



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 20TH DAY OF APRIL 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
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Ryan Hamett of Young Life gave the invocation and Commissioner Conley led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

27008 ADOPT A PROCLAMATION DECLARING APRIL 27, 2010 AS NATURAL RESOURCES CONSERVATION DAY

A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt a Proclamation declaring April 27th, 2010 as Natural Resources Conservation Day. All voting "Aye". MOTION PASSED

27009 ADOPT A PROCLAMATION RECOGNIZING APRIL AS CHILD ABUSE AWARENESS MONTH

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt a Proclamation recognizing April as Child Abuse Awareness Month. All voting "Aye". MOTION PASSED

27010 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$1,547,208.42 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27011 APPROVE COMMISSIONER COURT MINUTES OF APRIL 13, 2010

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Commissioner Court Minutes of April 13, 2010 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27012 AMEND BUDGET FOR CONSTABLE PCT 3 REPLACEMENT VEHICLE AND ACCESSORIES FROM INSURANCE PROCEEDS RECEIVED

On February 9, 2010 Court approved purchase of City of Wimberley replacement vehicle for Constable 3, to get work done within the amount of insurance proceeds, and return with budget amendment. Budget insurance payment for Constable Pct 3 is vehicle and cost of replacement vehicle, striping, computer stand, cage, tinting, reprogramming and a replacement radio. Actual amount of insurance payment is \$24,134.60 amount needed \$22,585. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to amend budget for Constable Pct 3 replacement vehicle and accessories from insurance proceeds received. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #6 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADDITIONAL SERVICES AGREEMENT WITH LAND DESIGN PARTNERS, INC., IN THE AMOUNT OF \$25,500.00 FOR BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE WINTERS MILL/BLUE HOLE LOOP TRAIL PROJECT AND TO AMEND THE BUDGET ACCORDINGLY was PULLED. [T1-305]



27013 APPROVE WORK AUTHORIZATION FOR AN ADDITIONAL ENVIRONMENTAL CLEARANCE STUDY FOR THE FM2325 PROJECT [T1-312]

Additional endangered species surveys to refine preliminary estimates of impacts to the golden-cheeked warbler associated with the proposed improvements to RM 2325 between Carney Lane and Fischer Store Road. The additional studies are needed to facilitate the environmental clearance of the proposed road improvements and potentially reduce endangered species mitigation requirements. **A motion was made by Commissioner Conley, seconded by Judge Sumter to approve Work Authorization for an additional Environmental Clearance Study for the FM 2325 Project. All voting "Aye". MOTION PASSED**

PRESENTATION OF THE FY2011 BUDGET CALENDAR [T1-361]

Judge Sumter presented the proposed budget calendar. Commissioner Ford requested one full day instead of two half days – preferable on Thursday.

27014 AUTHORIZE THE COUNTY JUDGE TO APPROVE AN AMENDMENT TO THE CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC., FOR THE DESIGN OF FM 2001 AND ROHDE ROAD [T1-474]

The existing Professional Services Agreement (PSA) for LAN did not include funds for the design of these projects. Therefore, the GEC recommends raising the PSA cap by \$500,000 to accommodate the design fees for these projects. This increase provides funding for the design of the left turn lane on SH 21 at FM 2001, Rohde Road as well as develop plans for other safety improvements in Pct 1. Commissioner Barton spoke of stimulus funds that are available. Jeff Curan spoke. Discussion was had regarding use of interest from the 2001 road bond funds. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to approve an Amendment to the Contract with Lockwood, Andrews & Newnam, Inc. for the design of FM 2001 and Rohde Road. All voting "Aye". MOTION PASSED**

27015 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AGREEMENTS WITH BROOKSIDE, NEC, AND GRANDE COMMUNICATIONS FOR THE IMPLEMENTATION OF A COUNTYWIDE VOIP TELEPHONE SYSTEM (TO INCLUDE THE RENTAL OF TELECOMMUNICATIONS EQUIPMENT) AND A COUNTYWIDE BROADBAND INTERNET SYSTEM [T1-1082]

Terry Whitman (Broaddus & Associates) provided a breakdown of costs: Brookside/NEC (VoIP equipment – 60 month lease w/\$1 purchase) = \$10,313.82 month; Grande Communications (Broadband network) = \$17,472.56 month; Grande Communications (RTPT – Yarrington Rd. fiber installation) - \$17,000 (one time charge). Special Counsel Mark Kennedy spoke of several items in the agreements. **A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the County Judge to execute Agreements with Brookside, NEC, and Grande Communications for the implementation of a Countywide VOIP Telephone System (to include the rental of telecommunications equipment) and a countywide broadband internet system. All voting "Aye". MOTION PASSED**

FORM AN INTERVIEW COMMITTEE FOR THE POSITION OF VA OFFICER

The position of Veteran Service office has been posted with approximately 27 responses. Court needs to determine if members of the VA Task Force will take part in the pre-interviews and committee would ultimately recommend between 3-5 qualified candidates back to Commissioners Court for the final decision. An alternative would be for HR and Commissioners Court only to conduct interviews, with the final decision made by Commissioners Court.

27016 RENEW THE CONTRACT WITH MCCREARY VESELKA BRAGG AND ALLEN P.C. FOR THE COLLECTION OF DELINQUENT COURT FINES AND FEES ASSESSED BY THE JUSTICE COURTS [T1-1014]

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to renew the Contract with McCreary Veselka Bragg and Allen P.C. for the Collection of Delinquent Court Fines and Fees assessed by the Justice Courts. All voting "Aye". MOTION PASSED



27017 AUTHORIZE THE COUNTY JUDGE TO APPROVE AN AMENDMENT TO THE CONTRACT WITH S&B INFRASTRUCTURE, LTD., FOR THE DESIGN OF FM 110, IN PCT 1

Since the TxDot system is showing a tentative letting for January 2011, and the Environmental Clearance is not anticipated till September 2010, it is the recommendation of the GEC that the termination date listed in Part IV of Work Authorization be changed to June 1, 2012. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Ford to authorize the County Judge to approve an Amendment to the Contract with S&B Infrastructure, LTD., for the design of FM 110, in Pct 1. Judge Sumter not present to vote. All present voting "Aye". MOTION PASSED**

27018 ENTER INTO AN INTER-LOCAL AGREEMENT WITH CAPITAL AREA RURAL TRANSPORTATION SYSTEM TO ASSIST IN TRANSPORTING HAYS COUNTY VETERANS TO THEIR MEDICAL APPOINTMENTS IN SAN ANTONIO

The VA bus was totaled in January and the Veterans Administration has been operating solely with the existing mini van. There is an immediate issue of transport capacity for the van since the number of wheelchair passengers greatly affects the availability of seats for non-wheelchair passengers. Additionally, Mr. Mendoza, Interim VA Officer, gave an example of a recent planned trip having to be cancelled because of a non-scheduled maintenance issue with the van. As a short term solution, the VA Transportation Task Force is proposing that Commissioners Court utilize one of the solutions that is currently being evaluated for a long term solution. **A motion was made by Commissioner Conley seconded by Commissioner Ford to enter into an Inter-Local Agreement with Capital Area Rural Transportation System to assist in transporting Hays County Veterans to their medical appointments in San Antonio and to authorize Commissioner Conley to negotiate Agreement in an amount not to exceed \$13,680 and to authorize the County Judge to execute said Agreement. Judge Sumter not present to vote. All present voting "Aye". MOTION PASSED**

DISCUSSION REGARDING ADDITIONAL MID-YEAR PERSONNEL AND/OR OTHER ASSISTANCE FOR THE PRECINCT 2 CONSTABLE'S OFFICE, AS WELL AS DISCUSSION REGARDING STAFFING LEVELS FOR OTHER CONSTABLE AND JUSTICE OF THE PEACE PRECINCTS

James Kohler Constable Pct 2, presented the Commissioners with a summary of the money collected by his office. Court requested Constable Kohler to bring more information (comparisons of this year vs. last year) for the Court to consider an addition to his personnel.

DISCUSSION OF PROJECT MANAGEMENT PLAN AND INTERLOCAL COOPERATION AGREEMENT ASSOCIATED WITH DRAINAGE BASIN/FLOOD PROTECTION PLANNING STUDIES OF THE COLORADO RIVER WATERSHED IN NORTHERN HAYS COUNTY

Stacy Gray from the US Army Corps of Engineers gave a powerpoint presentation. John McLeod of LCRA spoke of the Interlocal Cooperation Agreement. The County has applied for and received funding from the Texas Water Development Board to conduct studies related to flood protection planning and drainage basin management of the Colorado River tributaries in northern Hays County. These studies have been proposed to involve a regional partnership with both the U.S. Army Corps of Engineers, Forth Worth District (USACE) and the Lower Colorado River Authority (LCRA) to conduct the study under the broader Lower Colorado River Basin Feasibility Study program. Participation under this program involves both the preparation of a Project Management Plan(PMP) between the USACE and the County, and an Interlocal Cooperation Agreement (ICA) between the County the LCRA, to facilitate cost-sharing of the studies. Half Associates, Inc. has prepared the grant applications and facilitated the partnership and the various agreements. Staff has been working closely with these parties for development of the study elements.

DISCUSSION REGARDING THE CAMPO 2035 PLAN AND THE ADDITION OF TRANSPORTATION PROJECTS FROM HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW

Mike Aulick VP of Huitt-Zollars presented the Court with a Draft of the CAMPO 2035 Plan. Commissioners spoke of roads that pertained to their precinct that they felt needed to be addressed. Some of the items discussed were safe turning lanes, pedestrian/bike lanes, and widening of certain roads. The CAMPO Plan Basics – the Plan is permissive, not mandatory; fiscally constrained; 25 year revenue forecast is very speculative; environmental clearance, project design, real funding; being in the Plan is necessary to make the project eligible for federal and state funds and for TxDot staff to work to develop the project and to clear the project for air quality regulations if/when we're declared non-attainment; options – 1) Construction; 2) environmental/engineering analysis; 3) corridor study. Air Quality Considerations & Revenue Forecasts.



EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING EXISTING AND/OR CONTEMPLATED LITIGATION RELATED TO CLAIMS BY 1) WILLIAM MONTAGUE AND 2) JAMES SKIPTON. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into closed executive session at 10:40 a.m. and reconvened into open meeting at 1:20 p.m. No action taken.

Clerk's Note: RE: 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 - **was pulled.**

Clerk's Note: 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.**

AUTHORIZE EXPENDITURE OF \$7708 FOR REPAIR OF THE FIRE ALARM SYSTEM AT THE JAIL FACILITY [T1-280]

Sheriff Deputy Brad Robinson spoke of problems with the fire alarm system at the jail. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize expenditure of \$7,708 for repair of the fire alarm system at the Jail Facility with the money coming out of line item. 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 APRIL 20, 2010.



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

