



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 17TH DAY OF NOVEMBER 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.

26621 ADOPT A PROCLAMATION SUPPORTING SAN MARCOS HIGH SCHOOL STUDENT GOVERNMENT DAY AND RECOGNIZING DECEMBER 11, 2009 AS STUDENT GOVERNMENT DAY IN SAN MARCOS [T1-94]

Commissioner Ingalsbe introduced students that were selected by their peers to shadow various county officials on Government Day in San Marcos: County Judge Parisa Tajalli, Commissioner Pct. 1 Kristine Staggs, Commissioner Pct. 2 Julie Munoz, Commissioner Pct. 3 Edward Davilla, Commissioner Pct. 4 Jacob Flores, J.P. 1-1 Anna Pates, J.P. 1-2 E. J. Alva, Constable Pct. 1 Martha Roman, Sheriff Pamela Stover, CoCrt@Law#1 Judge Marcus D. Cruz, and CoCrt@Law#2 Judge Alex Selvera. **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to adopt a Proclamation supporting San Marcos High School Student Government Day and recognizing December 11, 2009 as Student Government Day in San Marcos. All voting "Aye". MOTION PASSED**

26622 ADOPT A PROCLAMATION DECLARING NOVEMBER 17, 2009 AS WIMBERLEY LIONS CLUB DAY [T1-31]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring November 17, 2009 as Wimberley Lions Club Day. Commissioner Ingalsbe, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton and Commissioner Conley not present to vote. **MOTION PASSED**

26623 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 \$163,597.75 as submitted by the County Auditor. All voting "Aye". **MOTION PASSED**

26624 APPROVE COMMISSIONER COURT MINUTES OF NOVEMBER 10, 2009

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioner Court Minutes of November 10, 2009 as presented by the County Clerk. All voting "Aye". **MOTION PASSED**

26625 APPROVE AN OVERTIME REIMBURSEMENT AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION RELATED TO CENTRAL TEXAS JOINT TERRORISM TASK FORCE PARTICIPATION, IN AN AMOUNT OF UP TO \$16,903.25 FOR FY2010 AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve an overtime Reimbursement Agreement with the Federal Bureau of Investigation related to Central Texas Joint Terrorism Task Force participation, in an amount of up to \$16,903.25 for FY2010 and amend the budget accordingly. All voting "Aye". **MOTION PASSED**



- 26626 APPROVE OUT OF STATE TRAVEL FOR CHARLES CHAPMAN RN, EMERGENCY PREPAREDNESS COORDINATOR TO ATTEND "PANDEMIC INFLUENZA PLANNING AND PREPAREDNESS AND WMD HANDS-ON-TRAINING" COURSE OF INSTRUCTION PROVIDED BY THE CENTER FOR DOMESTIC PREPAREDNESS, ANNISTON, AL 36205**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve out of state travel for Charles Chapman RN, Emergency Coordinator to attend "Pandemic Influenza Planning and Preparedness and WMD Hands-on-Training" Course of instruction provided by the Center for Domestic Preparedness, Anniston, AL 36205. All voting "Aye". MOTION PASSED

- 26627 APPROVE COMMERCIAL OSSF PERMIT FOR ASSYRIA ENTERPRISES LOCATED 100 S. CANYONWOOD, DRIPPING SPRINGS, IN PRECINCT 4**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commercial OSSF Permit for Assyria Enterprises located 100 S. Canyonwood, Dripping Springs, in Precinct 4. All voting "Aye". MOTION PASSED

- 26628 APPROVE THE TRANSFER OF FUNDS IN THE AMOUNT OF \$542.86 FROM LINE ITEM 001-618-00.5206 TO 001-618-00.5719 FOR THE PURCHASE OF A REPLACEMENT CAMERA AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the transfer of funds in the amount of \$542.86 from line item 001-618-00.5206 to 001-618-00.5719 for the purchase of a replacement camera and amend the budget accordingly. All voting "Aye". MOTION PASSED

- 26629 APPROVE REPLACEMENT OF ICE MAKER AT THE JUVENILE DETENTION CENTER NOT TO EXCEED \$3,551.00 AND AMEND THE BUDGET ACCORDINGLY**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve replacement of ice maker at the Juvenile Detention Center not to exceed \$3,551.00 and amend the budget accordingly. All voting "Aye". MOTION PASSED

- 26630 APPROVE SPECIFICATIONS AND AUTHORIZE PURCHASING TO ADVERTISE RFP# 2010-P03 REGARDING PHONE SYSTEMS FOR HAYS COUNTY OFFICES [T1-754]**

Broaddus & Associates gave a powerpoint presentation regarding a countywide phone system. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve specifications and authorize Purchasing to advertise RFP#2010-P03 regarding phone systems for Hays County offices. All voting "Aye". MOTION PASSED.

- 26631 APPROVE BUDGET AMENDMENT 10-03**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve budget amendment 10-03 as recommended by the County Auditor. All voting "Aye". MOTION PASSED

- 26632 RENEWAL OF EMERGENCY NOTIFICATION SYSTEM WITH CAPCOG AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LETTER OF AGREEMENT**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve renewal of Emergency Notification System with CAPCOG and authorize the County Judge to execute a Letter of Agreement. All voting "Aye". MOTION PASSED

PUBLIC COMMENT

Jimmy Skipton made public comment regarding OSSF rules.

Clerk's Note: Agenda Item #13 RE: REMOVE A SECTION OF GOFORTH RD, CR 157 NEAR THE INTERSECTION OF MATHIAS LANE, CR 123 FROM COUNTY MAINTENANCE AND RETURN ROW TO ADJACENT PROPERTY OWNERS was PULLED. NO DISCUSSION AND NO ACTION TAKEN.



26633 ACCEPT NOMINATIONS FOR THE VETERAN'S TASK FORCE FOR HAYS COUNTY
[T1-454]

Judge Sumter nominated Jude Prather & Mary Ann Maycen. Commissioner Ingalsbe nominated Macario Mike Mendoza. **A motion was made by Judge Sumter, seconded by Commissioner Ford to accept nominations of Jude Prather, Mary Ann Maycen, and Mike Mendoza for the Veteran's Task Force for Hays County. All voting "Aye". MOTION PASSED**

Clerk's Note: Agenda Item #15 RE: HIRE NAISMITH ENGINEERING, INC. TO SUBMIT TO TCEQ AND FEMA VARIOUS DOCUMENTS AND RESEARCH DATA NEEDED TO OBTAIN AGENCY APPROVAL OF NEWLY ADOPTED DEVELOPMENT STANDARDS was PULLED. NO DISCUSSION AND NO ACTION TAKEN.

26634 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #4 TO THE CONTRACT WITH WESTAR CONSTRUCTION, INC. FOR A DEDUCTION AMOUNT OF \$16,000 FOR THE FIVE MILE DAM PARK CONSTRUCTION PROJECT [T1-513]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute Change Order #4 to the Contract with Westar Construction, Inc. for a deduction amount of \$16,000 for the Five Mile Dam Park Construction Project. All voting "Aye". **MOTION PASSED**

DISCUSSION RE: RESOLUTION BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS APPROVING AND AUTHORIZING PUBLICATION OF INTENTION TO ISSUE ONE OR MORE SERIES OF CERTIFICATION OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12 AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH [T1-1898]

Bond Counsel Dan Wegmiller spoke of need to postpone action at this time. Suggested coming back in January for consideration. No action taken.

26635 ALTER THE INSULATION SPECIFICATIONS FOR THE SHERIFF'S OFFICE ROOFTOP PROJECT, RESULTING IN A HIGHER 'R' VALUE AND ADDITIONAL PROJECT COSTS [T1-2001]

A motion was made by Judge Sumter, seconded by Commissioner Ford to alter the insulation specifications for the Sheriff's Office Rooftop Project, resulting in a higher "R" Value and additional project costs NTE \$76,000 [bring it up to an R Value of 30]. All voting "Aye". **MOTION PASSED**

26636 AUTHORIZE THE COUNTY JUDGE TO FILE A LETTER WITH THE COMMISSION ON JAIL STANDARDS, PURSUANT TO 37 TAC 297.10, EXPRESSING DISAGREEMENT WITH THE COMMISSION'S REMEDIAL ORDER ISSUED ON OR ABOUT NOVEMBER 5, 2009 AND REQUESTING APPEARANCE BEFORE THE COMMISSION [T1-2259]

Special Counsel Mark Kennedy spoke of food service inspections (county & city officials) that resulted in a score of 82. Commissioner Conley spoke of inspections – there is no sanitary issue at the jail. Mark Kennedy stated that the inspectors felt like there were no safety issues and he is waiting for a written report. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to file a Letter with the Commission's Remedial Order issued on or about November 5, 2009 and requesting appearance before the Commission. All voting "Aye". MOTION PASSED**

26637 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION REGARDING APPLICATION TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, STATE ENERGY CONSERVATION OFFICE FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUNDING [T1-703]

Grants Administrator Jeff Hauff explained the grant. Funding may be utilized to develop and implement projects to improve energy efficiency and reduce energy use and fossil fuel emissions, including activities such as building energy audits and retrofits, installation of distributed energy technologies, installation of energy efficient traffic signals and street lighting, and installation of renewable energy technologies on government buildings. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to execute a Resolution regarding application to the Texas Comptroller of Public Accounts, State Energy Conservation Office for Energy Efficiency and Conservation Block Grant (EECBG) Funding. All voting "Aye". MOTION PASSED**



26638 AUTHORIZE EXECUTION OF A CONTRACT WITH TATEAUSTINHAHN, SELECTED FROM THE COUNTY'S PRE-CERTIFIED LIST OF TRANSPORTATION/BOND PROFESSIONAL SERVICE FIRMS, TO PROVIDE PUBLIC OUTREACH, INFORMATION AND PUBLIC PARTICIPATION ON VARIOUS ROAD AND BOND PROJECTS IN PCT. 2 AND POSSIBLY ELSEWHERE IN HAYS COUNTY [T 1-2995]

Commissioner Barton explained the contract. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize Commissioner Barton, along with Special Counsel Mark Kennedy and County Auditor Bill Herzog, to finalize and execute a Contract, NTE \$50,000, with TateAustinHahn, selected from the County's Pre-Certified list of Transportation/Bond Professional Service Firms, to provide public outreach information and public participation on various road and bond projects in Pct 2 and possibly elsewhere in Hays County. All voting "Aye". MOTION PASSED

26639 APPROVE DESIGN SUPPLEMENTAL AGREEMENT NO. 1 FOR PROFESSIONAL SERVICES WITH URS CORPORATION FOR WORK ON THE INTERSTATE 35 PASS THROUGH AGREEMENT (INTERSTATE 35-FM 150 EAST PHASE), AND TO AUTHORIZE THE EXECUTION OF SAID AGREEMENT [T1-3332]

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Design Supplemental Agreement No. 1 for Professional Services with URS Corporation for work on the Interstate 35 Pass Through Agreement (Interstate 35 – FM 15 East Phase) and to authorize the execution of said Agreement. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING VETTER PARK, JOHNSON PARK AT FIVE MILE DAM AND COUNTY POLICY FOR PARK CLOSINGS [T1-580]

Discussion was had regarding closing of Vetter & Johnson Parks due to construction that is currently taking place. Jerry Pinnix spoke of health and safety concerns. Both parks should be re-opened by March 2010.

26640 AUTHORIZE COMMISSIONER FORD TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH KENNEDY CONSULTING, INC. FOR PROFESSIONAL ENGINEERING SERVICES AT RR12 AND THE INTERSECTION OF SPORTS PARK DRIVE, A PRIORITY ROAD BOND PROJECT [T1-3466]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize Commissioner Ford to execute a Professional Services Agreement (PSA) with Kennedy Consulting, Inc. for Professional Engineering Services at RR12 and the intersection of Sports Park Drive, a priority road bond project in an amount not to exceed \$125,000. All voting "Aye". MOTION PASSED

DISCUSSION OF GOVERNMENT CENTER SECURITY NEEDS [T1-1220]

Sheriff Tommy Ratliff spoke of reviewing security issues at the government center. He spoke of number of people needed to provide security (minimum of 15 Officers). He suggested hiring an outside entity to provide some of the security services. There are currently 9 security officers at the Justice Center plus bailiffs for each Court. Brenda Jenkins (Broaddus & Associates) spoke of future meetings to determine needs.

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. POSSIBLE ACTION MAY FOLLOW [T2-1220]

This item was opened and discussed along with agenda item #25 RE: Government Center Security needs.

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 [T2-67]

Court convened into closed executive session at 1:30 p.m. and reconvened into open meeting at 4:30 p.m. No action taken.



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Clerk's Note: Agenda Item #28 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR was PULLED. No discussion and No action taken.*

Court was adjourned.

I, LINDA C. FRITSCHKE, 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 NOVEMBER 17, 2009.



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

