



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 25TH DAY OF MAY 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. FRITSCHÉ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Jason Bollinger, Riverstone Community Church, gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PRESENTATION OF RETIREMENT GIFT TO ED COOPER

Judge Sumter, Commissioner Barton, Commissioner Ingalsbe, Commissioner Ford, and Commissioner Conley gave their appreciation to Chief Juvenile Probation Officer Ed Cooper for his 37 years of service to Hays County. He was presented with a retirement watch. County Treasurer Michele Tuttle spoke of knowing Mr. Cooper for many years.

27101 ADOPT A PROCLAMATION DECLARING MAY 23RD TO THE 29TH AS HURRICANE PREPAREDNESS WEEK

Emergency Management Coordinator Jeff Turner spoke of projected hurricane season and need for trained shelter managers. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring May 23rd to the 29th as Hurricane Preparedness Week. All voting "Aye". MOTION PASSED

27102 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve payments of county invoices in the amount of \$2,426,884.62 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27103 APPROVE COMMISSIONER COURT MINUTES OF MAY 18, 2010

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve Commissioner Court Minutes of May 18, 2010 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27104 ACCEPT DONATED FUNDS IN THE AMOUNT OF \$500.00 TO THE SHERIFFS OFFICE AND DEPOSIT IN TO LINE ITEM 052-618-00.4610 (CONTRIBUTIONS) AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to accept donated funds in the amount of \$500 to the Sheriffs Office and deposit in to line item 052-618-00.4610 (contributions) and amend the budget accordingly. All voting "Aye". MOTION PASSED

27105 APPROVE SPECIFICATIONS AND AUTHORIZE PURCHASING TO ADVERTISE RFP #2010-P14, A REQUEST FOR QUALIFICATIONS, FOR A PROFESSIONAL ENERGY AUDIT/ANALYSIS FOR HAYS COUNTY BUILDINGS

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve specifications and authorize purchasing to advertise RFP #2010-P14, a Request for Qualifications, for a Professional Energy Audit/Analysis for Hays County buildings. All voting "Aye". MOTION PASSED



27106 APPROVE AMENDMENT TO PURCHASING POLICY TO INCLUDE DEBARRED VENDOR LANGUAGE ON ALL RFP & BID DOCUMENTS

On April 29th Hays County underwent an audit by the Governor's Division of emergency Management, SAA division for federal funds received for emergency management equipment. One of the requirements the County needs to complete is to add the excluded parties, debarred vendor language to the purchasing policy. **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve amendment to purchasing policy to include Debarred Vendor language on all RFP & Bid Documents. All voting "Aye". MOTION PASSED**

27107 APPROVE CANCELLATION OF COMMISSIONER'S COURT MEETING FOR JUNE 22, 2010

Cancellation is being requested due to the South Texas County Judge's and Commissioner's Association Conference being held here in San Marcos. **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve cancellation of Commissioner's Court Meeting for June 22, 2010. All voting "Aye". MOTION PASSED**

27108 AUTHORIZE THE COUNTY JUDGE TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, FROM THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR FUNDING FROM THE BULLETPROOF VEST PARTNERSHIP (BVP) PROGRAM FOR UP TO 43,071.00

This program will provide reimbursement for 50% of the cost of each vest. The total cost of purchase is expected to be \$43,071 for 49 vests, and the matching funds requested will be for \$21,535.50. **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize the County Judge to submit an Application to the U.S. Department of Justice, from the Bureau of Justice Assistance (BJA) for funding from the bulletproof vest partnership (BVP) program for up to \$43,071. All voting "Aye". MOTION PASSED**

27109 CALL FOR A PUBLIC HEARING ON JUNE 8, 2010 TO ESTABLISH TRAFFIC REGULATIONS ON FITZHUGH RD EAST, CR 101 [T1-1003]

Recommendation is to reduce speed limit on a section of Fitzhugh Road east in both directions, between Trautwein Road, CR 185 and Preslar Circle from 40 MPH to 35 MPH. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on June 8, 2010 to establish traffic regulations on Fitzhugh Road East, CR 101. All voting "Aye". MOTION PASSED**

27110 PARTIAL VACATION AND REPLAT OF LOT 1, CEDAR CREST SUBDIVISION [10-6-3, 2 LOTS] PUBLIC HEARING AND APPROVE FINAL PLAT [T1-254]

Judge Sumter declared the public hearing open. Caroline Nelson made public comment. Public hearing was closed. Programs Manager Development Services, Clint Garza gave staff recommendation for approval. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve final plat of a partial vacation and replat of lot 1 Cedar Crest Subdivision. All voting "Aye". MOTION PASSED**

RE-SUBDIVISION OF LOT 63 ROLLING OAKS SUBDIVISION SECTION 3 (10-7-4, 4 LOTS) PUBLIC HEARING AND POSTPONEMENT OF FINAL PLAT APPROVAL [T1-293]

Judge Sumter declared the public hearing open. Rusty Wallace, Mike Dewane, Gaylon Akers, Efrain Fonseca, and Maggie V. Ortunio spoke in opposition to the resubdivision. Public hearing was closed. Programs Manager Development Services, Clint Garza requested postponement of action today until he receives a digital file. Rolling Oaks Section 3 was originally subdivided in 1969 and at that time there were 65 lots and today there are 127 taxable parcels on the CAD records. Lot 63 is 10.18 acres as platted but has been divided, and sold to the children of the original owner. The property owners were informed a plat is required when they approached the department for an OSSF permit on the proposed "lot 63-B" The proposed configuration will divide the lot into 4 parcels as follows: 63A (2 acres), 63B (2 acres), 63C (3.609 acres), 63D (3.019 acres). All lots will be served by OSSF's and individual water wells. Court discussed water availability study for this area and creation of a homeowners association. No action was taken this date.



27111 AUTHORIZE THE PERSONAL HEALTH DEPARTMENT TO TRANSFER FUNDS IN THE AMOUNT OF \$200.00 FROM MEDICAL SUPPLIES TO TRAVEL AND AMEND THE BUDGET ACCORDINGLY [T1-1020]

Transfer of funds is necessary to reimburse staff for the use of their personal vehicles for county business when the county vehicle is unavailable. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to authorize the Personal Health Department to transfer funds in the amount of \$200 from Medical Supplies to Travel and amend the budget accordingly. All voting "Aye". MOTION PASSED

27112 ACCEPT THE CRIMINAL JUSTICE SYSTEM ASSESSMENT AND JAIL POPULATION STUDY FOR HAYS COUNTY FINAL REPORT, PREPARED FOR HAYS COUNTY BY MGT OF AMERICA [T1-1391]

Judge Sumter gave her opposition to the study. Allen Pollock (MGT) spoke of study that was done. Commissioner Barton and Commissioner Conley spoke in support of the study. Commissioner Ingalsbe spoke of possible jail expansion and need to address concerns. Commissioner Ford recommended asking state jail standards to update their report – she wanted the record to reflect that she does not accept every item in this report. A motion was made by Commissioner Barton, seconded by Commissioner Conley to accept the Criminal Justice System Assessment and Jail Population Study for Hays County Final Report prepared for Hays County by MGT of America. Commissioner Ingalsbe, Commissioner Barton, Commissioner Conley, and Commissioner Ford voting "Aye". Judge Sumter voting "No". MOTION PASSED
Commissioner Barton spoke of need for an independent voice for implementation.

27113 REPLACE THE COUNTY JUDGE ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION AND APPOINT COMMISSIONER CONLEY [T1-3102]

Members of the court thank Judge Sumter for her representation on the CAMPO Board. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to replace the County Judge on the Capital Area Metropolitan Planning Organization and Appoint Commissioner Conley and retain Commissioner Barton as the alternate effective June 1, 2010. All voting "Aye". MOTION PASSED

27114 APPOINT A CHAIR FOR EACH STANDING COMMITTEE TO BE GIVEN THE AUTHORITY TO DETERMINE SCHEDULING, DIRECTION AND APPROPRIATE TIMES WHEN THE COMMITTEE WILL BRING ISSUES BEFORE THE COURT [T1-

Commissioner Conley proposes that the following committees are formed with the appointed chair of those committees given ~~exclusive~~ primary authority to determine scheduling, direction and appropriate times when the committee will bring issues before the court:

- (1) Government Center Committee Chair is Commissioner Ingalsbe,
- (2) Change Jail Facilities Committee to Law Enforcement Facility Committee (which includes all business in regards to the Sheriff's Office) Chair is Commissioner Conley,
- (3) Pct. 2 Building Committee Chair is Commissioner Barton,
- (4) RPTP Committee Chair is Judge Sumter,
- (5) Justice Evaluation and Reform Committee Chair is Commissioner Barton, and
- (6) RHCP (Habitat Conservation) Committee Chair is Commissioner Ford

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to appoint a Chair for each standing committee as proposed by Commissioner Conley to be given the primary authority to determine scheduling, direction and appropriate times when the committee will bring issues before the court. All voting "Aye". MOTION PASSED

27115 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH MISSION CRITICAL, INC. FOR AN ASSESSMENT OF THE 911 COMMUNICATION SYSTEMS WITHIN HAYS COUNTY [T2-38]

County Auditor Bill Herzog recommended funding this service from the countywide consultant line item (001-645-00.5448) in the amount of \$49,950. Special Counsel Mark Kennedy spoke of his review of the agreement and changes made. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Professional Services Agreement with Mission Critical, Inc. for an assessment of the 911 Communication Systems within Hays County. All voting "Aye". MOTION PASSED



27116 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STANDARD PROFESSIONAL SERVICE AGREEMENT WITH TOM FRANKE FOR SELECTIVE ASSISTANCE IN PLAN REVIEW AND AMEND THE BUDGET ACCORDINGLY [T1-1042]

RPTP Director Jerry Borcharding advised that development plans are being submitted that require extensive review by an engineer or EIT with specific experience in researching, studying,, and resolving difficult drainage issues. The complexity of the drainage issues at hand require that the plans be reviewed at a level far above our usual effort and is critical to insuring that property owners downstream of the development are protected. Jimmy Skipton made public comment. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to execute a standard Professional Service Agreement with Tom Franke for selective assistance in plan review and amend the budget accordingly in an amount not to exceed \$7500. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED**

27117 PURCHASE A CHECK PRINTER FOR THE TREASURERS OFFICE [T1-1025]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to purchase a check printer for the Treasurer's Office. All voting "Aye". MOTION PASSED

27118 ALLOCATE \$2,500 IN DISCRETIONARY FUNDS TO PALS (PREVENT A LITTER) TO HOST A THIRD SPAY AND NEUTER CLINIC AND AMEND THE BUDGET ACCORDINGLY [T2-204]

\$7,500 was budgeted for PALS [Prevent A Litter] for three clinics, but only \$5,000 was allocated to them initially for two clinics. PALS Director Sharri Boyett advised that they have successfully performed two spay and neuter clinics and she is here to request the remaining funds for a third clinic as requested by the court. **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to allocate the \$2,500 in discretionary funds to PALS that was set aside to host a third spay and neuter clinic and amend the budget accordingly. All voting "Aye". MOTION PASSED**

27119 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SUBSCRIPTION PLAN AMENDMENT WITH LEXISNEXIS FOR THE HAYS COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE FOR THE USE OF LEGAL RESEARCH SOFTWARE [T2-315]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Subscription Plan Amendment with LexisNexis for the Hays County Criminal District Attorney's Office for the use of the legal research software. All voting "Aye". MOTION PASSED

27120 RECOGNIZE THE CONVEYANCE OF A 50.14 ACRE TRACT FROM THE HAYS COUNTY PARKS FOUNDATION, INC. TO THE CITY OF KYLE, FOR RECREATIONAL PUBLIC USE [T2-330]

Dale Linebarger donated this tract of land to the Hays Education Foundation which was then purchased by the Hays County Parks Foundation, Inc. using Hays County Park Grant Funds to hold for the City of Kyle to use as matching funds as the City applied for additional grants. The City of Kyle has successfully secured a \$500,000 grant from the Texas Parks and Wildlife Department using the Linebarger tract as matching funds. **A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to recognize the conveyance of a 50.14 acre tract from the Hays County Parks Foundation, Inc. to the City of Kyle, for recreational public use. All voting "Aye". MOTION PASSED**

Clerk's Note: Agenda Item #23 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 was Pulled.

Clerk's Note: Agenda Item #24 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR 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 MAY 25, 2010.



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

