



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 14TH DAY OF APRIL A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ford gave the invocation and Commissioner Ingalsbe led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order. Human Resources Director Dee Dee Baen introduced new employees. Commissioner Conley was not present when the meeting was called to order.

26053 ADOPT PROCLAMATION DECLARING THE MONTH OF APRIL AS "AUTISM AWARENESS MONTH"

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to adopt Proclamation declaring the month of April as "Autism Awareness Month". All present voting "Aye".
MOTION PASSED

26054 ADOPT PROCLAMATION RECOGNIZING APRIL 12TH - 18TH AS "PUBLIC SAFETY TELECOMMUNICATORS WEEK"

Lt. Dennis Gutierrez, Erica Carpenter, and Sheriff Ratliff spoke. A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt proclamation recognizing April 12 - 18 as "Public Safety Telecommunicators Week". All present voting "Aye".
MOTION PASSED

UPDATE ON FY2010 BUDGET NEEDS ASSOCIATED WITH THE U. S. DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES HIRING RECOVERY PROGRAM GRANT APPLICATION [T1-246]

Grants Administrator Jeff Hauff spoke of grant funding up to 12 entry level patrol positions in the Sheriff's office. This three year grant would amount to \$2,308,776 total. The county must retain and fund the positions during the 4th year of the program at a cost of \$847,536. Up front costs for equipping these officers is \$46,557.36 each, or a total of \$558,688.32 for twelve positions.

PRESENTATION FROM EMERGENCY MANAGEMENT COORDINATOR JEFF TURNER [T1-374]

Emergency Management Coordinator Jeff Turner spoke of managerial function of emergency management. He explained their mission and need for an updated plan. He spoke of NIMS compliance, Homeland Security Grants (Citizens Corp Project, EOC Grant, Urban Area Security Issue), NIMS training, CBRNE exercises, State Hurricane Drills, and Mass Fatality Exercise. He spoke of incidences that have occurred in Hays County and he spoke of various conferences and presentations. He spoke of regional projects with local impact.

PRESENTATION BY MIKE WEAVER OF THE MONTHLY PROGRESS REPORT FOR THE HAYS COUNTY PASS THROUGH FINANCE PROGRAM FOR MARCH 2009 [T1-1009]

Mike Weaver (Prime Strategies Inc.) provided a progress report on the pass through financing program. He advised that Lakewood Drive has been removed from the FM1626B pass through project and will be developed as a road bond project, Commissioners Court awarded FM 110 design to S&B Infrastructure on April 7, 2009, and he provided an update of cash flow requirements for future bond sale. He provided drawings and information regarding FM1626 project and update regarding US290, and FM2001.

PUBLIC COMMENT

[T1-1009] Daniel Scales made public comment.



26055 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$477,810.16 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

26056 APPROVE COMMISSIONER COURT MINUTES OF APRIL 1ST, 2ND & 7TH, 2009

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioner Court Minutes of April 1, 2, & 7, 2009 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

26057 APPROVE SPECIFICATIONS FOR BID #2009-B11 CONSTRUCTION OF METAL BUILDING FOR HAYS COUNTY CITIZENS COLLECTION STATION/DRIFTWOOD AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve specifications for bid #2009-B11 construction of metal building for Hays County Citizens Collection Station/Driftwood and authorize purchasing to solicit for bid and advertise. All present voting "Aye". MOTION PASSED

26058 APPROVE RENEWAL OF BID #2006-B17 "FURNISH & INSTALL GUARDRAILS" WITH ROADWAY SPECIALISTS FOR ONE (1) ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID

A motion was made by Commissioner Barton, seconded by Commissioner to approve renewal of bid #2006-B17 "Furnish & Install Guardrails" with Roadway Specialists for one (1) additional year as provided for in the original bid. All present voting "Aye". MOTION PASSED

26059 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT EXTENDING THE CONTRACT TERMINATION DATE FOR CAPCOG GRANT 08-12-G16 FOR RECYCLING CENTER

A motion was made by Commissioner Barton, seconded by Commissioner to authorize the County Judge to execute an Amendment extending the contract termination date for CAPCOG Grant 08-12-G16 for Recycling Center. All present voting "Aye". MOTION PASSED

26060 APPROVE MAINTENANCE AGREEMENT WITH CLIFFORD POWER SYSTEMS FOR THE GENERATOR AT THE JUVENILE DETENTION CENTER

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Maintenance Agreement with Clifford Power Systems for the generator at the Juvenile Detention Center. All present voting "Aye". MOTION PASSED

26061 APPROVE RELEASE OF MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROADS AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR KUYKENDALL SUBDIVISION [T1-1110]

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve release of maintenance bond and accept for maintenance all roads and drainage improvements within county ROW for Kuykendall Subdivision. All present voting "Aye". MOTION PASSED

Clerk's Note: Commissioner Conley came to the meeting at this time.

26062 APPROVE RELEASE OF MAINTENANCE BOND, RELEASE OF RE-VEGETATION BOND AND ACCEPT FOR MAINTENANCE ALL ROADS AND DRAINAGE IMPROVEMENTS WITHIN COUNTY R-O-W FOR BELTERRA SUBDIVISION, PHASE 4, SECTION 18 [T1-1117]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve release of maintenance bond, release of re-vegetable bond and accept for maintenance all roads and drainage improvements within county right-of-way for Belterra Subdivision Phase 4, Section 18. All voting "Aye". MOTION PASSED



- 26063 APPROVE RELEASE OF MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROADS AND DRAINAGE IMPROVEMENTS WITHIN COUNTY R-O-W FOR WALKING W RANCH SUBDIVISION, PHASE C [T1-1148]**

A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve release of maintenance bond and accept for maintenance all roads and drainage improvements within county right-of-way for Walking W Ranch Subdivision Phase C. All voting "Aye". MOTION PASSED

- 26064 APPROVE RELEASE OF MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROADS AND DRAINAGE IMPROVEMENTS WITHIN COUNTY R-O-W FOR BELTERRA SUBDIVISION, PHASE 3, SECTION 11 B [T1-1171]**

A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve release of maintenance bond and accept for maintenance all roads and drainage improvements within county right-of-way for Belterra Subdivision Phase 3 Section 11 B. All voting "Aye". MOTION PASSED

- 26065 APPROVE RESOLUTION REGARDING APPROVAL OF THE ISSUANCE OF FIRST MORTGAGE REVENUE BONDS BY TARRANT COUNTY FOR TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION, PURSUANT TO THE PROVISIONS OF THE CULTURAL EDUCATION FACILITIES FINANCE CORPORATION ACT, AS AMENDED, ARTICLE 1528M V.A.C.T.S. (THE "ACT") [T1-1186]**

Special Counsel Mark Kennedy explained the project. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve Resolution regarding approval of the issuance of First Mortgage Revenue Bonds by Tarrant County for Tarrant County Cultural Education Facilities Finance Corporation, Pursuant to the provisions of the Cultural Education Facilities Finance Corporation Act, as amended, Article 1528M V.A.C.T.S. (the "Act") All voting "Aye". MOTION PASSED

- 26066 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH BROADUSS AND ASSOCIATES FOR PROGRAM MANAGEMENT OF THE HAYS COUNTY GOVERNMENT CENTER PROJECT [T1-1232]**

Jim Broaduss and Brenda Jenkins (Project Executive) spoke of the project. Special Counsel Mark Kennedy spoke of the contract and audit clause that needs to be added. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute a contract with Broaduss and Associates for Program Management of the Hays County Government Center Project with amendments recommended by Special Counsel. All voting "Aye". MOTION PASSED

- 26067 DISCUSSION AND ACTION REGARDING A POLICY TO BE STYLED "ETHICS BEGINS AT HOME", RELATED TO THE ESTABLISHMENT OF ETHICAL AND ACCOUNTABILITY STANDARDS FOR BOTH LOCAL AND INTERNATIONAL PROFESSIONAL FIRMS WISHING TO DO BUSINESS WITH HAYS COUNTY [T1-2003]**

Commissioner Barton spoke of standards for companies doing business with Hays County and he suggested that the county should demand a high level of ethical conduct from those who would use our tax dollars. He proposed that the court ask District Attorney Sherri Tibbe and her Civil Division Chief Mark Kennedy, along with purchasing director Cindy Maiorka, to prepare a policy. He read from a list of five items that he would like to see in that policy: (1) Who is affected: professional service contracts of \$10,000 or more, (2) Convicted firms and key individuals are prohibited from Hays County work, (3) Disclosure: Firms and key individuals must disclose if they are under government investigation or if affiliates are under investigation or have been convicted, (4) the right to consider and terminate, and (5) If the Commissioners Court has a finding that this is a sole source company that the service they provide is not readily available elsewhere but it is critically important to the health, welfare and safety to the citizens of Hays County, then we can provide an exception, and an opportunity for any company who might be prohibited to come before the court and argue for an exception but would require a public hearing before Commissioners Court and an affirmative vote by the court finding that they have addressed the circumstances that led to the conviction made changes in the corporate culture of the company and/or that there were other extenuating circumstances. Discussion was had regarding various concerns by members of the court. Mark Kennedy spoke of adding to the current code of ethics in the meantime – it must be equitable across the board. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to establish a policy to be styled "Ethics Begins at Home" related to the establishment of ethical and accountability standards for both local and international professional firms wishing to do business with Hays County and to request the committee to work with Commissioner Barton on details and bring back the final policy for consideration by the court. All voting "Aye". MOTION PASSED



26068 AUTHORIZE THE COUNTY JUDGE TO SIGN AND SUBMIT THE INCIDENTAL TAKE PERMIT APPLICATION FORM ASSOCIATED WITH THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN TO THE U.S. FISH AND WILDLIFE SERVICE FOR PROCESSING [T1-3008]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to sign and submit the Incidental Take Permit Application Form associated with the Hays County Regional Habitat Conservation Plan to the U.S. Fish and Wildlife Service for processing. All voting "Aye". MOTION PASSED

Court was adjourned.

I, LINDA C. FRITSCHER, 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 APRIL 14, 2009.



LINDA C. FRITSCHER, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

