorized to request grant funding under the CAPCO Request for Applications of the Regional Solid Waste Grants Program and act on behalf of Hays County in all matters related to the grant application and any subsequent grant contact and grant project that may result.
2. That if the project is funded, Hays County will comply with the grant requirements of the Capital Area Council of Government, Texas Natural Resource Conservation Commission and the State of Texas.
3. That grant funds and any grant-funded equipment of facilities will be used only for the purposes for which they are intended under the grant.
4. That all activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographic area in which the activities are performed.
5. That Hays County will provide \$9,761 in cash and approximately \$10,000 in in-kind match for the grant application to the CAPCO - Solid Waste Grants Program.

PASSED AND APPROVED by the Hays County Commissioners Court in San Marcos on this the 11th day of December 2001.

19961 AUTHORIZE COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE CAPITAL AREA PLANNING COUNCIL - SOLID WASTE GRANT PROGRAM FOR UP TO \$26,000. AND TO EXECUTE A CONTRACT [T1-757]

Grants Administrator Richard Salmon advised that this grant would be used to purchase a commercial brush chipper for the county road department. To increase the probability of award, we will need to provide a cash match of at least \$7,080. Five years ago the county received a \$25,000 grant for a brush chipper but that machine is inadequate due to the high volume of brush material being processed on the new road bond project. If approved, funding of this project will not occur until the fall of 2002, therefore the cash match will be in next year's budget. Road Supt./Engineer Jerry Borcharding advised that he has no money in his current line items for the cash match. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to authorize the County Judge to submit a grant request to the Capital Area Planning Council - Solid Waste Grant Program for up to \$26,000.00 and to execute a contract. All voting "Aye".

RESOLUTION

RESOLUTION OF HAYS COUNTY AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE CAPITAL AREA COUNCIL OF GOVERNMENT (CAPCO) FOR A SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING COUNTY JUDGE JIM POWERS TO ACT ON BEHALF OF HAYS COUNTY IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED HAYS COUNTY WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CAPITAL AREA COUNCIL OF GOVERNMENT, THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION AND THE STATE OF TEXAS.

WHEREAS, the Capital Area Council of Government is directed by the Texas Natural Resource Conservation Commission to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

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NOW, THEREFORE, BE IT RESOLVED BY HAYS COUNTY IN San Marcos, TEXAS;

1. That Jim Powers, Hays County Judge, is authorized to request grant funding under the CAPCO Request for Applications of the Regional Solid Waste Grants Program and act on behalf of Hays County in all matters related to the grant application and any subsequent grant contact and grant project that may result.
2. That if the project is funded, Hays County will comply with the grant requirements of the Capital Area Council of Government, Texas Natural Resource Conservation Commission and the State of Texas.
3. That grant funds and any grant-funded equipment of facilities will be used only for the purposes for which they are intended under the grant.
4. That all activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographic area in which the activities are performed.
5. That Hays County will provide \$7,080 in cash match toward this grant application to the Capital Area Planning Council - Solid Waste Grants Program.

PASSED AND APPROVED by the Hays County Commissioners Court in San Marcos on this the 11th day of December 2001.



19962 AWARD CONTRACT FOR ARCHITECT SERVICES FOR JP-5 OFFICE BUILDING AND ROAD DEPARTMENT SHOP BUILDING TO FROMBERG ASSOCIATES, INC.

[T1-808] County Road Supt/Engineer Jerry Borcharding advised that he and Purchasing Agent Cindy Maiorka went through the eight proposals that were submitted and met with the building committee and they were very satisfied with the proposal from Fromberg Associates Inc. This firm did a good job for the county in keeping cost down on the new Health Department Building and they are ready to start on this project. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to award contract for Architect Services for JP5 office building and Road Dept. shop building to Fromberg Associates Inc. All voting "Aye".

19963 ADOPT THE HAYS COUNTY CELLULAR PHONE POLICY [T1-834]

Commissioner Molenaar spoke of need for a cellular phone policy for the county. He advised that he and Allen Walther worked on this and they would like to turn it over to the Auditor's Office to review the contracts. Allen Walther advised that it was hard to define how people came to have phones, what kind of use, etc. – the intent of the policy is to gather information and classify use – requests for cell phones should be made to the court during the budget process and the policy will provide guidance. They think this is a good starting point - it will provide the court with information to determine if phones are being used properly – it is a common sense policy. Commissioner Ingalsbe spoke of wanting to see it open to any additions to the policy. Commissioner Molenaar advised that the list will contain positions and not names of individuals with cell phones and need must be justified. Commissioner Carter spoke in support of this policy. Commissioner Molenaar spoke of individual contracts for each phone in use at this time – the law states that only the County Judge can enter into contract for the county – this policy will establish procedures. Allen Walther advised that at budget time it may be in the best interest of the county to pay an allowance to people with cell phones. County Auditor Bill Herzog spoke of other counties having the same problems and they are considering phone allowances because of contract issues. Commissioner Molenaar asked the County Judge's Offices to notify all departments of this policy. All contracts will be handled through the Auditor's office. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to adopt the Hays County Cellular Phone Policy to be effective immediately. All voting "Aye".

HAYS COUNTY CELLULAR PHONE POLICY

- ?? **Limit of one phone per employee**
- ?? **All contracts are signed exclusively by the Auditor's Office**
- ?? **Requests for new phones are made to the court at budget time**
- ?? **Establish two categories of phone users**
 1. **Law Enforcement, Maintenance & Road Department**
 2. **All other users**
- Law Enforcement, Maintenance, and Road Depts:**
 - ?? **Cellular phones provided to supervisors and essential personnel only**
 - ?? **Department Heads and Elected Officials will provide to the Auditor's Office a list of positions which are presently authorized cellular phones which are authorized direct communications**
- All other Department Heads and Elected Officials must:**
 - ?? **Identify to the court who in their offices have phones and why they are needed**
 - ?? **Provide the court a summary detailing (for the last three months) the average monthly minutes used and cost, quality of service, status of current contracts, and identify the service provider**
 - ?? **As an option, the court may authorize a phone allowance**

19964 AUTHORIZE THE HIRING OF ASSURED INDOOR AIR QUALITY TO CONDUCT AIR QUALITY TESTS AT THE HAYS COUNTY JUSTICE CENTER AND PRECINCT 2 OFFICE [T1-1086]

Judge Powers spoke of issues addressed in a meeting with consultant. Environmental Health Director Allen Walther spoke of plumbing testing at the Justice Center (inspecting drain side of plumbing – 5 leaks so far – need to test fresh water side now) – need to do air quality test associated with plumbing leaks. Commissioner Carter spoke of repeated roof leaks at Pct. 2 office – they are concerned about mold in the building. Allen Walther spoke of this being initial testing – additional testing may be necessary – estimates are at \$2000-4000 (insurance carrier may pick up the costs). They will be using air pumps and taking contact samples. A motion was made by Judge Powers, seconded by Commissioner Carter to authorize the hiring of Assured Indoor Air Quality to conduct air quality tests at the Hays County Justice and Precinct 2 Office, authorize an amount not to exceed \$5,000, and that Assured Indoor Air Quality be allowed to conduct testing during working hours as needed in order to stay within the time and cost frame. All voting "Aye".

Court was Adjourned.

MINUTES APPROVED IN OPEN COURT ON THE 18TH DAY OF DECEMBER, 2001

JAMES L. POWERS, COUNTY JUDGE
H A Y S COUNTY, TEXAS

LEE CARLISLE, COUNTY CLERK
H A Y S COUNTY, TEXAS

