



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 1ST DAY OF NOVEMBER A.D., 2005, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

JAMES L. POWERS	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
H. S. "SUSIE" CARTER	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RUSS G. MOLENAAR	COMMISSIONER, PCT. 4
LINDA C. FRITSCHE	DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

22992 ADOPT A PROCLAMATION DECLARING NOVEMBER 6-12, 2005 AS "NATIONAL NURSE PRACTITIONER WEEK"

Personal Health Director Nick Icosipentanhos introduced two Nurse Practitioners, Sofong Wong and Ms. Gray, that work in the Hays County Health Department. A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring November 6-12, 2005 as "National Nurse Practitioner Week". All voting "Aye".

22993 ADOPT A PROCLAMATION DECLARING NOVEMBER 2005 AS HOME HEALTH MONTH IN HAYS COUNTY

CTMC RN Marilyn O'Bryant spoke in support of this proclamation. A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring November 2005 as "Home Health Month" in Hays County. All voting "Aye".

22994 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 405,696.17 as presented by the County Auditor. All voting "Aye".

22995 APPROVE BUDGET AMENDMENT 06-04

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Budget amendment #06-04 as proposed by the County Auditor. All voting "Aye".

22996 APPROVE UTILITY PERMITS #01846-01850

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Utility Permits #01846 on CR133/Hillside Terrace issued to Goforth Water, #01847 on CR133/Hillside Terrace issued to Enterprise Products, #01848 on CR133/Hillside Terrace to PEC Inc., #01849 on CR205/Dacy Lane issued to City of Kyle, and #01850 on CR270/Posey Road issued to PEC Inc. as submitted by the Road Department. All voting "Aye".

22997 APPROVE SPECIFICATIONS FOR RFP FOR PROFESSIONAL ASSISTANCE TO EXPLORE OPPORTUNITIES FOR FEDERAL PARTICIPATION FUNDS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve specifications for RFP for professional assistance to explore opportunities for federal participation funds and authorize Purchasing to solicit for proposal and advertise. All voting "Aye".

22998 APPROVE AWARD OF BID #2006-B01/IMPROVEMENTS TO HILLSIDE TERRACE/ROAD BOND PROGRAM TO CAPITAL EXCAVATION IN THE AMOUNT OF \$1,781,939.40

Two bids were received: Capital Excavation Company (\$1,781,939.40) and RGM Constructors LP (\$2,529,494.03). After tabulation and review of the bids received, it was recommended that project be awarded to low bidder Capital Excavation Company. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe and approve award of bid #2006-B01/Improvements to Hillside Terrace/Road Bond Program to Capital Excavation in the amount of \$1,781,939.40. All voting "Aye".



22999 APPROVE AWARD OF BID #2006-B06 FOR PLUMBING SERVICES TO HOT ROD MECHANICALS

Three bids were received: Hod Rod Mechanical (Austin), Texas State Plumbing (San Marcos), and Southwest Plumbing (Martindale). After review of pricing, required insurance and references, it is recommended that contract be awarded to Hot Rod Mechanical for lowest and best bid. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve award of Bid #2006-B06 for plumbing services to Hot Rod Mechanicals. All voting "Aye".**

23000 APPROVE RESOLUTION AUTHORIZING THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNCIL OF GOVT. (CAPCOG) – SOLID WASTE GRANT PROGRAM FOR UP TO \$34,160

Grant funds will be used to pay ½ of the salary and benefits of a second code enforcement officer in Environmental Health for FY2005-2006. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve resolution authorizing the County Judge to submit a grant application to the Capital Area Planning Council of Govt. (CAPCOG) – Solid Waste Grant Program for up to \$34,160. All voting "Aye".**

23001 APPROVE CANCELLATION OF COMMISSIONERS COURT MEETING ON NOVEMBER 29, 2005

Due to the Thanksgiving Holiday weekend, there will not be sufficient time to prepare an agenda for the Nov. 29th meeting. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve cancellation of Commissioners Court meeting on November 29, 2005. All voting "Aye".**

23002 APPROVE APPOINTMENT OF SHARI MILLER AS ACTING HUMAN RESOURCES DIRECTOR WITH DUTIES INCLUDING OVERSIGHT OF PAYROLL STATUS CHANGES, REVIEW AND APPROVAL OF HR EMPLOYEE TIMESHEETS AND ASSIGNMENTS, REVIEW AND DEVELOPMENT OF HR POLICY CHANGES, PREPARATION OF COMMISSIONER COURT AGENDA ITEMS RELATED TO HR, AND MONITORING AND APPROVAL OF THE HR BUDGET

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve appointment of Shari Miller as Acting Human Resources Director with duties including oversight of payroll status changes, review and approval of HR employee timesheets and assignments, review and development of HR policy changes, preparation of Commissioner Court agenda items related to HR, and monitoring and approval of the HR budget. All voting "Aye".

23003 AUTHORIZE THE COUNTY JUDGE TO ACCEPT GRANT FROM THE STATE HOMELAND SECURITY PROGRAM (SHSP) FOR A TOTAL \$228,182 AND TO EXECUTE CONTRACT

The intent of this subgrant is to aid in improving and enhancing our capacity to respond to and recover from acts of terrorism and natural disasters. Fire Marshal/EMC Mark Chambers spoke of this funding being for radios throughout the county – this will put one radio in every fire truck in Hays County. There are 9 volunteer fire departments in Hays County – 2 Fire Departments (Kyle FD & South Hays FD) already have these radios and 7 will need radios. There is a monthly user fee for this equipment and the fire departments will have to pay this fee. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to accept grant from the State Homeland Security Program (SHSP) for a total \$228,182 and to execute contract. All voting "Aye".**

23004 [PCT. 2 #03-2-051] HAYS-967 PHASE 1 – APPROVE RELEASE OF LETTER OF CREDIT POSTED FOR FISCAL SURETY AND ACCEPTANCE OF CASH-IN-KIND [T1-243]

Environmental Health Director Allen Walther explained that developer is requesting release of the letter of credit posted and acceptance of cash-in-kind. The cash will be deposited in an interest bearing account and the County will keep the interest for the time that cash bond is held by the county. **A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to approve release of Letter of Credit posted for fiscal surety and acceptance of cash-in-kind. All voting "Aye".**

23005 ACCEPT ROAD CONSTRUCTION, RELEASE MAINTENANCE BOND AND ACCEPT ROADS INTO THE COUNTY MAINTENANCE SYSTEM IN BELTERRA SUBDIVISION PHASE 1 SECTIONS 3A AND 8 [T1-255]

Road Supt/Engineer Jerry Borcharding gave staff recommendation for acceptance of road construction, release of maintenance bond and acceptance of roads into the county maintenance system. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to accept road construction, release maintenance bond and accept roads into the county maintenance system in "Belterra Phase 1 Sections 3A and 8". All voting "Aye".**



23006 CALL FOR A PUBLIC HEARING ON NOVEMBER 15, 2005 TO ESTABLISH TRAFFIC REGULATIONS IN THE ESTATES OF SAN MARCOS SUBDIVISION [T1-268]

Road Supt/Engineer Jerry Borcharding advised that 25MPH speed limit signs are posted and STOP signs, however, these traffic regulations have never been established. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to call for a public hearing on November 15, 2005 to establish traffic regulations in the "Estates of San Marcos Subdivision". All voting "Aye".

23007 CALL FOR A PUBLIC HEARING ON NOV. 15, 2005 TO CONSIDER ESTABLISHING TRAFFIC REGULATIONS (SPEED LIMIT-25 MPH) FOR EULALAH LANE [T1-283]

Commissioner Carter spoke of need for official traffic regulations on Eulalah Lane – speed limits have not been established. A motion was made by Commissioner Carter, seconded by Commissioner Conley to call for a public hearing on November 15, 2005 to consider establishing traffic regulations (speed limit - 25 MPH) for Eulalah Lane. All voting "Aye".

23008 APPOINT COMMISSIONER INGALSBE TO ORGANIZE THE 3 PERSON DELEGATION TO REPRESENT HAYS COUNTY ON THE CARTPO PROJECT EVALUATION SUBCOMMITTEE ON NOV. 4, 2005, AND COMMISSIONER CARTER TO GIVE THE PRESENTATION, ON THE SAME DATE, OF THE CARTPO PROJECT APPLICATIONS SUBMITTED FROM HAYS COUNTY PER THE RESOLUTION OF SEPT. 20, 2005 BY HAYS COUNTY COMMISSIONER COURT AND 3 OTHER GOVERNMENTAL ENTITIES [T1-295]

A motion was made by Commissioner Molenaar, seconded by Commissioner Carter to appoint Commissioner Ingalsbe to organize the 3 person delegation to represent Hays County on the CARTPO Project Evaluation Subcommittee on November 4, 2005 and Commissioner Carter to give the presentation, on the same date, of the CARTPO Project applications submitted from Hays County per the resolution of September 20, 2005 by Hays County Commissioner Court and 3 other governmental entities. All voting "Aye".

23009 EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO MEET WITH LEGAL COUNSEL TO DISCUSS LITIGATION MATTERS RELATING TO THE HAYS COUNTY JUVENILE DETENTION FACILITY AND DINOSAUR VALLEY CONSTRUCTION, INC. WITH ACTION IN OPEN COURT [T1-308]

Court convened into closed session at 9:20 a.m. and reconvened into open meeting at 10:05 a.m. Commissioner Carter spoke of need for more facts for her to support this action. A motion was made by Commissioner Molenaar, seconded by Commissioner Ingalsbe to authorize outside legal counsel to negotiate with Dinosaur Valley Construction Inc. regarding remedial measures needed at the Hays County Juvenile Detention Facility. Commissioner Ingalsbe, Commissioner Conley, Commissioner Molenaar, and Judge Powers voting "Aye". Commissioner Carter voting "No".

Court was adjourned.

I, LEE CARLISLE, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on NOVEMBER 1, 2005.



LEE CARLISLE, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS