



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 25TH DAY OF AUGUST 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
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PCT. 1 DEBBIE GONZALES INGALSBE; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ford offered a moment of silence and prayer and led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PRESENTATION OF RETIREMENT GIFTS TO SARAHANN LOWTHER AND SANTIAGO REYNA

County Court at Law Judge Linda Rodriguez presented a retirement clock to Santiago Reyna and County Auditor Bill Herzog presented a retirement clock to Sarahann Lowther.

PUBLIC COMMENT

Jack Hollon made public comment in support of Hays Trinity Groundwater Conservation District. [T1-288] Mark Key made public comment regarding funding for Hays Trinity Groundwater Conservation District.

26397 APPROVE RENEWAL OF DOCTORS' ANNUAL CONTRACT FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WOMEN'S HEALTH CLINIC. PHYSICIANS: TERESA IRWIN MD, ARTHUR RAY JACOBSON MD, BETH D. REID MD, AND BARRETT RANDALL BLAUE M.D

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of Doctor's Annual Contract for the Hays County Personal Health Department Women's Health Clinic. Physicians: Teresa Irwin MD, Jacobson, Arthur Ray Jacobson MD, Beth D. Reid MD, and Barrett Randall Blau MD. All present voting "Aye". MOTION PASSED

26398 APPROVE THE CONTRACT RENEWAL FOR DR. CHARLES P. ANDERSON MD TO PROVIDE SERVICES FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT FAMILY CLINIC

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the contract renewal for Dr. Charles P. Anderson MD to provide services for the Hays County Personal Health Department Family Clinic. All present voting "Aye". MOTION PASSED

26399 APPROVE RENEWAL OF THE CONTRACT BETWEEN HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND DR. CHARLES P. ANDERSON AS THE HAYS COUNTY LOCAL HEALTH AUTHORITY

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of the contract between Hays County Personal Health Department and Dr. Charles P. Anderson as the Hays County Local Health Authority. All present voting "Aye". MOTION PASSED

26400 APPROVE THE PURCHASE AGREEMENT WITH TYLER TECHNOLOGIES FOR CONVERSION OF DATA FROM GUADALUPE AND CALDWELL COUNTIES

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the Purchase Agreement with Tyler Technologies for conversion of data from Guadalupe and Caldwell Counties. All present voting "Aye". MOTION PASSED



26401 APPROVE RENEWAL OF EXISTING BID #2008-B18 "REGULATORY, WARNING ROAD SIGNS" FOR ONE (1) ADDITIONAL YEAR, TO MULTIPLE VENDORS, AS PROVIDED FOR IN THE ORIGINAL BID

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve renewal of existing bid #2008-B18 "Regulatory, Warning Road Signs" for one (1) additional year, to multiple vendors, as provided for in the original bid. All present voting "Aye". MOTION PASSED

26402 APPROVE COMMERCIAL OSSF PERMIT FOR STEVE AND AMY HENRY TO SERVE AN AUTOMOTIVE RESTORATION GARAGE LOCATED AT 25 PIONEER TRAIL, DRIPPING SPRINGS, IN PRECINCT 4

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve Commercial OSSF Permit for Steve and Amy Henry to serve an automotive restoration garage located at 25 Pioneer Trail, Dripping Springs, in Precinct 4. All present voting "Aye". MOTION PASSED

26403 APPROVE UTILITY PERMITS

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve utility permit #02030 issued to LCRA on Coach House Road; permit #02031 issued to City of Kyle on Roland Lane as submitted by the County Road Department. All present voting "Aye". MOTION PASSED

26404 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT PROJECT WORKSHEET TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS, FY 2010 HOMELAND SECURITY GRANT PROGRAM FOR THE LAW ENFORCEMENT STRIKE TEAM IN THE AMOUNT OF \$17,000.00

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to submit a grant project worksheet to the Capital Area Council of Governments, FY 2010 Homeland Security Grant Program for the Law Enforcement Strike Team in the amount of \$17,000.00. All present voting "Aye". MOTION PASSED

26405 GRIEVANCE COMMITTEE SELECTION PURSUANT TO LOCAL GOVERNMENT CODE 152.015

The County Judge selected twenty names from the 2008 Grand Jury for possible service on the Grievance Committee pursuant to Local Government Code 152.015 as follows: Linda Rodgers Baker, Katherine Ann Rhodes, Daniel Rezykowski, Wallace A. Cheatham, Alan Lee Parks, Joel Liebeskind, Lisa Kay Mayo, Gary Don Reeves, Ruth Epstein Kirkilis, Charles Dean Staedtler, Maria Elena Rodriguez, Thomas William Ray, Blanca Estela Guzman, James H. Wingard, Stephen Hoevelman, Kathleen Ables Gold, Sandra Lange Michalewicz, Karen Leah Hollis, Paige Fortenberry.

26406 APPROVE PAYMENTS OF COUNTY INVOICES

County Auditor Bill Herzog requested addition of invoice in the amount of \$40,599.19 from HRM Consultants Inc. from Road Bond funds. A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$1,317,259.22 as submitted by the County Auditor with addition of \$40,599.19 invoice. All present voting "Aye". MOTION PASSED

26407 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS RELEASE OF THE CONSTRUCTION BOND, ACCEPT THE MAINTENANCE BOND FOR TWO YEARS, AND ACCEPT THE RE-VEGETATION LETTER OF CREDIT FOR MUSTANG VALLEY SUBDIVISION, SECTION 1 [T1-316]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to accept road construction and drainage improvements release of the Construction Bond, accept the Maintenance Bond for two years, and accept the Re-vegetation Letter of Credit for Mustang Valley Subdivision, Section 1. All present voting "Aye". MOTION PASSED



26408 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN HERITAGE OAKS SUBDIVISION [T1-324]

Judge Sumter opened the public hearing. No public input was received. Public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to establish traffic regulations of a speed limit of 30 MPH and install a stop sign at the corner of Heritage Oaks Drive and Laurel Hill Street in the Heritage Oaks Subdivision. All present voting "Aye". MOTION PASSED**

26409 CALL FOR A PUBLIC HEARING ON SEPTEMBER 15, 2009 TO ESTABLISH TRAFFIC REGULATIONS AT ALL SCHOOL ZONE LOCATIONS ON COUNTY-MAINTAINED ROADS [T1-339]

RPTP Director Jerry Borcharding spoke of new statute regarding prohibiting use of cell phone in school zones. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on September 15, 2009 to establish traffic regulations at all school zone location on county maintained roads. All present voting "Aye". MOTION PASSED**

26410 AWARD \$5,000.00 TO THE INDIGENOUS CULTURES INSTITUTE IN SAN MARCOS

[T1-382] Court agreed that it would be advisable to have an MOU and if event is not held the funds will be either not paid out or if already paid out it would be refunded to the county. **A motion was made by Judge Sumter, seconded by Commissioner Ford to award \$5,000.00 to the Indigenous Cultures Institute in San Marcos to be paid out of contingencies with an MOU. All present voting "Aye". MOTION PASSED**

26411 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCED FUNDING AGREEMENT WITH TXDOT FOR THE US 290 (NUTTY BROWN ROAD TO TRAUTWEIN ROAD) PASS-THROUGH AGREEMENT ROAD PROJECT [T1-454]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to execute the Advanced Funding Agreement with TxDot for the US 290 (Nutty Brown Road to Trautwein Road) Pass-Through Agreement Road Project. All present voting "Aye". MOTION PASSED

26412 PURCHASE A 5-DRAWER LATERAL FILE CABINET FOR CONSTABLE PRECINCT 1 FROM COUNTY WIDE EQUIPMENT (01-414-5711) [T1-491]

A motion was made by Judge Sumter, seconded by Commissioner Conley to purchase a 5 drawer lateral file cabinet for Constable Precinct 1 from County Wide Equipment (01-414-5711). All present voting "Aye". MOTION PASSED

26413 APPROVE PURCHASE OFFICE FURNITURE FOR JP 1-2 [T1-497]

J.P.1-2 Margie Hernandez spoke of three quotes received. **A motion was made by Judge Sumter, seconded by Commissioner Conley to approve purchase office furniture for JP 1-2 out of line item #01-425-5335. All present voting "Aye". MOTION PASSED**

26414 APPROVE THE RECYCLING OF COMPUTER EQUIPMENT [T1-609]

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve disposal of old computer equipment as worthless pursuant to LGC 362.152 and send to Goodwill for recycling. All present voting "Aye". MOTION PASSED

26415 RATIFY THE COUNTY JUDGE'S EXECUTION OF A 3RD AMENDMENT TO THE CONSERVATION EASEMENT PURCHASE AGREEMENT FOR THE DAHLSTROM RANCH PARKS AND OPEN SPACE PROJECT [T1-623]

Special Counsel Mark Kennedy explained the agreement. **A motion was made by Commissioner Barton, seconded by Judge Sumter to ratify the County Judge's execution of a 3rd Amendment to the Conservation Easement Purchase Agreement for the Dahlstrom Ranch Parks and Open Space Project. All present voting "Aye". MOTION PASSED**



26416 APPROVE THE PURCHASE OF TWO ADDITIONAL ACID LOCKERS FOR THE TRANSFER STATIONS AT WIMBERLEY AND DRIFTWOOD AND TWO EYE WASH STATIONS WITH PLACARDS [T1-700]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve the purchase of two additional acid lockers for the Transfer Stations at Wimberley and Driftwood and two eye wash stations with placards out of line item # 01-421-5801. All present voting "Aye". MOTION PASSED

26417 DECLARE AN EMERGENCY AND AMEND THE BUDGET OF THE JUVENILE DETENTION CENTER [T1-728]

Juvenile Detention Center Manager Brett Littlejohn spoke of need for additional funds in salaries for part-time personnel. County Auditor spoke of turnover rate of 59% which requires training of new personnel. A motion was made by Commissioner Barton, seconded by Commissioner Ford to declare an emergency and amend the budget of the Juvenile Detention Center from juvenile detention center reserves. All present voting "Aye". MOTION PASSED

26418 ACCEPT THE THREE FIRMS RECOMMENDED FOR UTILITY COORDINATION FOR THE BOND ROAD PROJECTS BY THE REVIEW COMMITTEE AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT NOT TO EXCEED \$500,000.00 PER FIRM [T1-832]

RPTP Director Jerry Borcharding spoke of firms being recommended: Alba Utility & Service Consultants, Cobb Fendley Associates Inc., and Halff Associates Inc. A motion was made by Commissioner Ford, seconded by Judge Sumter to accept the three firms recommended for utility coordination for the Bond Road Projects by the Review Committee and authorize the County Judge to execute a Professional Services Agreement not to exceed \$500,000.00 per firm. All present voting "Aye". MOTION PASSED

26419 MOVE \$579.95 FROM THE LAW ENFORCEMENT EQUIPMENT LINE ITEM TO PURCHASE A NIGHT VISION MOUNTING SYSTEM [T1-889]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to move \$579.95 from the Law Enforcement Equipment line item to purchase a night vision mounting system. All present voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #10 RE: APPROVE COMMERCIAL OSSF PERMIT FOR NABI LLC, (JASON MOMIN) TO SERVE A GROCERY STORE AND RETAIL SHOPS LOCATED AT 1095 WINDY HILL ROAD, BUDA, TX, IN PRECINCT 2 was PULLED.

Clerk's Note: Agenda Item #26 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINCT OFFICES; RESOURCES PROTECTION TRANSPORTATION AND PLANNING DEPARTMENT; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS was PULLED

Clerk's Note: Agenda Item #27 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR was PULLED.

Court was adjourned.

I, LINDA C. FRITSCH, 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 AUGUST 25, 2009.



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

