



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8th 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. FRITSCHÉ	DEPUTY COUNTY CLERK

WHEN THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

23010 ADOPT A RESOLUTION DECLARING TUESDAY, NOVEMBER 15, 2005 AS "TEXAS RECYCLES DAY"

Commissioner Carter spoke of recycling being done in Comal County. She spoke in favor of recycling in Hays County. Jerry Pinnix, Recycling Coordinator for Hays County, spoke of wanting to recycle used clothing to be donated to Goodwill – collection boxes will be provided at the county recycling sites in Wimberley and Driftwood.. A motion was made by Commissioner Carter, seconded by Commissioner Ingalsbe to adopt a resolution declaring November 15, 2005 as "Texas Recycles Day". All voting "Aye".

23011 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve payment of county invoices in the amount of \$404,559.65 as presented by the County Auditor. All voting "Aye".

23012 APPROVE UTILITY PERMITS #01851 & #01852

A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve Utility Permit #01851 on Scarlet Ridge issued to McCall Homes Inc. and Utility Permit #01852 on CR200/Deer Creek Circle issued to Deer Creek Water Co. All voting "Aye".

23013 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 \$34,000

The goal of this application is to obtain the necessary equipment to participate in a regional recycling program for glass with Blanco County and Johnson City. Blanco County is applying to CAPCOG for a glass pulverizer and Johnson City already has the necessary equipment to participate. This is the only way to get enough volume to make the project feasible. Grant funds will be used by the county to purchase a diesel pickup and two 12-foot dump trailers. The county will station one trailer at the Wimberley Transfer Station and the other at the Citizens Collection Station in Driftwood. All glass will be accepted – no sorting of material – and turned into glass cullet to be utilized by Blanco County (it will be mixed with their hot mix for road repairs). A motion was made by Commissioner Molenaar, seconded by Commissioner Conley 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 \$34,000. All voting "Aye".

23014 APPROVE SUBAWARD AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY – SAN MARCOS FOR THE ALERRT PROGRAM FOR \$66,511.00

A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to approve Sub-award Agreement between Hays County and Texas State University – San Marcos for the ALERRT Program for \$66,511.00. All voting "Aye".

23015 AWARD BID #2006-B03 FOR A/C AND HEATING SERVICES TO HOT ROD MECHANICAL

Bids were received from Apex Mechanical (Wimberley), Hot Rod Mechanical (Austin), Tomco Aire Service (San Marcos), Tejas Refrigeration (Dripping Springs), San Marcos Air Conditioning (San Marcos), and C. A. Woods Co. (San Marcos). After review of pricing, required insurance, and references, Purchasing recommends awarding the contract to Hot Rod Mechanical for lowest and best bid. A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to award bid #2006-B03 contract for A/C and heating services to Hot Rod Mechanical. All voting "Aye".



23016 AWARD BID# 2006-B05 FOR ROW FENCING FOR PUMP STATION ROAD IN THE AMOUNT OF \$26,160.11 TO VIKING FENCE

Five bids were received: Viking Fence = \$26,160.11, Wimberley Fence = \$38,316.75, Roadway Specialist = \$51,629.00, Myers Concrete = \$ 97,420.40, and Lawrence Excavations = \$ 182,613.00. After reviewing of pricing, required insurance, and references, Purchasing recommends awarding the contract to Viking Fence. **A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to award Bid #2006-B05 for right-of-way fencing for Pump Station Road in the amount of \$26,160.11 to Viking Fence. All voting "Aye".**

23017 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS: A YIELD SIGN ON THE NORTH SIDE OF THE WILSON CREEK BRIDGE ON GREEN ACRES DRIVE [CR 279] [T1-164]

Judge Powers declared the public hearing open. No public input was received and the public hearing was closed. County Road Supt/Engineer Jerry Borcherding spoke of this allowing safer traffic over a narrow bridge – all southbound vehicles on Green Acres Drive will yield to northbound traffic at the Wilson Creek bridge. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to establish traffic regulation of a Yield sign on the north side of the Wilson Creek Bridge on Green Acres Drive (CR279). All voting "Aye".**

23018 APPROVE APPOINTMENT OF FRANK V. PUCKETT, E. CARSON CAREY, AND ANTHONY PALERMO TO THE EMERGENCY SERVICES DISTRICT #7 TO FILL UNEXPIRED TERMS OF SCOTT BROWN, PHIL EDGINGTON, AND MIKE BOYLE

[T1-180] Commissioner Conley advised that the posted agenda shows this as Emergency Services District #3, however, it should be Emergency Services District #7. **A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve appointment of Frank V. Puckett, E. Carson Carey, and Anthony Palermo to the Emergency Services District #7 to fill unexpired terms replacing Scott Brown, Phil Edgington, and Mike Boyle. All voting "Aye".**

Clerk's Note: Agenda Item # 10 RE: AUTHORIZE OVERTIME PAY FOR HOURS WORKED DURING HURRICANE RITA was PULLED. No discussion and no action taken.

23019 APPROVE A CONTRACT WITH NAISMITH ENGINEERING, INC. FOR REVISION OF HAYS COUNTY'S SUBDIVISION REGULATIONS, UP TO AND INCLUDING, IMPLEMENTATION OF THE REGIONAL WATER QUALITY PROTECTION PLAN

[T1-210] David Baker spoke in support of the proposal being considered – he encouraged funding of the full scope of the proposal. Joe Day spoke of his involvement in the regional water quality protection plan – he supports this contract but he would like for stakeholders to be involved early on in the process. Doug Wierman (Hays Trinity Groundwater Conservation District) read a resolution adopted by the District. Specific schedule needs to be in the proposal and it is vague on deliverables and he asked that it be posted on the county web page. Terry Tull spoke in support of the proposal – he asked that the county work with other jurisdictions in the region. Tom Brown (Naismith Engineering Inc.) spoke of model used to create the plan. He gave a powerpoint presentation: Phase 1 will develop goals, objectives and policies; Phase 2 will involve developing technical design criteria and develop revised regulations and administrative procedures necessary to implement revisions. The Court will create a steering committee to represent stakeholders starting in Phase 1 and they will work toward a consensus of the steering committee. By-laws will be created for the committee and a realistic time frame for completion of tasks will be set. Mr. Brown felt like it should not take more than 8 months to complete the tasks. Each member of the court will appoint a person to the steering committee (5 members) and a stakeholder committee that could be from 18 to 24 members. [T1-860] **A motion was made by Judge Powers, seconded by Commissioner Molenaar to approve a contract with Naismith Engineering Inc. for revision of Hays County's Subdivision Regulations, up to and including implementation of the Regional Water Quality Protection Plan with stipulations that the court come back with a time line and appoint the steering committee. All voting "Aye".**

PRESENTATION BY BURKE SUNDAY OF THE COST/CLAIMS HISTORY OF OUR SELF FUNDED PLAN FOR FY2005 [T1-910]

Burke Sunday provided a financial analysis of the 2004-2005 plan year and the 2003-2004 plan year. He spoke of drop in number of employees from 2003-2004 (699) to 2004-2005 (641) plan year largely due to adult probation dropping out. Percentage of In-Network claims increased from 84.66% to 89.50%. Mr. Sunday spoke of increase in pharmacy claims and increase in pharmacy costs. He is concerned about the per employee per month pharmacy cost of \$71.93. He spoke of promoting usage of information available on the cigna website. He spoke of increases in the dental plan – there is only one group of dentists in San Marcos that participate in the Cigna plan. Burke Sunday spoke of GASB45 coming up in 2006 which will require you to look at retiree benefits and liabilities. [See Local Government Code 175] Commissioner Carter spoke of TAC looking into this issue and will provide assistance to counties when the time comes.



EXECUTIVE SESSION PURSUANT TO SECTION 511.074, TEXAS GOVERNMENT CODE, TO DISCUSS THE APPOINTMENT OF A HUMAN RESOURCE DIRECTOR. ACTION MAY FOLLOW IN OPEN COURT

Court recessed into closed session at 11:10 a.m. and reconvened into open meeting at 11:20a.m. Judge Powers announced that no action will be taken.

WORKSHOP TO DISCUSS HOUSING OF ANIMALS IN HAYS COUNTY IN ACCORDANCE WITH THE HAYS COUNTY ANIMAL CONTROL ORDINANCE TO INCLUDE A PRESENTATION BY MONTGOMERY COUNTY, TEXAS CONSTABLE TIM HOLIFIELD ABOUT CURRENT SHELTERING OPERATION IN MONTGOMERY COUNTY AND POSSIBLE OPTIONS FOR HAYS COUNTY [T1-1733]

Montgomery County Constable Tim Holifield spoke of history of animal control in Montgomery County – he became involved when he was a newly elected Constable and received complaints regarding animal control. He spoke of money being charged to the county and individuals for animals brought into the animal shelter. He gave a presentation regarding the animal shelter in Montgomery County. Current budget is \$468,000 – average cost per animal is \$31.75 – 11,200 animals are processed per year. There is approximately \$100,000 in revenues from fees. He gave organizational chart for staff (24 employees). He spoke of public website with pictures and information regarding all animals in the shelter. He spoke of program they have with vets for spaying/neutering animals which generates some revenue for the facility. Animals are kept one week before being euthanized. Commissioner Conley advised that we are currently being charged approx \$100+ per animal. Constable Holifield spoke of rescue groups that pick up some of the animals – they neuter/spay animals for free for some groups/people. He felt like Hays County would only need a 5,000 sq ft. facility – suggested cinderblock with a metal or composition roof and advised that the #1 issue is keeping disease down. It is required by law to have a quarantined area, behind locked door, for bite cases. They only charge for rabies shot & neuter/spay when animals are adopted. He spoke of micro-chipping animals for identification. Constable Holifield spoke of being able to house animals longer if you had volunteers and advertising. Montgomery County does not have a registration program. Commissioner Ingalsbe advised that the City of San Marcos is interested in a partnership with the county to expand their facility.

ADJOURNMENT

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 8, 2005.



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

