



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF DECEMBER 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. FRITSCHKE	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ford led the court in a moment of silence in memory of former Sheriff Allen Bridges and gave the invocation. Commissioner Barton led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

26667 APPROVE PAYMENTS OF COUNTY INVOICES

Bill Herzog County Auditor presented a list of voided checks. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve payment of county invoices in the amount of \$152,929.19 for week ending December 1, 2009 and in the amount of \$805,612.43 for week ending December 8, 2009 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

26668 APPROVE COMMISSIONER COURT MINUTES OF NOVEMBER 24, 2009

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve Commissioner Court Minutes of November 24, 2009 as presented by the County Clerk. All voting "Aye". MOTION PASSED

26669 APPROVE THE SEPTEMBER 2009 TREASURER'S REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve the September 2009 Treasurer's Report and Investment Report as presented by the County Treasurer. All voting "Aye". MOTION PASSED

26670 AUTHORIZE INFORMATION TECHNOLOGY TO DISPOSE OF COMPUTER EQUIPMENT

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize Information Technology to dispose of computer equipment as worthless and send to Goodwill for recycling. All voting "Aye". MOTION PASSED

26671 APPROVE AWARD OF BID#2010-B02 (1)USED SINGLE AXLE DIESEL CAB-CHASSIS FOR THE RTP DEPARTMENT TO FREIGHTLINER OF AUSTIN AND AUTHORIZE THE COUNTY JUDGE TO SIGN CONTRACT

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve award of Bid #2010-B02 (1) used single axle diesel cab-chassis for the RTP Department to Freightliner of Austin and authorize the County Judge to sign Contract. All voting "Aye". MOTION PASSED

26672 APPROVE ROAD BOND CONSTRUCTION SIGN [T1-80]

Communications Specialist Laureen Chernow presented the proposed signage. Will contain a changeable insert for listing partnerships in the project (ie Texas Dept. of Transportation). A motion was made by Judge Sumter, seconded by Commissioner Ford to approve design of Road Bond Construction Sign. All voting "Aye". MOTION PASSED



26673 RECEIVE THE RESULTS OF THE ROCKY RANCH I ELECTION FOR ROADWAY IMPROVEMENTS UNDER CHAPTER 253 OF THE TEXAS TRANSPORTATION CODE; AND TO ORDER THE APPROPRIATE ACTION PURSUANT TO THOSE RESULTS [T1-200]

County Clerk Linda Fritsche presented results of the balloting: 28 In Favor and 4 Not in Favor resulting in a favorable result. RTP Director Jerry Borcherding spoke of rebuilding the road, drainage improvements, and resurfacing roadway. Commissioner Ford spoke of one property owner that voted against this issue whose property also lies on Hilliard Road. It was suggested this property owner may be exempted from financial participation after review of the primary access to their property. **A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to receive the results of the Rocky Ranch I Election for roadway improvements under Chapter 253 of the Texas Transportation Code; and to order the appropriate action pursuant to those results. All voting "Aye". MOTION PASSED**

26674 CALL FOR A PUBLIC HEARING ON DECEMBER 22, 2009 TO INCREASE SCHOOL ZONE SPEED LIMIT FOR THE MASTER'S SCHOOL ON CENTERPOINT RD, CR 234 [T1-267]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to call for a public hearing on December 22, 2009 to increase school zone speed limit for the Master's School on Centerpoint Rd., CR 234. All voting "Aye". MOTION PASSED

LOS ALTOS HILLS SUBDIVISION [08-2-61 203 LOTS] CONSIDER A VARIANCE FROM SECTION 5.8 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS [T1-2117]

Subdivision Coordinator Clint Garza spoke of one year deadline to file a final plat – developer is asking for one additional year from December 15th. Steve Ramsey (Baker-Aicklen & Assoc) spoke. Commissioner Barton advised that this variance is only for an extension of time to file the plat not to any county standards. Discussion was had regarding water and wastewater issues. Court would like to see an agreement with the Property Owners Association regarding a long-term maintenance commitment. Clint Garza advised that this could be included on the plat as a plat note. Court agreed that an extension could be granted next week if the developer will agree to provide meaningful performance measures that would address storm water controls. No action was taken.

Clerk's Note: Agenda Item #10 RE: APPROVE CONTRACT WITH CLAYTONLEVYLITTLE FOR THE RFQ#2009-P07 HISTORIC PRESERVATION ARCHITECT FOR RESTORATION OF THE OLD HAYS COUNTY JAIL AND AUTHORIZE THE COUNTY JUDGE TO SIGN CONTRACT was PULLED – NO ACTION TAKEN

26675 APPROVE THE FUNDING AGREEMENT AND THE TEXAS STATE HISTORICAL COMMISSION FOR RESTORATION OF THE OLD HAYS COUNTY JAIL [T1-3177]

Linda Coker appeared on behalf of the Hays County Historical Commission. **A motion was made by Commissioner Barton, seconded by Judge Sumter to approve the Funding Agreement and the Texas State Historical Commission for restoration of the Old Hays County Jail. All voting "Aye". MOTION PASSED**

Clerk's Note: Agenda Item #12 RE: CONSIDER CASTING VOTES BY RESOLUTION FOR DIRECTOR POSITIONS ON THE BOARD OF THE HAYS CENTRAL APPRAISAL DISTRICT was PULLED – NO ACTION TAKEN [T1-3045]

26676 APPROVE CHANGE ORDER #1 FOR THE JUVENILE DETENTION GED BUILDING AND AMEND THE BUDGET ACCORDINGLY [T1-320]

Juvenile Detention Center Director Brett Littlejohn explained the change order. **A motion was made by Judge Sumter, seconded by Commissioner Conley to approve Change Order #1 for the Juvenile Detention GED Building and amend the budget accordingly. All voting "Aye". MOTION PASSED**



- 26677 AMEND THE JUVENILE PROBATION BUDGET TO ACCEPT INSURANCE CLAIM FOR WRECKED VEHICLE AND TO BUDGET PURCHASE OF REPLACEMENT VEHICLE FOR GED PROGRAM [T1-340]**

A motion was made by Commissioner Barton, seconded by Judge Sumter to amend the Juvenile Probation budget to accept Insurance Claim for wrecked vehicle and to budget purchase of replacement vehicle for GED Program. All voting "Aye". MOTION PASSED

- 26678 ACCEPT A BID FROM CURRENT ELECTRIC, INC. TO FURNISH AND INSTALL 25 PAIR CABLE FROM MAIN COMMUNICATIONS ROOM TO CONFERENCE ROOM OF THE NEW GED BUILDING AND FURNISH AND INSTALL TWO CATEGORY 5 CABLES FROM 66 BLOCK TO NINE 2-PORT RJ45 JACKS AND AMEND THE BUDGET ACCORDINGLY [T1- 357]**

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to accept a bid from Current Electric, Inc. to furnish and install 25 pair cable from main communications room to conference room of the new GED Building and furnish and install two category 5 cables from 66 block to nine 2-port RJ45 jacks and amend the budget accordingly. All voting "Aye". MOTION PASSED

- 26679 ALLOW THE PURCHASE OF DIAGNOSTIC EQUIPMENT FOR THE SHERIFF'S OFFICE AND AMEND THE BUDGET ACCORDINGLY [T1-282]**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to allow the purchase of Diagnostic Equipment for the Sheriff's Office and amend the budget accordingly. All voting "Aye". MOTION PASSED

- 26680 APPROVE OUT-OF-STATE TRAVEL FOR A MEMBER OF THE HAYS COUNTY SHERIFF'S DEPARTMENT TO ATTEND TRAINING AT THE HIGH TECH CRIME INSTITUTE [T1-289]**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve out-of-state travel for a member of the Hays County Sheriff's Department to attend training at the High Tech Crime Institute. All voting "Aye". MOTION PASSED

- 26681 AMEND FUNDING CONTRACTS WITH LIBRARIES IN HAYS COUNTY TO ALLOW FOR REGIONAL SERVICE OF CITIZENS FROM BEYOND THE COUNTY'S BORDERS [T1-369]**

Commissioner Barton spoke of need to change contracts that would allow citizens outside of Hays County to utilize library services. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize and request that legal Counsel Mark Kennedy amend funding contracts with libraries in Hays County to allow for Regional Service of citizens from beyond the County's borders and also to take care of other incidental legal issues to improve the contracts and to furthermore authorize the County Judge to execute the revised contracts. All voting "Aye". MOTION PASSED

- 26682 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SECOND AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY, THE CITY OF AUSTIN, AND THE HILL COUNTRY CONSERVANCY, REGARDING THE DAHLSTROM RANCH OPEN SPACE PROJECT [T1- 424]**

A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the County Judge to execute the Second Amended and Restated Memorandum of Understanding between Hays County, the City of Austin, and the Hill Country Conservancy, regarding the Dahlstrom Ranch Open Space Project. All voting "Aye". MOTION PASSED

- DISCUSSION REGARDING ACCRUED COMPENSATORY AND/OR OVERTIME BY DEPUTY CONSTABLES, PARTICULARLY MARK HANNA, A DEPUTY CONSTABLE UNDER PCT. 2 CONSTABLE JAMES KOHLER [T1-468]**

Constable Pct. 2 James Kohler spoke of workload in his precinct. Court spoke of need to address time management issue. Court will consider in April 2010.



- 26683 AUTHORIZE COUNTY JUDGE TO APPROVE AN AMENDMENT TO THE CONTRACT WITH PRIME STRATEGIES, INC. TO INCORPORATE THE PSA WITH TBG PARTNERS FOR THE ROADSIDE REVEGETATION OF US 290 WEST - TRAUTWEIN TO NUTTY BROWN [T1-1515]**

Commissioner Ford requested an amendment to the contract and approve Task#1= \$6,280 Jimmy Skipton gave public comment. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to approve an Amendment to the Contract with Prime Strategies, Inc. to incorporate the PSA with TBG Partners for the roadside revegetation of US 290 West – Trautwein to Nutty Brown in an amount not to exceed \$6,280 as we go to the next stage. All voting “Aye”. MOTION PASSED**

- 26684 AMEND THE COURTHOUSE SECURITY BUDGET AND MOVE FUNDS FROM 107-612-00.5301 OPERATING EXPENSE TO 107-612-00.5551 CONTINUING EDUCATION IN ORDER TO PROCESS INVOICE FOR CS STAFF FIREARM TRAINING [T1-1119]**

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to amend the Courthouse Security Budget and move funds from 107-612-00.5301 Operating Expense to 107-612-00.5551 Continuing Education in order to process invoice for CS Staff Firearm Training. All voting “Aye”. MOTION PASSED

- 26685 APPROVE ADDITIONAL FILING FEE FOR CASES FILED IN THE COUNTY COURT AT LAW TO BE USED TO DIGITIZE AND PRESERVE COURT RECORDS TO BE EFFECTIVE JANUARY 1, 2010 [T1-1148]**

A motion was made by Judge Sumter, seconded by Commissioner Ford to approve additional filing fee of \$10.00 for cases filed in the County Court at Law to be used to digitize and preserve Court Records to be effective January 1, 2010. All voting “Aye”. MOTION PASSED

- 26686 ALLOW THE ROAD AND BRIDGE DEPARTMENT TO ASSIST THE HAYS-CALDWELL WOMEN’S CENTER IN CONSTRUCTION OF A DRIVEWAY AND A SMALL PARKING LOT [T1-1275]**

RPTP Director Jerry Borcharding estimates that this project would not exceed \$15,000 in road materials. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to allow the Road and Bridge Department to assist the Hays-Caldwell Women’s Center in construction of a driveway and a small parking lot. All voting “Aye”. MOTION PASSED**

Clerk’s Note: Agenda Item #25 RE: WORKSHOP ON RECORDS PRESERVATION ISSUES. POSSIBLE ACTION MAY FOLLOW was PULLED.

PURSUANT TO OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE 551.074, EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND TO DELIBERATE THE EVALUATION OF ALL INDIVIDUAL DEPARTMENT HEADS

Court convened into closed executive session at 12:00 p.m. and reconvened into open meeting at 1:45 p.m. No action taken.

Clerk’s Note: Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE TO DISCUSS ECONOMIC DEVELOPMENT REGARDING PROJECT LEED was PULLED.

- 26687 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 WITH ACTION [T1-790]**

Law Enforcement Facility update (jail kitchen improvements) was given by Phillip Buterbaugh of Broaddus & Associates. **A motion was made by Commissioner Barton, seconded by Commissioner Conley to accept the recommendation of the selection committee and authorize and enter into negotiations for contract with JE Dunn. All voting “Aye”. MOTION PASSED** Bob Hinkle of Broaddus & Associates gave a status report in regards to progress on schematic designs for the Government Center.



Clerk's Note: Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR. POSSIBLE ACTION MAY FOLLOW **was PULLED**

Court was adjourned.

I, LINDA C. FRITSCHÉ, 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 DECEMBER 8, 2009.



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

