



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 9<sup>TH</sup> DAY OF MARCH A.D., 2010, 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
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

WITH COMMISSIONER PCT. 3 WILL CONLEY ABSENT; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the flags. Abel Velasquez, HR Safety Officer, presented new county employees. Judge Sumter called the meeting to order.

**PRESENTATION BY CONSTABLE PCT. 1, DAVID PETERSON REGARDING A REPORT ON ANNUAL CIVIL PROCESS SERVICE [T1-39]**

Constable Pct. 1 David Peterson presented figures regarding civil process in his office – workload has doubled from 2008 to 2009.

**26883 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$1,981,312.13 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**26884 APPROVE COMMISSIONER COURT MINUTES OF FEBRUARY 23, 2010**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioner Court Minutes of February 23, 2010 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

**26885 ACCEPT SHERIFF'S OFFICE RACIAL PROFILING LAW ANNUAL REPORT FOR 2009 IN ACCORDANCE WITH TEXAS CODE OF CRIMINAL PROCEDURE, CHAPTER 2.132(B)(6)&(7)**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to accept Sheriff's Office Racial Profiling Law Annual Report for 2009 in accordance with Texas Code of Criminal Procedure, Chapter 2.132(B)(6)&(7). All present voting "Aye". MOTION PASSED

**26886 APPROVE RENEWAL AGREEMENT BETWEEN WIMBERLEY ISD AND THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT TO PROVIDE FOR THE USE OF THE DISTRICT'S FACILITIES IN CASE OF A PUBLIC HEALTH EMERGENCY**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Renewal Agreement between Wimberley ISD and the Hays County Personal Health Department to provide for the use of the District's Facilities in case of a public health emergency. All present voting "Aye". MOTION PASSED

**Clerk's Note: Agenda Item #6 RE: APPROVE THE SPECIFICATIONS FOR BID #2010-B05 MOWING & GROUNDS MAINTENANCE FOR THE HISTORICAL CEMETERY AND KYLE LOG CABIN (CO-WIDE) AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE was PULLED.**

**Clerk's Note: Agenda Item #7 RE: APPROVE THE SPECIFICATIONS FOR BID #2010-B07 MOWING & GROUNDS MAINTENANCE FOR THE DUDLEY JOHNSON/ RANDALL VETTER PARK AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE was PULLED.**



**26887 APPROVE RENEWAL AGREEMENT BETWEEN SAN MARCOS CISD AND THE PERSONAL HEALTH DEPARTMENT (PHD) TO PROVIDE FOR THE USE OF THE DISTRICT'S FACILITIES IN CASE OF A PUBLIC HEALTH EMERGENCY**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Renewal Agreement between San Marcos CISD and the Personal Health Department (PHD) to provide for the use of the District's facilities in case of a public health emergency. All present voting "Aye". MOTION PASSED

**26888 ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM DAVID PETERSON, CONSTABLE PRECINCT 1**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to accept the Annual Racial Profiling Report from David Peterson, Constable Precinct 1. All present voting "Aye". MOTION PASSED

**26889 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve utility permit #806 located on Monte Drive issued to Goforth Water Supply Corp.; #807 located on McGregor Lane issued to PEC as submitted by the County Road Department. All present voting "Aye". MOTION PASSED

**26890 ACCEPT REPORT TO COMMISSIONERS COURT IDENTIFYING OSSF AND FLOOD PLAIN PERMIT ADMINISTRATIVE APPROVALS ISSUED DURING THE MONTH OF FEBRUARY, 2010**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to accept Report to Commissioners Court identifying OSSF and Flood Plain Permit Administrative approvals issued during the month of February, 2010. All present voting "Aye". MOTION PASSED

**26891 APPROVE SPECIFICATIONS FOR BID #2010-B06 "CEDAR OAKS MESA W.S.C. 100,000 GALLON GROUND STORAGE TANK" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Specifications for bid #2010-B06 "Cedar Oaks Mesa W.S.C. 100,000 gallon ground storage tank" and authorize purchasing to solicit for bid and advertise. All present voting "Aye". MOTION PASSED

**26892 RATIFY SUBMISSION OF THE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S, CRIMINAL JUSTICE DIVISION FOR THE HAYS COUNTY CONSTABLE'S OFFICE PRECINCT ONE FOR IN-CAR CAMERA PILOT PROJECT IN THE AMOUNT UP TO \$15,717.00**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to ratify submission of the Grant Application to the Office of the Governor's, Criminal Justice Division for the Hays County Constable's Office Precinct one for In-Car Pilot Project in the amount up to \$15,717. All present voting "Aye". MOTION PASSED

**26893 CALL FOR A PUBLIC HEARING ON MARCH 23, 2010 TO ESTABLISH TRAFFIC REGULATIONS ON HILLSIDE TERRACE RD, CR 133 [T1-144]**

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to call for a public hearing on March 23, 2010 to establish traffic regulations on Hillside Terrace Rd, CR 133. All present voting "Aye". MOTION PASSED

**26894 APPROVE JP5 OFFICE TO TRANSFER FUNDS FROM TIME PAYMENT EXPENSE TO CONTINUING EDUCATION AND AMEND THE BUDGET ACCORDINGLY [T1-152]**

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve JP5 Office to transfer funds from the Time Payment Expense to Continuing Education and amend the budget accordingly. All present voting "Aye". MOTION PASSED



**26895 AUTHORIZE TRANSFER OF FUNDS IN THE AMOUNT OF \$1,000.00 FROM CONTRACT SERVICES TO CONTINUING ED ALL WITHIN THE EMERGENCY PREPAREDNESS GRANT AND AMEND THE BUDGET ACCORDINGLY [T1-179]**

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize transfer of funds in the amount of \$1,000 from Contract Services to Continuing Ed all within the Emergency Preparedness Grant and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**Clerk's Note: Agenda Item#17 RE: TERMINATE ADVANCE FUNDING AGREEMENT, CSJ: 0914-33-050, BEBEE ROAD AT DACY LANE, STP MM FUNDING IN THE AMOUNT OF \$250,000.00 was PULLED [T1-195]**

**26896 ACCEPT DONATION OF AN IN-CAR CAMERA SYSTEM FROM THE CITY OF WIMBERLEY TO THE CONSTABLE PCT. 3 OFFICE [T1-243]**

A motion was made by Judge Sumter, seconded by Commissioner Ford to accept donation of an In-Car Camera System from the City of Wimberley to the Constable Pct. 3 Office and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**26897 AUTHORIZE PERSONAL HEALTH TITLE V GRANT TRANSFER OF FUNDS IN THE AMOUNT OF \$1000.00 FROM CONTRACT SERVICES TO TRAVEL AND AMEND THE BUDGET ACCORDINGLY [T1-267]**

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize Personal Health Title V Grant transfer of funds in the amount of \$1,000 from Contract Services to Travel and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**26898 APPROVE BUDGET AMENDMENT FOR HISTORICAL COMMISSION JAIL RESTORATION FUND [T1-274]**

Hays County Historical Commission Chair Kate Johnson spoke of request. Transferring funds from capital improvements to general supplies to pay for fundraiser T-shirts. Court requested that line item be reimbursed with funds raised. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to amend budget for Historical Commission Jail Restoration Fund to allow transfer of an amount not to exceed \$1500 from line item 144-676-00-5741 to 144-676-00-5201 and have the Commission reimburse this fund. All present voting "Aye". MOTION PASSED

**26899 AMEND BUDGET FOR JUVENILE PROBATION TITLE IV-E GRANT FUNDS [T1-335]**

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to amend budget for Juvenile Probation Title IV-E Grant Funds by transferring \$1200 from line item #001-686-99-034-5361 to #001-686-99-034-5741. All present voting "Aye". MOTION PASSED

**26900 APPROVE PERSONAL HEALTH DEPARTMENT (PHD) PARTICIPATION IN HEALTH FAIR AT REDWOOD BAPTIST CHURCH IN GUADALUPE COUNTY AND ADMINISTER FREE IMMUNIZATIONS [T1-348]**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Personal Health Department (PHD) participation in Health Fair at Redwood Baptist Church in Guadalupe County and administer free immunizations. All present voting "Aye". MOTION PASSED

**26901 AUTHORIZE PERSONAL HEALTH TB GRANT TRANSFER OF FUNDS IN THE AMOUNT OF \$500.00 FROM CONTRACT SERVICES TO TRAVEL AND AMEND THE BUDGET ACCORDINGLY [T1-370]**

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize Personal Health TB Grant transfer of funds in the amount of \$500 from Contract Services to Travel and amend the budget accordingly. All present voting "Aye". MOTION PASSED



- 26902      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT, IN THE AMOUNT OF \$115,153.00 [T1-376]**

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize the County Judge to execute a Contract with the Texas Comptroller of Public Accounts for the Energy Efficiency and Conservation Block Grant, in the amount of \$115,153. All present voting "Aye". MOTION PASSED

- 26903      AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH K FRIESE & ASSOCIATES (KFA) FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE STUDY AT LIME KILN ROAD AND SINK CREEK, A PRIORITY ROAD BOND PROJECT [T1-522]**

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement with K Friese & Associates (KFA) for Professional Engineering Services related to the study at Lime Kiln Road and Sink Creek, to include Work Authorize #1 in the amount of \$220,000. All present voting "Aye". MOTION PASSED

**DISCUSSION REGARDING HAYS COUNTY COMMENTS AND/OR A RESOLUTION AS OUR OFFICIAL RESPONSE TO EPA ON THE PROPOSED NEW NATIONAL AMBIENT AIR QUALITY STANDARD [T-1661]**

Commissioner Ford presented a draft on CAC Comments and EPA Proposed Ozone Standard. No action was taken this date.

- 26904      AUTHORIZE THE COUNTY JUDGE TO SUBMIT A LETTER OF INTEREST TO THE TEXAS VETERANS COMMISSION REGARDING FUNDING TO SUPPORT THE HAYS COUNTY VETERANS SERVICES OFFICE [T1-394]**

Grants Administrator Jeff Hauff spoke of a \$23,760 Grant. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize the County Judge to submit a Letter of Interest to the Texas Veterans Commission regarding funding to support the Hays County Veterans Services Office. All present voting "Aye". MOTION PASSED

- 26905      EXTEND THE MAINTENANCE CONTRACT WITH D&T SERVICES FOR THE PCT. 4 OSSF AND AMEND THE BUDGET ACCORDINGLY [T1-1066]**

A motion was made by Commissioner Ford, seconded by Judge Sumter to extend the Maintenance Contract with D&T Services for the Pct. 4 OSSF and amend the budget accordingly. All present voting "Aye". MOTION PASSED

**PUBLIC COMMENT REGARDING IMPLEMENTING A SIXTY (60) DAY MORATORIUM ON THE RE-SUBDIVISION OF PREVIOUSLY PLATTED LOTS LOCATED WITHIN HAYS COUNTY [T1-657]**

Jim McMeans, Andrew Backus, and Jimmy Skipton made public comment. No action was taken.

- 26906      GRANT NORTH HAYS OPTIMIST A TIME EXTENSION ON MATCHING FUNDS AND TO FURTHER ALLOW THE CONSTRUCTION OF A SMALL OFFICE SPACE AND CONCESSIONS BUILDING FROM TOTAL PROJECT SAVINGS [T1-891]**

Grants Administrator Jeff Hauff spoke. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to grant North Hays Optimist a time extension to December 31, 2010 on matching funds and to further allow the construction of a small office space and concessions building from total project savings – with stipulation that they need to reach their match before we release the money. All present voting "Aye". MOTION PASSED



**26907 PROMOTE AND FUND HEALTH CHECK 2010 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS. AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT [T1-1084]**

Human Resources Director Dee Dee Baen spoke. \$7,000 is being requested from the claims & medical fund. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to promote and fund Health Check 2010 in an amount not to exceed \$7,000, for Hays County Employees and eligible dependents and to authorize payroll deduction of additional fees for optional services employees may elect. All present voting "Aye". MOTION PASSED

**26908 APPROVE THE SALE OF ONE PROPERTY HELD IN TRUST [T1-1188]**

Tax Assessor-Collector Luanne Caraway recommended letting the City of San Marcos have the property. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve the sale of one property held in trust. All voting "Aye". MOTION PASSED

**26909 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #7 TO THE CONSTRUCTION CONTRACT WITH HARRIS ROAD COMPANY, INC. FOR THE FIVE MILE DAM PARK PHASE 2 (SITE) PROJECT [T1-442]**

Grants Administrator Jeff Hauff spoke of change order #7 which provides a concrete perimeter and connector trails in lieu of planned crushed stone surfacing. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute Change Order #7 to the Construction Contract with Harris Road Company, Inc. for the Five Mile Dam Park Phase 2 (site) Project. All present voting "Aye". MOTION PASSED

**26910 APPROVE THE PURCHASE OF BUILDING MATERIALS FOR THE RPTP DEPT./ROAD & BRIDGE DIVISION'S PRECINCT 1 MAINTENANCE YARD IN AN AMOUNT NOT TO EXCEED \$2,500.00 [T1-1209]**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve the purchase of building materials for the RPTP Dept/Road & Bridge Division's Precinct 1 Maintenance yard in an amount not to exceed \$2,500 from line item #020-710-5741 and amend budget accordingly. All present voting "Aye". MOTION PASSED

**26911 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #3 TO THE CONSTRUCTION CONTRACT WITH HARRIS ROAD COMPANY, INC. FOR THE FIVE MILE DAM PARK, PHASE II (BUILDING) PROJECT [T1-483]**

Grants Administrator Jeff Hauff spoke of change order #3 which provides concrete trails near the building in lieu of the planned crushed stone surfacing. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute Change Order #3 to the Construction Contract with Harris Road Company, Inc. for the Five Mile Dam Park, Phase II (building) project. All present voting "Aye". MOTION PASSED

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE COUNTY'S REAL ESTATE CONSULTANT REGARDING PROPERTY ASSESSMENTS AND RECOMMENDATIONS RELATING TO THE COUNTY'S PARKS AND OPEN SPACE BOND PROGRAM. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Court convened into closed executive session at 1:35 p.m. and reconvened into open meeting at 2:42 p.m. No action taken.

**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 [T1-1240]**

Bob Hinkle (Broaddus & Associates) gave a brief video of the Hays County Government Center (showing the interior & exterior). He also provided an activity calendar for March & April and cash flow chart [amount of \$72,006.077 paid out over 22 months]. Brenda Jenkins (Broaddus & Associates) gave an update regarding jail renovations and R&B facility improvements.



**MARCH 9, 2010**

\*\*\*\*\*

\*\*\*\*\*

**VOLUME U PAGE 303**

**Clerk's Note: Agenda Item #38 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. 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 MARCH 9, 2010.



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

