



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF MAY A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor John McComb, San Marcos Community Church gave the invocation and Commissioner Barton led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

**26118 PROCLAMATION DECLARING MAY 16, 2009 AS KIDS DAY AMERICA/INTERNATIONAL**

A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve proclamation declaring May 16, 2009 as Kids Day America/International. All voting "Aye". MOTION PASSED

**PRESENTATION ON THE MONTHLY PROGRESS REPORT FOR THE HAYS COUNTY PASS THROUGH FINANCE PROGRAM FOR APRIL 2009**

Jeff Watson (Prime Strategies) gave a progress report on the Hays County Pass Through Financing Program. He spoke of **FM1626 Phase A**/FM2270 to FM967 (Environmental Process is 90% complete, Design schematic is 99% complete, ROW coordination and acquisition is 30% complete and Utility coordination and relocation is 10% complete), **FM1626 Phase B**/FM967 to Brodie Lane (Environmental Process is 85% complete, Design schematic is 100% complete and PS&E is 30% complete, ROW coordination and acquisition is 5%), **FM110/IH35** to SH123 (Environmental Process is 90% complete and schematic design is 100% complete), **US 290**/Nutty Brown Road to Trautwein Road is under construction (30% complete) with an anticipated completion date in June 2010, **IH35 Phase I**/FM2001 to FM1626 & Kyle Crossing/CR210 Overpass (Environmental Process is 95% complete, Schematic design is 100% complete, ROW Coordination and acquisition is 25% complete, Utility Coordination and relocation is 5% complete), **IH35 Phase IIA**/RM150 realignment (Environmental Process is 45% complete, Schematic design is 90% complete, PS&E is 10% complete, ROW coordination and acquisition is 40% complete, and Utility coordination and relocation is 5% complete), **IH35 Phase IIB**/FM1626 to Yarrington (Environmental process is 60% complete, Design schematic is 55% complete, ROW coordination and acquisition is 20% complete, Utility coordination and relocation is 20% complete), **FM2001**/frontage road connector (Environmental process is 100% complete, Design is 100% complete, ROW coordination and acquisition is 100% complete, Utility coordination and relocation is 100% complete).

**PRESENTATION BY COUNSEL REGARDING POLICIES RELATED TO THE USE OF THE COURTHOUSE GROUNDS AND OTHER HAYS COUNTY PROPERTIES** [T1-311]

Special Counsel Mark Kennedy gave an overview of the property use policy which is intended for use as a guide to the public and Hays County staff regarding the use of county properties by other local governmental entities, private entities, and citizens. General functions shall mean any performance, ceremony, presentation, or activity held on the grounds that does not meet the definition of a Class I or Class II Event (e.g. picnics, dog walking, picketing), Class II Event shall mean any event that does not exceed 200 attendees and uses the existing electricity outlets without additional setup or calls for temporary exclusive use of the space on the property, Class I Event shall mean an event that exceeds 200 attendees or requires more complex electricity setup that exists on county property or requires stakes or anchors to be placed in the ground. He spoke of documentary requirements, deposit for use of county properties, and miscellaneous provisions. Discussion was had regarding insurance requirement for events.

**26119 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payments of county invoices in the amount of \$ 384,572.57 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**26120 APPROVE COMMISSIONER COURT MINUTES OF MAY 5, 2009**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioner Court Minutes of May 5, 2009 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**26121 APPROVE SPECIFICATIONS FOR BID #2009-B13 "CEDAR OAKS MESA WATER LINE IMPROVEMENTS" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve specifications for bid #2009-B13 "Cedar Oaks Mesa Water Line Improvements" and authorize purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**26122 APPROVE RENEWAL OF BID #2006-B02 "UNIFORM RENTAL" WITH UNIFIRST FOR ONE ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve renewal of bid #2006-B02 "Uniform Rental" with Unifirst for one additional year as provided for in the original bid. All voting "Aye". MOTION PASSED

**26123 APPROVE SPECIFICATIONS FOR BID #2009-B14 "BOTTLED WATER SERVICES FOR HAYS COUNTY OFFICES" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve specifications for bid #2009-B14 "Bottled Water Services for Hays County Offices" and authorize purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**26124 APPROVE SPECIFICATIONS FOR RFP #2009-P08 "SCANNING & INDEXING FOR THE HAYS COUNTY TAX OFFICE" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve specifications for RFP #2009-P08 "Scanning & Indexing for the Hays County Tax Office" and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

**26125 REJECT BIDS RECEIVED FOR IFB #2009-B10 CONSTRUCTION OF ADDITIONAL OFFICE/CLASSROOMS FOR JUVENILE PROBATION AND AUTHORIZE PURCHASING TO RE-BID THE PROJECT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to reject bids received for IFB #2009-B10 construction of additional office/classrooms for Juvenile Probation and authorize Purchasing to re-bid the project. All voting "Aye". MOTION PASSED

**26126 AUTHORIZE CONSTABLE PCT 3 TO APPLY FOR THE TOBACCO COMPLIANCE GRANT FOR LAW ENFORCEMENT AGENCIES FROM THE OFFICE OF THE TEXAS COMPTROLLER [T1-1055]**

Constable Darrell Ayres explained the grant. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize Constable Pct 3 to apply for the Tobacco Compliance Grant for Law Enforcement Agencies from the office of the Texas Comptroller. All voting "Aye". MOTION PASSED



**26127      AUTHORIZE THE PURCHASE OF A DUTCH DOOR (ALSO KNOWN AS A ½ DOOR) FOR THE COMPLIANCE/COLLECTIONS OFFICE, AND AMEND THE BUDGET ACCORDINGLY** [T1-1149]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the purchase of a dutch door (also known as a ½ door) for the Compliance/Collections Office, and amend the budget accordingly. All voting "Aye". MOTION PASSED

**REQUEST FROM PCT 4 CONSTABLE TO USE SALARY SAVINGS TO PURCHASE VARIOUS AND NECESSARY EQUIPMENT FOR HIS OFFICE AND DEPUTIES** [T1-1185]

Constable Pct. 4 Ron Hood spoke of having a salary savings in the amount of \$33,353 and needed equipment totaling \$26,712.23. Court requested Constables Peterson and Hood to collaborate with the other Constables and bring back a list of needs as far as firearms and ammunition, etc. Court spoke of not allowing use of salary savings for purchase of other items in the budget. Court requested Constable Hood to go back and prioritize what he absolutely needs now and get with Berry James in the Auditor's Office to see where they could find funding to take care of those needs. No action was taken.

**26128      APPOINT SHERRI S. BILSON TO THE PARKS BOARD** [T1-1809]

A motion was made by Commissioner Conley, seconded by Commissioner Barton to appoint Sherri S. Bilson to the Parks Board. All voting "Aye". MOTION PASSED

**26129      CLOSE, ABANDON, AND VACATE .62 ACRES OF COUNTY RIGHT-OF-WAY ON BEBEE ROAD IN PRECINCT 1; AND TO RECORD THE ORDER CLOSING, ABANDONING, AND VACATING THIS PROPERTY IN THE OFFICIAL COUNTY RECORDS** [T1-1821]

RPTP Director Jerry Borcharding advised that this property is of no value to the county. Special Counsel Mark Kennedy spoke of Order conveying the property and he spoke of Chapter 251 of the Transportation Code. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to close, abandon, and vacate .62 acres of county Right-of-Way on BeBee Road in Precinct 1; and to record the order closing, abandoning, and vacating this property in the official County Records. All voting "Aye". MOTION PASSED

**26130      APPROVE A RESOLUTION SUPPORTING THE BIG PUSH, A REGIONAL EFFORT TO REDUCE GROUND LEVEL OZONE IN AN EFFORT TO MEET EPA AMBIENT AIR QUALITY REQUIREMENTS** [T1-2013]

Bill Gill, Capital Area Council of Government, gave a powerpoint presentation regarding "Striving for Attainment in 2009 – The Big Push". A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve a resolution supporting the Big Push, a regional effort to reduce ground level ozone in an effort to meet EPA Ambient Air Quality Requirements. All voting "Aye". MOTION PASSED

**26131      COMMIT HAYS COUNTY AS A CLEAN AIR PARTNER, A PROGRAM OF THE CLEAN AIR FORCE OF CENTRAL TEXAS** [T1-2422]

Clean Air Force of Central Texas Program Manager Candace Baker gave a powerpoint presentation explaining the Clean Air Partner program. Commissioner Ford spoke of carpooling, etc. A motion was made by Commissioner Ford, seconded by Commissioner Barton to commit Hays County as a Clean Air Partner, a program of the Clean Air Force of Central Texas. All voting "Aye". MOTION PASSED

**PRESENTATION REGARDING ROAD DEPARTMENT BUILDING ON YARRINGTON ROAD** [T1-2915]

Carl Shuenfeld, MRB Group, introduced various partners in the project. David Rothenberg, Architect, explained the proposed addition which would include the Environmental Health Dept. and GIS/911. The existing R&B facility is 12,600 sf with proposed new construction of 12,285 sf. David Rothenburg spoke of utilizing a metal building which would be more cost effective and would tie in with the existing facility. Rainwater collection will be utilized. Carl Shuenfeld gave a cost estimate of \$1.5 – 1.7 million. Discussion was had regarding future expansion of 7,000 sf.



**Clerk's Note: Agenda Item #19 RE:** EXECUTIVE SESSION PURSUANT TO §551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING THK, LLC VS. HAYS COUNTY AND PENDING LITIGATION RELATED THERETO was PULLED.

Court was adjourned.

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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 MAY 12, 2009.



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

