



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 24<sup>TH</sup> DAY OF FEBRUARY 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
LIZ GONZALEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Barton gave the invocation and Commissioner Barton led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

**25941 PROCLAMATION RECOGNIZING THE WEEK OF MARCH 1<sup>ST</sup> AS "SPEAK UP FOR KIDS" WEEK [T1-24]**

This year's event is being dedicated in memory of the late Sheriff Allen Bridges. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve proclamation recognizing the week of March 1<sup>st</sup> as "Speak Up For Kids" Week. All voting "Aye". MOTION PASSED

**25942 APPROVE SPECIFICATIONS FOR RFQ #2009-P07 "HISTORIC PRESERVATION ARCHITECT FOR RESTORATION OF THE OLD HAYS COUNTY JAIL" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to approve specifications for RFQ #2009-P07 "Historic Preservation Architect for restoration of the Old Hays County Jail" and authorize purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

**25943 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to approve payments of county invoices in the amount of \$624,432.70 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**25944 APPROVE COMMISSIONER COURT MINUTES OF FEBRUARY 17, 2009**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to approve Commissioner Court Minutes of February 17, 2009 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**25945 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A REQUEST FOR ADDITIONAL FUNDS IN THE AMOUNT OF \$9,000.00 FROM TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS) TITLE V PROGRAM FOR FAMILY PLANNING SERVICES**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to authorize the County Judge to submit a request for additional funds in the amount of \$9,000.00 from Texas Department of State Health Services (DSHS) Title V Program for Family Planning Services. All voting "Aye". MOTION PASSED

**25946 ACCEPT DELIVERY OF THE INTERNAL EXAMINATION REPORT FOR THE SHERIFF'S OFFICE JAIL COMMISSARY FOR FISCAL YEAR 2008**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to accept delivery of the Internal Examination Report for the Sheriff's Office Jail Commissary for Fiscal Year 2008. All voting "Aye". MOTION PASSED



**25947 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE CONTRACT WITH ENVIROSOPH TECHNOLOGIES, LP FOR THE ANNUAL MAINTENANCE AGREEMENT FOR THE LOW-WATER CROSSING EARLY WARNING SYSTEM**

A motion was made by Commissioner Barton, seconded by Commissioner Conley to authorize the County Judge to execute the contract with Envirosoph Technologies, LP for the Annual Maintenance Agreement for the Low-Water Crossing Early Warning System. All voting "Aye". MOTION PASSED

**25948 RELEASE THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE OF ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR SILVERADO SUBDIVISION, SECTION 2 [T1-179]**

RPTP Director Jerry Borcharding spoke of this being on last week with the wrong section number referenced. He gave staff recommendation for release of maintenance bond and accept for maintenance of all road and drainage improvements for Silverado Section 2. **A motion was made by Commissioner Ford seconded by Commissioner Conley to release the Maintenance Bond and accept for Maintenance of all road and drainage improvements within County ROW for Silverado Subdivision Section 2. All voting "Aye". MOTION PASSED**

**25949 ACCEPT ANNUAL REPORT AND AUDIT FROM THE HAYS COUNTY EMERGENCY SERVICES DISTRICT #3 [T1-203]**

Buddy Martin gave a brief overview of the audit of the Hays County Emergency Services District #3. **A motion was made by Commissioner Ingalsbe seconded by Judge Sumter to accept annual report and audit from the Hays County Emergency Services District #3. All voting "Aye". MOTION PASSED**

**PRESENTATION AND UPDATE ON THE PROPOSED HAYS COUNTY GOVERNMENT CENTER [T1-420]**

Commissioner Ingalsbe gave a brief powerpoint presentation showing the need for proceeding with a new Government Building. PBS&J, spoke of where the county stands as of today and gave a powerpoint presentation outlining the layout of the building and a timetable for delivery. Projection date of build out is between September and November 2011. Commissioner Ingalsbe spoke of land we may be able to acquire in the future surrounding the proposed Government Building. Commissioner Ingalsbe also spoke of rent that we wouldn't need to be paying once the building is completed, a savings of almost \$200,000 per year. Commissioner Ingalsbe recognized the Building Committee and thanked them for all their effort. District Attorney Sherri Tibbe spoke of different needs for a new building. County Court at Law Judge Howard Warner spoke of having outgrown the Justice Center and urged the court to move forward. District Judge Gary Steele spoke of security problems and growth needs at the Justice Center. Gil Ortiz spoke on behalf of Adult Probation and the needs they have at their location and urged the court to proceed with building the new facility. County Tax Assessor/Collector Luanne Caraway spoke of needs her office has. Juvenile Department Chief Officer Ed Cooper spoke of outgrowing several buildings over the years. He urged the Court to continue with the new Building. District Clerk Cecelia Adair urged the court to continue with the new Building for the sake of current and future employees. Commissioner Ingalsbe spoke of public health and safety issues in current buildings the county owns/rents.

**DISCUSSION REGARDING FORMING COMMITTEES TO RECOMMEND FIRMS FROM THE RESPONSES RECEIVED TO RFQ 2009-P05 FOR ENGINEERING/PROFESSIONAL SERVICES FOR THE ROAD BOND PROJECTS [T1-1764] [T2-487]**

Commissioner Barton asked RPTP Director Jerry Borcharding for input on who he would like to serve on this committee. Jerry Borcharding suggested himself, Tim Vandevorde, and Betty Lambright. Judge Sumter suggested having the Commissioners dividing up the roads and forming committees on their own. Commissioner Conley suggested having a vote in Court today. Commissioner Ford spoke of getting a group of 7 people to tackle the first column. No action was taken.

**PRESENTATION BY HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT ON TWC CHAPTER 36 AUTHORITY [T1-2017]**

Commissioner Ford spoke. Wimberley resident David Glenn, Jim McMeans, and John Dupnik spoke in favor of Texas Water Commission (TWC) Chapter 36. Craig Payne and Melinda Everett spoke against TWC Chapter 36. Jim George and David Baker spoke in favor of TWC Chapter 36. Andrew Backus (Hays Trinity Groundwater Conservation District) gave a powerpoint presentation.



**Clerk's Note: Agenda item #9 RE: AUTHORIZE THE FILING OF THE RECORD PLAT FOR THE BILGER TRACT SUBDIVISION - was pulled**

**DISCUSSION REGARDING IDENTIFICATION BADGES FOR ALL COUNTY EMPLOYEES, OR FOR CERTAIN COUNTY EMPLOYEES AND RELATED DELIBERATION REGARDING PROCEDURES TO IDENTIFY AND TRAIN KEY COUNTY PERSONNEL FOR EMERGENCY PREPAREDNESS AND RESPONSE [T2-103]**

Emergency Management Coordinator Jeff Turner spoke of need for County Employees to have ID Badges. They could be used for security and emergency use. Mr. Turner suggested maybe having them color-coded. Human Resources Director suggested that the HR Department or Treasurer's Office maintain the cards. Court spoke of forming a committee of Dee Dee Baen, Jeff Turner, and Michele Tuttle. Jeff Turner spoke of using CERT people and American Red Cross and School District in emergencies and all have been pre-screened.

**25950 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF WIMBERLEY, TEXAS FOR THE MAINTENANCE OF ROADWAYS WITHIN WIMBERLEY'S INCORPORATED LIMITS [T2-1995]**

A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to execute an Interlocal Agreement with the City of Wimberley, Texas for the maintenance of roadways within Wimberley's Incorporated Limits. All voting "Aye". MOTION PASSED

**25951 AUTHORIZE THE CONTINUATION OF TEMPORARY EMPLOYEE TO PERFORM DUTIES RELATED TO IMAGING OF HISTORICAL JP 4 DATA FILES FOR A TIME PERIOD NOT TO EXCEED SEPTEMBER 30,2009 AND \$4,800, AND THE TRANSFER OF FUNDS FROM SAVINGS/INSURANCE TO TEMPORARY EMPLOYEE LINE ITEMS WITHIN THE JP 4 BUDGET**

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize the continuation of temporary employee to perform duties related to imaging of historical JP 4 data files for a time period not to exceed September 30, 2009 and \$4,800, and to transfer funds from savings/insurance to temporary employee line items within the JP 4 budget. All voting "Aye". MOTION PASSED

**25952 ADOPT A COUNTY-WIDE POLICY REGARDING SUSPENSIONS OF EMPLOYMENT WITH PAY [T2-1378]**

Suspensions With pay are ordered absences from employment while the employee still receives full pay and benefits. A suspension with pay allows for immediate response to a suspected, but not fully substantiated, offense and provides a period of time in which an investigation can be thoroughly pursued. Human Resources Director Dee Dee Baen spoke of surveying other counties and their policies. **A motion was made by Judge Sumter seconded by Commissioner Ford to adopt a county-wide policy regarding suspensions of employment with pay. All voting "Aye". MOTION PASSED**

**25953 MODIFY SECTION 5.07 OF THE COUNTY-WIDE POLICY REGARDING EMPLOYEE RECOGNITION [T2-1550]**

A committee has been formed to review and suggest alternatives to the County Recognition program for years of service. The members of the committee are as follows: Betty Oldham, Sheriff's Office; Janice Weber, R&B Department; Cindy Maiorka, Purchasing Department; Brett Littlejohn, Juvenile Detention Center; and Michele Walters, Commissioner Pct 4 office. Human Resources Director Dee Dee Baen spoke of committee recommending different gifts per milestone. **A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to modify Section 5.07 of the County-wide Policy regarding employee recognition. Delete: Pins: Pins will be issued to recognize employees after 5, 10, 15, and 20 years of service. Presentation of the pins will be made at Commissioners Court. Plaques: Plaques will be given to employees every 5 years after 20 years of service. Plaques will also be given to retirees at the time of retirement. Presentation of the plaques will be made at Commissioners' Court. Replace with: Employees will be recognized for 1,5,10,15,20,25,30,35 and 40 years of service. All voting "Aye". MOTION PASSED**

**DISCUSSION REGARDING ESTABLISHMENT OF A COMMUNICATION POLICY AND PLAN [T2-1600]**

While the communication plan should be a living document, this initial discussion with the Court will identify guiding principles for establishing such plan. As far as Press Releases go, the Court decided that emergency issues would be quoted by the County Judge. Anything related to ex-officio Commissioner would be through that Commissioner. Court will bring this issue back again next week.



Court convened into closed executive session at 4:30 p.m. and reconvened into open meeting at 5:40 p.m. and made the following motions:

**25954 EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING LITIGATION OR CONTEMPLATED LITIGATION RELATED TO JUSTIN WADE HAMPTON, MELISSA & JERRY SHINN, JOHN KIRK ZAMORA, DANIEL HEYSQUIERDO [T2-3300]**

A motion was made by Judge Sumter seconded by Commissioner Barton to authorize our Civil Counsel Mark Kennedy and David Mendoza to represent Hays County and respond to any and all claims made by Justin Wade Hampton, Melissa and Jerry Shinn, John Kirk Zamora, and/or Daniel Heysquierdo; and to authorize Counsel to negotiate and execute settlement of any claims at his discretion. All voting "Aye". **MOTION PASSED**

**25955 EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING LITIGATION RELATED TO CLAIM(S) BY STEPHANIE AND CRAG REDHAWK [T2-3354]**

A motion was made by Commissioner Barton seconded by Commissioner Ford to authorize Civil Counsel to respond to the claim filed by Stephanie and Crag Redhawk as a representative of Hays County, the Hays County Sheriff's Office, and each individual Hays County Deputy Sheriff named in Plaintiff's Original Petition; and further move to authorize counsel to coordinate with the Director of Human Resources, Dee Dee Baen, regarding the referral of this case to the Texas Association of Counties, which may be done at the discretion of Counsel and Ms. Baen with input from TAC. 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 FEBRUARY 24, 2009.



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

