



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 2ND DAY OF AUGUST A.D., 2011, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
LIZ Q. GONZALEZ	COUNTY CLERK

WITH COMMISSIONER PCT. 2 MARK JONES AND COMMISSIONER PCT.4 RAY O. WHISENANT, JR., ABSENT; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor John Minton of Cross Roads Christian Fellowship Church gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the flags. Judge Cobb called the meeting to order.

PUBLIC COMMENTS

Constable Pct. 2 James Kohler, Rob Roarke – San Marcos resident, Sam Brannon – San Marcos resident made public comments.

28257 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve payments of county invoices in the amount of \$1,405,246.77 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

28258 APPROVE COMMISSIONERS COURT MINUTES OF JULY 25 AND JULY 26, 2011

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Commissioner Court Minutes of July 25 and July 26, 2011 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

28259 APPROVE SPECIFICATIONS FOR BID #2011-B07 "ROAD IMPROVEMENTS HOT-MIX OVERLAY" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve specifications for Bid #2011-B07 "Road Improvements Hot-Mix Overlay" and authorize Purchasing to solicit for bid and advertise. All present voting "Aye". MOTION PASSED

28260 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) FOR ENHANCED 9-1-1 DATABASE

This is a renewal of an Interlocal Contract with CAPCOG for the participation in implementing the enhanced 9-1-1 emergency telephone system in the Region. CAPCOG agrees to compensate the County for services described in the contract for an amount not to exceed \$99,967 annually for FY2012 & FY 2013. The contract will be effective September 1, 2011 through August 31, 2013. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Contract with the Capital Area Council of Governments (CAPCOG) for Enhanced 9-1-1 database. All present voting "Aye". MOTION PASSED

28261 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) FOR PSAP MAINTENANCE, EQUIPMENT UPGRADE AND TRAINING CONTRACT IN THE AMOUNT OF \$1,250.00

This is a renewal of an Interlocal Contract between CAPCOG and Hays County. CAPCOG agrees to pay Hays County \$1,250.00 for the purchase of supplies and to maintain its PSAP's, upgrade its equipment, and train personnel to participate in the enhanced 9-1-1 emergency telephone system in the Region. The contract will be effective September 1, 2011 through August 31, 2013. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Interlocal Agreement with the Capital Area Council of Governments (CAPCOG) for PSAP Maintenance, Equipment Upgrade and Training contract in the amount of \$1,250.00. All present voting "Aye". MOTION PASSED



28262 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORT FOR THE HAYS COUNTY CONSTABLE PCT. 5 OFFICE

In accordance with subsection 115.002 of the Texas Local Government Code, the Auditor's Office performed an internal examination of the Hays County Constable Precinct 5 financial records for the period of September 1, 2009 to March 31, 2011. The internal examination consisted of reviewing disbursements, receipts, deposits, fixed assets, and other supporting documentation. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to accept the delivery of the Internal Examination Report for the Hays County Constable Pct. 5 Office. All present voting "Aye". MOTION PASSED**

28263 AMEND BUDGET IN GENERAL FUND FOR DISTRICT COURT JURY FROM COUNTYWIDE

The District Clerk has had unusually high numbers of jury trials (murders, child molestation & other felony cases, requiring additional jury expense. District Clerk would like to transfer from within its budget only \$ 17,900 but will need \$14,100, which can transfer from Countywide insurance. Amount required \$14,100 to 001-608-00.5306 District Court Jury from 001-645-00.5340 Countywide Insurance **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend Budget in General Fund for District Court Jury from Countywide. All present voting "Aye". MOTION PASSED**

28264 APPROVE THE RENEWAL OF THE 457 DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS AND ADD THREE NEW SERVICES FOR EMPLOYEES THROUGH THIS PLAN

Michele Tuttle Hays County Treasurer gave an overview of the Deferred Compensation Plan. Approve the renewal of the 457 deferred compensation plan with Nationwide Retirement Solutions and add three new services for employees through this plan. Nationwide is now offering a Pro Account, employees may participate in if they choose as well as a Roth 457 option for investments and new transition support services. All of these items are at no cost to Hays County. The employees may choose to use these services and would be responsible for any related fees. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve the renewal of the 457 Deferred Compensation plan with Nationwide Retirement Solutions and add three new services for employees through this plan. All present voting "Aye". MOTION PASSED**

28265 RATIFY MODIFICATIONS TO ARTICLES OF INCORPORATION TO HAYS COUNTY WATER AND SEWER AUTHORITY, INC

Initially the Secretary of State rejected the filing because of the absences of two statutorily required clauses. Counsel's opinion was that the changes made to accommodate the statutory requirements did not create a substantive change would affect how the court viewed of operated HCWSA, Inc. The two clauses related to Hays County residency requirements for directors and the requirement that the corporation shall have no members. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to ratify modifications to Articles of Incorporation to Hays County Water and Sewer Authority, Inc. All present voting "Aye". MOTION PASSED**

28266 APPROVE MOA BETWEEN SETON CANCER SCREENING PROGRAM AND THE PERSONAL HEALTH DEPARTMENT (PHD) TO PROVIDE MAMMOGRAPHY SERVICES AT THE PHD

Through this Memorandum of Agreement the Personal Health Department provides the space in which Seton Cancer Screening Program can conduct Mammography Services at the Personal Health Department's San Marcos Clinic. Seton provides mammogram services free of charge to clients who meet their income guidelines. At this time, these screenings are scheduled on a quarterly basis. This MOA will be in effect until April 30, 2014 unless terminated at an earlier date. The Personal Health Department had been providing Seton Mammograms in the space of the Women's Health Department for them to perform the mammograms for a number of years: however, the Personal Health Department has never had a Memorandum of Agreement stating that. Seton qualifies their clients, schedules and brings their own staff, supplies and equipment which is set up every quarter for 2 days on Monday's and Tuesday's. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve MOA between Seton Cancer Screening Program and the Personal Health Department (PHD) to provide mammography services at the PHD. All present voting "Aye". MOTION PASSED**



28267 APPROVE AN AFFILIATION AGREEMENT BETWEEN THE UNIVERSITY OF CINCINNATI COLLEGE OF NURSING (UC-CN) AND THE PERSONAL HEALTH DEPARTMENT (PHD) THROUGH WHICH THE PHD WILL PROVIDE A CLINICAL SITE FOR STUDENTS OF UC-CN

This is an agreement which the Personal Health Department will provide students from the University of Cincinnati College of Nursing program the opportunity of an internship program. This agreement may be terminated by either party with a 90 day notice. The PHD has had a request to allow a Nurse Practitioner student with the University of Cincinnati College Nursing to intern with the Women's Health Nurse Practitioner. This opportunity teaches students from Medical Assistants to Nurse Practitioners, Health and Wellness programs, Nutrition students and more. The affiliation agreement with the University of Cincinnati will allow to precept the student due to start the end of August and also any other of their students who would like to intern with the Health Department in the future. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve an Affiliation Agreement between the University of Cincinnati College of Nursing (UC-CN) and the Personal Health Department (PHD) through which the PHD will provide a clinical site for students of UC-CN. All present voting "Aye". MOTION PASSED**

28268 CALL FOR A PUBLIC HEARING ON AUGUST 16, 2011 TO ESTABLISH TRAFFIC REGULATIONS ON PIEDRAS PASS IN ROCKY RANCH ACRES SUBDIVISION

This is to establish a speed limit of 25 MPH on Piedras Pass, off of Hilliard Rd, CR 222 and a stop sign on Piedras Pass at Hilliard Rd. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to call for a public hearing on August 16, 2011 to establish traffic regulations a speed limit of 25 MPH on Piedras Pass in Rocky Ranch Acres subdivision. All present voting "Aye". MOTION PASSED**

28269 RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR RIM ROCK SUBDIVISION, PHASE 3, SECTION 3

The Road Department has inspected and recommends its acceptance for maintenance. Roads included in this bond are Towering Cedar Drive, Flint Rock Loop, Rodgers Ravine Cove, Serrato Cove and Southern Sunset Cove. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to release of the maintenance bond and accept for maintenance all road and drainage improvements within County ROW for Rim Rock subdivision, Phase 3, Section 3. All present voting "Aye". MOTION PASSED**

28270 RELEASE OF A \$1,351,555.10 CONSTRUCTION BOND FOR HIGHPOINTE PHASE 3, SECTION 1, AND ACCEPT A REPLACEMENT CONSTRUCTION BOND FOR THE SAME AMOUNT

Roxie Botkin Subdivision Coordinator gave staff recommendation. The Developer for Highpointe Ph 3 Section 1 has changed thus requiring a replacement bond indicating the new principal. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to release a \$1,351,555.10 Construction Bond for HighPointe Phase 3, Section 1, and accept a replacement Construction Bond for the same amount. All present voting "Aye". MOTION PASSED**

28271 APPROVE PRELIMINARY PLAN OF RESUBDIVISION LOT 10, SILVER SPUR RANCHETTES, SECTION 2 [11-4-18 - 5 LOTS] AND CALL FOR PUBLIC HEARING AUGUST 30, 2011

Roxie Botkin Subdivision Coordinator gave staff recommendation. Silver Spur Ranchettes is a platted subdivision located off of Davy Crockett Drive in Precinct 4. Section 2 has 11 lots and platted in 1962. The section is located in both Travis and Hays Counties. There are currently 20 parcels on the CAD Records. The owner of lot 10 wishes to divide his 35.51 acres into 5 new lots. The proposed lot sizes are as follows; Lot 10A, 10.5 acres; Lot 10B, 5.02 acres; Lot 10D, 8.69 acres; Lot 10E, 6.28 acres. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve preliminary plan of Resubdivision of Lot 10 Silver Spur Ranchettes, Section 2 and call for a public hearing August 30, 2011. All present voting "Aye". MOTION PASSED**



28272 ACCEPT AND APPROVE THE PURCHASE ORDER WITH ATTACHMENTS BETWEEN HAYS COUNTY AND EXPERT RELOCATION SYSTEMS FOR THE GOVERNMENT CENTER COMMERCIAL MOVE SERVICES INCLUDING PRE-MOVE CONSULTING IN THE AMOUNT OF \$3,312.00 AND EXPERT RELOCATION SYSTEMS' PROPOSED ALTERNATE SCHEDULE STRATEGY FOR THE EMPLOYEE CONTENTS RELOCATION IN THE AMOUNT OF \$65,190.70, AS PROPOSED IN THEIR RESPONSE TO RFP# 2011-P14, FOR THE TOTAL PURCHASE ORDER AMOUNT OF \$68,502.70

Bob Hinkle of Broaddus & Associates Hays County issued RFP#2011-P14 for Commercial Move Services for the Government Center on June 15, 2011. Responses were received on June 30, 2011. The Scope of Work includes Pre-Move Consulting and Employee Contents Relocation of eighteen county departments to the new Government Center. All Post-Move Consulting will be directed separately, as needed, per unit prices proposed by Expert Relocation Systems in their response to the RFP. Exclusions include all Information Technology servers and racks and copiers which may be moved by copier vendor, if leased. Although Expert Relocation Systems Commercial Moving Services was the only company to submit a bid, Broaddus & Associates does have experience with this moving company and finds them to be a very good company. Hays County has found the proposal to be appropriate and well below the allocated moving budget of \$150,000.00. Amount required \$68,502.70 Government Center Budget. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to accept and approve the Purchase Order with Attachments between Hays County and Expert Relocation Systems for the Government Center Commercial Move Services including Pre-Move Consulting in the amount of \$3,312.00 and Expert Relocation Systems' proposed alternate schedule strategy for the Employee Contents Relocation in the amount of \$65,190.70, as proposed in their response to RFP# 2011-P14, for the total Purchase Order amount of \$68,502.70. All present voting "Aye". MOTION PASSED**

28273 APPROVE THE HARDWARE AND SOFTWARE INFRASTRUCTURE FOR INFORMATION TECHNOLOGY FOR THE NEW GOVERNMENT CENTER IN AN AMOUNT OF \$317,487.67 COMING OUT OF THE GOVERNMENT CENTER FUNDS

This is the basic operating communications and data systems equipment to bring the Government Center on line. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve the hardware and software infrastructure for Information Technology for the New Government Center in an amount of \$317,487.67 coming out of the Government Center Funds. All present voting "Aye". MOTION PASSED**

DISCUSSION TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH THE CITY OF SAN MARCOS REGARDING SUBDIVISION AND DEVELOPMENT REGULATION IN THE EXTRATERRITORIAL JURISDICTION OF SAN MARCOS, PURSUANT TO HB1445 (2001)

This 1445 Agreement was originally approve on May 17, 2011 however the City of San Marcos changed portions of the agreement after the approval. Commissioners Court has finalized the agreement and allow staff to continue finalizing the remaining agreements within the County. No Action Taken.

28274 CLARIFY APPOINTMENT AUTHORITY OF INDIVIDUAL COMMISSIONERS COURT MEMBERS TO THE HAYS COUNTY WATER AND SEWER AUTHORITY, INC

On May 31, 2011 Commissioners Court it was determined that the Commissioners from Precincts 1,2,3 and the County Judge would each appoint one board member to the Hays County Water and Sewer Authority, Inc. A citizen appointed would be a Hays County resident and not necessarily within a Commissioner's Precinct. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to have the Hays County Water and Sewer Authority appointees must have a recommendation of the County Commissioner and brought to the Court with the appropriate back ground information on the individual and ratified by the County Court prior to being a voting member of the authority with the understanding that Ruben Garza will continue to serve as one of the appointees. All present voting "Aye". MOTION PASSED**

28275 AUTHORIZE THE COUNTY AUDITOR TO PURCHASE A REPLACEMENT LAPTOP AND AMEND THE BUDGET ACCORDINGLY

Due to the electronic budget process, the County Auditor's budget staff uses a laptop during budget workshops and hearings as well as evening and weekend hours. The current laptop is no longer functional and needs replacing. Salary savings (due to the open purchasing specialist position) has been identified. These funds will be moved to the IT budget so they may order the equipment. Amount required \$1,500.00 (001-680-00.5712). **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Auditor to purchase a replacement laptop and amend the budget accordingly. All present voting "Aye". MOTION PASSED**



28276 FORM A SALARY GRIEVANCE COMMITTEE PURSUANT TO CHAPTER 152 OF THE TEXAS LOCAL GOVERNMENT CODE

Sam Brannon – San Marcos resident spoke. Since the process for hearing salary grievances usually begins quickly during budget time, and considering that Hays County has had to form salary grievance committee during the last 3 budget cycles, staff request that a salary grievance committee be formed in advance of the FY2012 budget cycle. Names selected are as follows: Michael A. Hall, John Mark Leamons, Michael C. Cox, Deborah Doreen Jackson, Edward Edmundo Baca, Mary Sue, Roberts, Jeffrey Passell, Donna Jo Moffett-Thomson, Teresita P. Gomez, John Ralph Roberts, Terrence Patrick Connell, Margaret Loftus Spidel, Roy William Cabler, III, Robin O. Blackmon, Marissa Marie Atkinson, Sharleen Graham Forrest, Donald Ray Hanson, Cody Catherine Gass. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to form a Salary Grievance Committee pursuant to Chapter 152 of the Texas Local Government Code to select a 9-Member Committee out of the Grand Juror List. All present voting "Aye". MOTION PASSED**

PRESENTATION OF THE COUNTY JUDGE'S PROPOSED FY 2012 BUDGET INCLUDING DISCUSSION AND POSSIBLE ACTION REGARDING DATES AND TIMES FOR BUDGET WORKSHOPS

Court discussed possible dates to hold budget hearings: Friday August 5, 2011 at 2:00 pm. and one evening meeting on Monday August 15, 2011 at 6:00 pm. Court will decide on Friday August 5th when they will hold other hearings. Bill Herzog County Auditor explained the effective tax rate – we collect the same tax as we did in the previous year. Bill Herzog gave a handout of the County Judge's proposed budget. The current Tax Rate is \$0.4691. No new positions, re-grades or salary increases with the exception of the collective bargaining unit – (8.5 new positions & 68 current position re-grades or salary increases were requested). Fully funded Government Security personnel *18 positions) & operating expenses (over \$1.1m). Removed 5 vacant ECO positions & benefits from the ESD Dispatch Group (\$210k). Removed District Judge's stipends (\$13.8k). Removed over \$330k in capital equipment requests. No communications equipment funded – Court needs to determine how to fund the migration to the new radio system. Social Service funds cut 25% (exceptions – 100% of FY11 funding to cover libraries & no funding for new agencies) – Court needs to determine allocation to agencies. Operating expenses cut back to current funding unless reasonable justification was provided. Use of reserves (\$585,295); \$150,000 – County-Wide Fuel; \$150,000 – County-Wide Membership Partners in Progress; \$116,295 – County-Wide Mitel Phone Lease; \$169,000 – IT Software maintenance Microsoft Licensing.

ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

As of today there are only 6 counties statewide that aren't on a burn ban. At this time the burn ban will remain in effect.

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

Clerk's Note: Agenda Item #26 RE: DISCUSSION AND POSSIBLE ACTION TO APPROVE HIRING, TRANSFER AND/OR PROMOTION OF VACANT POSITION(S). THE INTENT OF THE STANDING AGENDA ITEM IS TO RECOGNIZE DEADLINE RESTRAINTS AND REMOVE BARRIERS OR BOTTLENECKS FOR HIRING MANAGERS WHEN PRESENTING TO COMMISSIONERS COURT KEY POSITIONS THEY FEEL ARE NEEDED TO BE FILLED-was pulled

Clerk's Note: Agenda Item #27 RE: DISCUSSION OF MATERIAL RELATING TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND/OR THE LCRA DIVESTITURE-was pulled



A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adjourn.

I, LIZ Q. GONZALEZ, 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 August 2, 2011.



LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

