



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 5TH DAY OF OCTOBER 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
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCHÉ	COUNTY CLERK

WITH COMMISSIONER PCT. 1 DEBBIE GONZALES INGALSBE ABSENT; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

4-H PRESENTATION BY RICHARD PARRISH

County Extension Agent Richard Parrish spoke of 4-H programs and education and the volunteers that are dedicated to the youth of Hays County. Caresse Magee (Wimberley 4-H), Tiera Magee (Wimberley 4-H), and Hunter McDonald (Bronze Star Winner) spoke of their experience in the 4-H program.

PUBLIC COMMENT

Public comment was made by Constable Pct. 2 James Kohler, Alan Cameron (San Marcos resident) and Charlie Johnson (Wimberley resident).

PRESENTATION OF NEW DRAFT WEB DESIGN FOR HAYS COUNTY

Communications Specialist Laureen Chernow and IT technician Rafael Marquez presented the new draft web design to the court.

27479 APPROVE PAYMENTS OF COUNTY INVOICES

County Auditor Bill Herzog requested that invoices in the amount of \$334,474.63 also be approved for payment to TxDot (Advanced funding for RR12 @ Sink Creek, RR12 @ Hugo Road, & the Junction – RM 32). **A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$1,375,226.79 with addition of \$334,474.63 in invoices as submitted by the County Auditor. All present voting "Aye". MOTION PASSED**

Clerk's Note: Agenda Item #4 RE: APPROVE AWARD OF BID # 2010-B17 CONTRACTOR FOR STABILIZATION PROJECT/OLD HAYS COUNTY JAIL TO GIFT-NEUHAUS AND AUTHORIZE COUNTY JUDGE TO EXECUTE CONTRACT was PULLED

27480 ADOPT A RESOLUTION SUPPORTING COMBINED COMMUNITY ACTION, INC FOR THE ADMINISTRATION OF THE HOME DELIVERED MEAL GRANT PROGRAM

A motion was made by Commissioner Barton, seconded by Commissioner Ford to adopt a Resolution supporting Combined Community Action, Inc. for the administration of the home delivered meal grant program. All present voting "Aye". MOTION PASSED

27481 APPROVE THE CANCELLATION OF COMMISSIONERS' COURT ON NOVEMBER 2, 2010 (ELECTION DAY)

Historically, the Court has cancelled Commissioners Court meetings on Election Day. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve the cancellation of Commissioners Court on November 2, 2010. All present voting "Aye". MOTION PASSED**



27482 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICE AND SUPPORT AGREEMENT WITH NEW WORLD SYSTEMS FOR THE INSTALLATION AND CONFIGURATION OF LOGOS.NET IN CONJUNCTION WITH THE INSTALLATION AND CONFIGURATION OF WINDOWS SERVER 2008 AND SQL SERVER 2008 FOR OUR FINANCIAL SYSTEM'S DATABASE

Upgrades to our Logos.net financial system will require that our system be on a 2008 SQL Server and 2008 Windows Server. The County's Logos.net is currently running on Windows 2003 and 2005 SQL server. New World Systems recommends that they configure the 2008 SQL Server and 2008 Windows server at the same time as the Logos.net database configuration. New World Systems will be onsite to ensure that the financial database and configurations are running properly on the 2008 Windows and 2008 SQL Server. The cost for this service is \$5,000 plus travel costs and coming out of line item #001-680-00.5718. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute a Service and Support Agreement with New World Systems for the installation and configuration of Logo.net in conjunction with the installation and configuration of Windows Server 2008 and SQL Server 2008 for our financial system's database. All present voting "Aye". MOTION PASSED**

27483 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL ASSISTANCE AGREEMENT FOR A REGIONAL AUTO THEFT ENFORCEMENT TASK FORCE; AND TO ACKNOWLEDGE THE DISTRICT ATTORNEY'S AUTHORITY TO EXECUTE THE "SPECIAL CONDITION-DISTRICT ATTORNEY CONTRACT" AS PART OF THE AGREEMENT

This is a continuance of an ongoing Agreement between 17 counties and respective Sheriff's Offices for the coordination and conduct of the Regional auto Theft Enforcement Task Force. The grant funding is used to assistance in personnel salary for a field agent for the Hays County Sheriff's Office. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute an Interlocal Assistance Agreement for a Regional Auto Theft Enforcement Task Force; and to acknowledge the District Attorney's authority to execute the "Special Condition-District Attorney Contract" as part of the Agreement. All present voting "Aye". MOTION PASSED**

27484 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN DEER CREEK SUBDIVISION

Judge Sumter opened the public hearing. No public input was received. Public hearing was closed. RTPD Director Jerry Borcharding gave staff recommendation. This will establish a speed limit of 20 MPH on Deer Creek Circle and on Green Oak Drive in Deer Creek Subdivision. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to establish traffic regulations of 20 MPH speed limit on Deer Creek Circle and Green Oak Drive in the Deer Creek Subdivision. All present voting "Aye". MOTION PASSED**

27485 RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR RIM ROCK SUBDIVISION, PHASE 1, SECTION 4

The maintenance bond for Rim Rock Subdivision, Phase 1, Section 4 expired September 26, 2010. The Road Department has inspected and recommends its acceptance for maintenance. Roads include: Shallow Water Cove (1245 ft), Black Stone Cove (700 ft) and Pine Post Cove (981 ft). **A motion was made by Commissioner Ford, seconded by Commissioner Conley to release the Maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Rim Rock Subdivision Phase 1 Section 4. All present voting "Aye". MOTION PASSED**

27486 CALL FOR A PUBLIC HEARING ON OCTOBER 18, 2010 TO ESTABLISH TRAFFIC REGULATIONS IN SUNFIELD ESTATES

This public hearing will be held to consider establishing a three way stop at the intersection of Spanish Trails Blvd. and Marsh Lane. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to call for a public hearing on October 18, 2010 to establish traffic regulations in Sunfield Estates. All present voting "Aye". MOTION PASSED**



27487 DOUBLE FILL THE SITE MANAGER POSITION AT THE WIMBERLEY TRANSFER STATION

This is a request of continuance of previously approved (7/20/10) temporary help at the Wimberley Transfer Station. The Site Manager at the Wimberley Station is out on FMLA. **A motion was made by Commissioner Conley, seconded by Judge Sumter to double fill the Site Manager position at the Wimberley Transfer Station. All present voting "Aye". MOTION PASSED**

27488 AWARD THE BID FOR IFB #2010-B10, "THE SPRING LAKE PRESERVE", TO HARRIS ROAD COMPANY

On March 30, 2010 the Commissioners Court authorized Purchasing to solicit for construction bids on the Spring Lake Preserve project, a joint project with the City of San Marcos and Texas State University. Aon April 22, 2010 the County received five bids for the project. The bids have undergone review by the project design firm and partners, and the recommendation is to award the bid to Harris road Company of Wimberley, Texas in the amount of 4108,22. This amount includes the base bid and Alternates One, Two, Four and Five (Alternate Three – Wetland Boardwalk was not accepted). This project is funded through a grant from the Texas Parks and Wildlife Department (TPWD) and no County funds are necessary. Project award has been delayed due to environmental clearances that took longer than anticipated to obtain and that are necessary for release of the funding from TPWD. The project will include accessible and primitive trail development, interpretive signage, benches, outdoor amphitheater (sundial), composition deck boardwalk, and interpretive signs. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to award the bid for IFB #2010-B10, "The Spring Lake Preserve", to Harris Road Company. All present voting "Aye". MOTION PASSED**

27489 ACCEPT THE ADMINISTRATIVE SETTLEMENT – CSJ #0285-03-049 FOR RR12 – JUNCTION

The Courts original approved offer was \$8,230. The Davis' counteroffer is \$25,000. The difference is due to the replacement of numerous trees that will be taken during the process of the project. The owners are concerned about environmental, safety and noise issues without the addition of these trees. Court convened into executive session at 10:05 a.m. and reconvened into open meeting at 10:30 a.m. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to accept the Administrative Settlement – CSJ #0285-03-049 for RR12 – Junction in an amount not to exceed \$25,000. All present voting "Aye". MOTION PASSED**

27490 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACTS FOR ENGINEERING SERVICES SUPPLEMENTAL AGREEMENT NO. 2 TO WORK AUTHORIZATION NO. 1 AND SUPPLEMENTAL NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HRM CONSULTANTS, INC

Supplemental Agreement No.2 to Work Authorization No. 1 and Supplemental No. 2 to the Professional Services Agreement will allow for the completion of: 1) Secure title commitments and required updates as needed from the title company and coordinate curative title work as required. 2) Coordination of Capital Surveying services on updates to field notes and legal descriptions, including coordination of requests for field staking from property owners. 3) Coordination of appraisers on revised appraisals and appraisal reviews for parcel's "X" and Tract 1 – Surplus ROW. 4) Provide negotiation services including the preparation and approval/disapproval of administrative settlements. 5) Assure the recordation of original documents immediately after closing. The maximum amount payable for services under Supplemental No. 2 to Work Authorization No. 1 (without modification) is \$24,600. The Compensation Cap to the professional Services Agreement is hereby increased from #304,426.50 to \$329,026.50. **A motion was made by Commissioner Barton, seconded by Commissioner Conley to authorize the County Judge to execute contracts for Engineering Services Supplemental Agreement No. 2 to Work Authorization No. 1 and Supplemental No. 2 to the Professional Services Agreement with HRM Consultants, Inc. All present voting "Aye". MOTION PASSED**

27491 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A STANDARD PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND LOOMIS PARTNERS, INC. FOR THE PREPARATION OF A LAND MANAGEMENT PLAN ASSOCIATED WITH THE NICHOLSON RANCH PROJECT

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize the County Judge to execute a Standard Professional Services Agreement between Hays County and Loomis Partners, Inc. for the preparation of a Land Management Plan associated with the Nicholson Ranch Project in an amount not to exceed \$10,000. All present voting "Aye". MOTION PASSED



DISCUSSION REGARDING POLICY FOR THE DISTRIBUTION OF THE 2010 HAYS COUNTY ROAD ATLAS

Steve Floyd appeared before the court. The atlases are provided to law enforcement, emergency services, Hays County staff, and the general public. Hays County total cost on unbound paper copies of the atlas is \$19.74 per book. Staff will also have a digital copy of the atlas available in a pdf format (historically sold for \$5 per disk). Staff would like direction from the court regarding the cost. Court agreed to continue with policy that has been followed over the last couple of years and the fee to be charged for hard copy @ \$20 and CD @ \$5.

27492 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR ENGINEERING SERVICES SUPPLEMENTAL AGREEMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH LOCKWOOD, ANDREWS, AND NEWNAM, INC. (LAN)

Supplemental No. 3 to the Professional Services Agreement requests that the Addition of a "ROW Specialist" category be included into Exhibit II (hourly rates). This category will allow for additional duties, responsibilities, and experience to that of the "Sr. ROW Agent". The Compensation Cap to the Professional Services Agreement remains at \$1,319,422. **A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the County Judge to execute a contract for Engineering Services Supplemental Agreement No. 3 to the Professional Services Agreement with Lockwood, Andrews, and Newnam, Inc. (LAN) with addition of "ROW Specialist" category to be included into Exhibit II (hourly rates). All present voting "Aye". MOTION PASSED**

27493 APPROVE HUMANA'S PROPOSAL FOR 2011 FOR MEDICAL, DENTAL BENEFITS, AND SUPPLEMENTAL TERM LIFE AS RECOMMENDED BY THE INSURANCE COMMITTEE; AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE RENEWAL WITH HUMANA AS THE RENEWAL DATES APPROACH

Human Resources Director Dee Dee Baen and Scott Yarbrough appeared before the court. Mr. Yarbrough spoke of expected claims and recommendations of the insurance committee for the 2011 plan year. There will be a change from MetLife to Dearborn National on the voluntary term life and no change to the Medical and Dental benefits. **A motion was made by Judge Sumter, seconded by Commissioner Barton to approve Humana's proposal for 2011 for medical, dental benefits, and supplemental term life as recommended by the Insurance committee; and to authorize the County Judge to execute the Renewal with Humana as the renewal dates approach. All present voting "Aye". MOTION PASSED**

27494 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A RURAL HEALTH NETWORK DEVELOPMENT PLANNING GRANT, IN THE AMOUNT OF \$85,000.00

Grants Administrator Jeff Hauff and Health Dept. Director Priscilla Hargraves appeared before the court. The grant would be utilized to employ a Project Coordinator and half-time Program Assistant, and provide funding for consulting services, legal fees, and support services to formulate a strategic plan and formalize a countywide coalition for the provision of health care services in Hays County. **A motion was made by Judge Sumter, seconded by Commissioner Ford to authorize the County Judge to submit a Grant Application to the U.S. Department of Health and Human Services for a Rural Health Network Development Planning Grant, in the amount of \$85,000. All present voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO 551.072 OF THE TEXAS GOVERNMENT CODE, TO DISCUSS NEGOTIATION AND PURCHASE OF NICHOLSON RANCH

Court convened into closed executive session at 11:35 am and reconvened into open meeting at 11:50 am. No action taken.

Court was adjourned.

I, LINDA C. FRITSCHÉ, 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 OCTOBER 5, 2010.



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

