



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 24th DAY OF OCTOBER A.D., 2006, 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. FRITSCHKE	DEPUTY COUNTY CLERK

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.

23801 ADOPT A PROCLAMATION DECLARING OCTOBER 2006 AS "NATIONAL DOWN SYNDROME AWARENESS MONTH"

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Carter to adopt a Proclamation declaring October 2006 as "National Down Syndrome Awareness Month". All voting "Aye".

23802 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve payment of county invoices in the amount of \$1,141,189.38 as presented by the County Auditor. All voting "Aye".

23803 APPROVE UTILITY PERMITS #01906

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Utility Permit #01906 on Davy Crockett issued to P.E.C. All voting "Aye".

Clerk's Note: Agenda Item #5 RE: AWARD BID #2006-B21, SAWYER RANCH ROAD TO FT WOODS IN THE AMOUNT OF \$3,381,511.95 was PULLED. No discussion and no action taken.

23804 AUTHORIZE EXECUTION OF PROFESSIONAL SERVICE AGREEMENTS RELATING TO THE PASS THROUGH FINANCING PROGRAM WITH THE FOLLOWING FIRMS: CARTER :: BURGESS, INC. (FM 1626 FROM FM 967 TO BLISS SPILLAR ROAD), KLOTZ ASSOCIATES, INC. (FM 1626 FROM FM 2770 TO FM 967), LOCKWOOD, ANDREWS & NEWNAM, INC. (SH 21), AND DANNENBAUM ENGINEERING (FM 110)

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize execution of Professional Service Agreements relating to the Pass Through Financing Program with the following firms: Carter::Burgess Inc. (FM1626 from FM967 to Bliss Spillar Road), Klotz Associates Inc. (FM1626 from FM2770 to FM967), Lockwood Andrews & Newman Inc. (SH21), and Dannenbaum Engineering (FM110). All voting "Aye".

23805 APPROVE OPERATING RULES FOR HAYS COUNTY LINKED DEPOSIT LOAN PROGRAM FOR WATER AND ENERGY RELATED PROJECTS FOR COUNTY RESIDENTS

This is an interest buy down program only and the county will not be making guaranteeing or servicing loans. Program funds will continue to earn interest while in either the county reserve account and/or the lenders bank. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve operating rules for Hays County Linked Deposit Loan Program for water and energy related projects for county residents. All voting "Aye".

Clerk's Note: Agenda #8 RE: APPROVE HIRING HERITAGE APPRAISAL GROUP, INC., TO CONDUCT APPRAISALS OF THREE PROPERTY SITES POSSIBLY SUITABLE FOR THE DEVELOPMENT OF THE HAYS COUNTY OFFICE COMPLEX, PER QUOTE OF \$750 PER PROPERTY FOR A TOTAL OF \$2,250 was PULLED. No discussion and no action taken.



23806 AUTHORIZE THE SHERIFF'S DEPARTMENT TO DISPOSE OF BURNED FORD CROWN VICTORIA AND APPROVE FUNDS TO REPLACE

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the Sheriff's Department to dispose of burned 2004 Ford Crown Victoria and approve funds to replace. All voting "Aye".

23807 AUTHORIZE 3DI TO COMMENCE DESIGN PHASE OF THE PRECINCT 2 OFFICE BUILDING AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE SAME

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize 3DI to commence design phase of the Precinct 2 office building and authorize the County Judge to execute same. All voting "Aye".

23808 APPROVE PHYSICIAN SERVICE AGREEMENT WITH MICHAEL KELLY, M.D. FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT TB CLINIC

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve Physician Service Agreement with Michael Kelly M.D. for the Hays County Personal Health Department TB Clinic. All voting "Aye".

23809 AUTHORIZE THE COUNTY JUDGE TO TERMINATE THE AGREEMENT WITH NETPLEA SERVICES OF PLANO RELATING TO DEBT COLLECTION SERVICES FOR JUSTICE OF THE PEACE COURTS AND AUTHORIZE JUDGE RAMAGE TO NEGOTIATE A REPLACEMENT CONTRACT WITH MCCREARY, VASELKA, BRAGG & ALLEN

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to terminate the agreement with Netplea Services of Plano relating to Debt Collection Services for Justice of the Peace Courts and authorize Judge Ramage to negotiate a replacement contract with McCreary, Vaselka, Bragg & Allen. All voting "Aye".

23810 APPROVE A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF BEAR CREEK AND THE HAYS COUNTY JUDGE TO ALLOW THE VILLAGE OF BEAR CREEK TO BE INCLUDED IN AN INTER-JURISDICTIONAL EMERGENCY MANAGEMENT PROGRAM.

The inter-jurisdictional emergency management program is currently in place with multiple jurisdictions within the county. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to approve a Resolution authorizing the Mayor of the Village of Bear Creek and the Hays County Judge to allow the Village of Bear Creek to be included in an inter-jurisdictional emergency management program. All voting "Aye".

PRESENTATION AND UPDATE OF ADVANCE LAW ENFORCEMENT RAPID RESPONSE TRAINING (ALERRT) PROGRAMS AND INITIATIVES

Former Sheriff Don Montague gave an update of ALERRT Programs and initiatives. He spoke of it being a joint effort of Hays County, Texas State University and the City of San Marcos. He spoke of the Columbine incident that caused law enforcement to look at training needed in response to situations like that. In 2002 Governor Rick Perry awarded funds to provide necessary training. He wanted the court to know that the ALERRT program is a program the county can be proud of. Commissioner Conley spoke of need for the public to know the importance of this program and he commended those involved.

23811 AUTHORIZE USE OF CONTINGENCY FUNDS IN THE AMOUNT OF \$12,487.80 TO PAY FOR A PERIMETER FENCE AT THE NEW COUNTY CEMETERY ON OLD BASTROP HIGHWAY (CR 266) [T1-330]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Molenaar to authorize use of contingency funds in the amount of \$12,487.80 to pay for a perimeter fence at the new county cemetery on Old Bastrop Highway (CR266). All voting "Aye".

23812 HIRE STAUDT SURVEYING TO PROVIDE A TOPOGRAPHIC SURVEY OF THE FUTURE PCT. 4 BUILDING SITE [T1-353]

This survey is required as part of the site plan requirements. A motion was made by Commissioner Molenaar, seconded by Commissioner Conley to hire Staudt Surveying to provide a topographic survey of the future Pct. 4 building site. All voting "Aye".



23813 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE VILLAGE OF WIMBERLEY RELATING TO TRAFFIC ENFORCEMENT SERVICES TO BE PROVIDED BY CONSTABLE DARRELL AYRES [T1-384]

The Village of Wimberley and Constable Ayres are requesting that the Court authorize a traffic enforcement interlocal agreement similar to the one approved for the Sheriff's Dept. recently. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to execute an interlocal agreement with the Village of Wimberley relating to traffic enforcement services to be provided by Constable Darrell Ayres. All voting "Aye".

23814 APPROVE RESOLUTION REQUESTING THE 80TH TEXAS LEGISLATURE TO SUPPORT INCREASE FUNDING FOR THE TEXAS RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAM AND THE TEXAS STATE PARK SYSTEM [T1-404]

A motion was made by Judge Powers, seconded by Commissioner Ingalsbe to approve resolution requesting the 80th Texas Legislature to support increased funding for the Texas Recreation and Parks Account Local Park Grant Program and the Texas State Park System. All voting "Aye".

23815 ADOPT THE WORK PLAN FOR THE HAYS COUNTY HABITAT CONSERVATION PLAN [T1-366]

Cliff Ladd (Loomis Austin Biologist) gave a powerpoint presentation regarding the Hays County Habitat Conservation Plan. He went over the Purpose, Reasons for a County Plan (*endangered species, open space, population growth, land use changes, & conservation gap*), Endangered Species Act, Opportunities & Benefits, Project Objectives, Core Team & Committees, Work Plan Components, Estimated Project Schedule (ready to start Phase 2), Estimated Project Budget, and Project Oversight (progress reports). Commissioner Conley spoke in support of the work plan. A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to adopt the work plan for the Hays County Habitat Conservation Plan. All voting "Aye".

23816 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AMENDMENT NO. 1 WITH LOOMIS AUSTIN, INC., RELATING TO THE HAYS COUNTY HABITAT CONSERVATION PLAN [T1-762]

A motion was made by Commissioner Conley, seconded by Commissioner Molenaar to authorize the County Judge to execute Amendment No. 1 with Loomis Austin, Inc. relating to the Hays County Habitat Conservation Plan. All voting "Aye".

23817 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 TEXAS GOVERNMENT CODE TO MEET WITH LEGAL COUNSEL TO DISCUSS AND DELIBERATE A PROPOSED SETTLEMENT WITH POST, BUCKLEY, SCHUH & JERNIGAN, INC. (PBS&J) WITH ACTION

Court convened into closed executive session at 10:05 a.m. and reconvened into open meeting at 10:15 a.m. A motion was made by Judge Powers, seconded by Commissioner Conley to authorize the County Judge to execute the proposed settlement agreement with PBS&J. All voting "Aye".

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 OCTOBER 24, 2006.



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