



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 30<sup>TH</sup> 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
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Whisenant 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**

Sam Brannon – San Marcos resident, Darrell Ayres Constable Pct 3, and James Kohler Constable Pct 2 made public comments.

**28350 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 \$2,714,877.93 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**28351 APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 23, 2011**

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of August 23, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**28352 AMEND BUDGET OF CONSTABLE PCT 1 TO PURCHASE LIGHT BAR FOR VEHICLE**

Constable Peterson needs to install a light bar on vehicle received from the Sheriff's Office, transferring from his budget. Amount required \$760 to 001-635-00.5717 Law Enforcement Equipment from 001-635-00.5413 Vehicle, 001-635-00.5461 Printing, 001-635-00.5473 Equipment Lease. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend budget of Constable Pct 1 to purchase light bar for vehicle. All voting "Aye". MOTION PASSED

**28353 AMEND BUDGET OF CIVIC CENTER FOR UTILITIES FROM COUNTYWIDE**

The Civic Center will be deficit in utilities line item, and after transferring all within his budget. Amount required \$2,800 to 001-646-00.5480 Civic Center Utilities from 001-645-00.5399 Contingencies. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend budget of Civic Center for utilities from Countywide. All voting "Aye". MOTION PASSED

**28354 AMEND LAW ENFORCEMENT STRIKE TEAM GRANT BUDGET TO USE SAVINGS IN LAW ENFORCEMENT EQUIPMENT FOR LAW ENFORCEMENT SUPPLIES**

On November 9, 2010 Commissioners Court accepted a grant award for the Law Enforcement Strike Team, CAPCOG and the State Administrative Agency have approved the team to purchase gas masks at a cheap rate than what was proposed on the grant application. Savings from the cheaper rate will be used to purchase law enforcement supplies. Amount required \$3,250 to 001-656-99-065.5717. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend Law Enforcement Strike Team Grant budget to use savings in law enforcement equipment for law enforcement supplies. All voting "Aye". MOTION PASSED

**28355 AMEND BUDGET OF CONSTABLE PCT 5 FOR SUPPLIES FROM EQUIPMENT SAVINGS**

Constable wishes to purchase jumper/booster boxes and other supplies not deemed equipment and will use savings from equipment line. Amount required \$512.00 to 001-639-00.5206 Law Enforcement Supplies from 001-639-00.5717 Law Enforcement Equipment. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend budget of Constable Pct 5 for supplies from equipment savings. All voting "Aye". MOTION PASSED

**28356 AMEND BUDGET OF VETERANS OFFICE FOR CONTINUING EDUCATION**

The Veteran's Office requires \$132 for balance of conference cost. 001-720-00.5551 Continuing Ed. from 001-720-00.5551 continuing education from 001-720-00.5501 Travel. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to amend budget of Veterans Office for continuing education. All voting "Aye". MOTION PASSED**

**28357 AMEND BUDGET OF DISTRICT COURT FOR OFFICE SUPPLIES FROM PERSONNEL SAVINGS**

In the past few weeks, District Court has exhausted its budget resources for Jury/Indigent legal costs. With an additional court coordinator, office supplies are needed and can be funded from the medical insurance savings form that coordinator. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend budget of District Court for office supplies from personnel savings. All voting "Aye". MOTION PASSED**

**28358 AMEND BUDGETS OF GENERAL FUND, LAW LIBRARY, AND PARKS FUND FOR TELEPHONE REQUIREMENTS FROM COUNTYWIDE**

Telephone line items will require adjustments with the net amount from Countywide. Amount required \$133,547.00 to Various Departments from 001-645-00.5091 Countywide Salary Adj. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend budgets of General Fund, Law Library, and Parks fund for telephone requirements from countywide. All voting "Aye". MOTION PASSED**

**28359 ACCEPT DONATIONS FOR THE HISTORICAL JAIL RESTORATION PROJECT AND AMEND THE BUDGET FOR USE OF THOSE FUNDS FOR DIRECT EXPENSES RELATED TO THE PROJECT**

The Historical Commission has received several donations for the Historical Jail Restoration Project from various entities. These funds will be used for contract services. Amount \$1,980.00 to 114-676-00.4610. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept donations for the Historical Jail restoration project and amend the budget for use of those funds for direct expenses related to the project. All voting "Aye". MOTION PASSED**

**28360 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORT FOR THE HAYS COUNTY CONSTABLE PRECINCT 1 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 1 financial records for the period of September 1, 2009 to April 30, 2011. The internal examination consisted of reviewing disbursements, receipts, deposits, fixed assets, and other supporting documentation. Based on the internal examination, except for the following findings and recommendations, cash receipts and disbursements appear to be adequately accounted for and related records appear to be accurately maintained in accordance with statutory requirements. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the delivery of the Internal Examination Report for the Hays County Constable Precinct 1 Office. All voting "Aye". MOTION PASSED**

**28361 AMEND THE SHERIFF'S OFFICE BUDGET TO PURCHASE EQUIPMENT**

The Sheriff's Office would like to purchase a truck vault to secure SWAT equipment and replace a water softener. The funds have been identified in the Sheriff's Office Budget. Amount required \$29,000.00 amendment for truck vault 001-618-00.5206 (\$2,500) 001-618-00.5717\_400 \$2,500, amendment for water softener (\$26,500) 001-618-03.5719\_700 \$26,500. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Sheriff's Office budget to purchase equipment. All voting "Aye". MOTION PASSED**

**28362 AMEND BUDGET OF ASSOCIATE JUDGE/FAMILY LAW FOR CONTINUING EDUCATION**

Judge Smith will require \$245 to cover the balance of CLE from office supplies. Amount required \$245.00 to 001-608-01.5551 continuing education from 001-608-00.5211 Office Supplies. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend budget of Associate Judge/Family Law for Continuing Education. All voting "Aye". MOTION PASSED**



**28363 AMEND THE BAIL BOND BUDGET TO INCREASE HOURS FOR TEMPORARY PART-TIME STAFF**

Julie Villapando is requesting an additional 50 hours for the temporary Bail Bond Assistant for FY11. Salary \$527.50 051-618-00.5021, Fica \$32.71 051-618-00.5101\_100, Medicare \$7.65 051-618-00.5101\_200 for the total of \$567.86 taken from 051-618-00.5301 operating expense. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to amend the Bail Bond Budget to increase hours for temporary part-time staff. All voting "Aye". MOTION PASSED**

**28364 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A REVISED CONTRACT FOR CHANGES TO SERVICES PROVIDED BY GRANDE COMMUNICATIONS**

This is for the renewal/move order details changes necessary for the upcoming move to the new Government Center. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a revised contract for changes to services provided by Grande Communications. All voting "Aye". MOTION PASSED**

**28365 CALL FOR A PUBLIC HEARING ON SEPTEMBER 13, 2011 TO ESTABLISH TRAFFIC REGULATIONS ON INDIAN CREEK ROAD**

This is to establish a speed limit of 25 MPH on Indian Creek Rd near the City of Mountain City. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on September 13, 2011 to establish traffic regulations of 25 MPH speed limit on Indian Creek Road. All voting "Aye". MOTION PASSED**

**28366 CALL FOR A PUBLIC HEARING ON SEPTEMBER 13, 2011 TO ESTABLISH TRAFFIC REGULATIONS ON CYPRESS RD, CR 225**

This is to establish a stop sign on Cypress Rd at Old Stagecoach Rd and set a speed limit of 30 MPH on Cypress Rd, off of Old Stagecoach Rd near Kyle. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on September 13, 2011 to establish traffic regulations on Cypress Rd, CR 225. All voting "Aye". MOTION PASSED**

**28367 RESUBDIVISION OF LOT 10, SILVER SPUR RANCHETTES, SECTION 2 [11-4-18 - 5 Lots] HOLD A PUBLIC HEARING AND APPROVE FINAL PLAT**

Judge Cobb opened the Public Hearing. Lisa Wagner – Austin resident, Ronald Taylor – Austin resident, made public comments. Judge Cobb closed the Public Hearing. Roxie Botkin Hays County Subdivision Coordinator gave staff recommendation. Silver Spur Ranchettes is a platted subdivision located off of Davy Crockett Drive in Precinct 4 Section 2 (11 lots) was 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 10C, 5.02 acres, Lot 10D, 8.69 acres, Lot 10E, 6.28 acres. Water and wastewater service will be provided to all lots by private wells and on-site sewage facilities at the time of development. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve final plat of Resubdivision of Lot 10, Silver Spur Ranchettes, Section 2. All voting "Aye". MOTION PASSED**

**28368 AMENDING PLAT OF LOTS 27 & 28, CAPITAL AREA INDUSTRIAL PARK [11-2-26 - 2 LOTS] WAIVE PRELIMINARY PLAN AND APPROVE FINAL PLAT**

Clint Garza Development Services Director gave staff recommendation. The Capital Area Industrial Park is a platted subdivision located off of Industrial Way in the Extraterritorial Jurisdiction of the City of Buda in Precinct 2. The owner wishes to combine Lot 27 and Lot 28 into a single 2.926 acre lot. This plat is in the City of Buda's ETJ and has been through the City's approval process. Water will be provided by Goforth WSC and wastewater service will be provided by on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to waive preliminary plan and approve final plat of Amending Plat of Lot 27 & 28 Capital Area Industrial Park. All voting "Aye". MOTION PASSED**

**28369 APPROVE HIRING, TRANSFER AND/OR PROMOTION OF VACANT POSITION(S)**

Brett Littlejohn Juvenile Detention Center Director spoke of vacant positions he needs filled. Juvenile Supervision Officer this position is a line officer position and is essential to meet staffing ratios for direct and indirect supervision with a pay grade at 107 and Senior Case Manager this position is responsible for counseling services for our post-adjudication residents and is essential to meet contract requirements for post-adjudication services. This position is at a salary grade 110, range 1<sup>st</sup> quarter \$ 36,139.75. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to allow Brett Littlejohn of the Juvenile Detention Center to fill the vacant positions needed at the Juvenile Detention Center. All voting "Aye". MOTION PASSED**



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**28370 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AFFILIATE AGREEMENT BETWEEN HAYS COUNTY AND CTMC REGARDING THE MEDICAID SUPPLEMENTAL PAYMENT PROGRAM**

Sam Huenergardt and Eric Weatherford gave a brief presentation. Central Texas Medical Center proposes to affiliate with Hays County to participate in the Medicaid supplemental payment program. This agreement requires no funding. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an affiliate agreement between Hays County and CTMC regarding the Medicaid supplemental payment program along with the Certification of Governmental Entity Participation. All voting "Aye". MOTION PASSED**

**28371 APPOINT COMMISSIONER WHISENANT TO FILL THE VACANT POSITION ON THE CAPITAL AREA COUNCIL OF GOVERNMENTS GENERAL ASSEMBLY**

This position was previously held by Karen Ford former Precinct 4 County Commissioner. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to appoint Commissioner Whisenant to fill the vacant position on the Capital Area Council of Governments General Assembly. All voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #23 RE:** *AUTHORIZE THE COUNTY JUDGE TO ADOPT A STANDARD PROJECT CONSTRUCTION MANUAL FOR FUTURE USE ON PROJECTS LET BY HAYS COUNTY WITHIN THE PASS THROUGH PROGRAM, OR FOR ALL HAYS COUNTY ROAD PROJECTS – was pulled*

**28372 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: DISCUSSION OF ISSUES RELATED TO A RIGHT OF WAY ACQUISITION ON FM 1626**

Court convened into closed executive session at 10:04 am and reconvened into open meeting at 10:10 am. In attendance were: Lori Bible, Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb and Special Counsel Mark Kennedy. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Purchase Agreement between Hays County and Templeton Living Trust, related to Right of Way Acquisition on FM 1626, as presented in Executive Session. All voting "Aye". MOTION PASSED**

**28373 EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING EXISTING AND/OR CONTEMPLATED LITIGATION RELATED TO HAYS COUNTY'S ARCHITECTURAL SERVICES CONTRACT WITH PBS&J**

Court convened into closed executive session at 10:15 am and reconvened into open meeting at 10:18 am. In attendance were: Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb and Special Counsel Mark Kennedy. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to execute a Mutual Settlement and Release Agreement between Hays County and Atkins North America, formerly PBS&J as presented in Executive Session. All voting "Aye". MOTION PASSED**

**ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Burn Ban will remain in effect and court will revisit this item next week.

**Clerk's Note Agenda Item #27 RE:** *DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PROPOSED PRECINCT 2 OFFICE; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT – was pulled*

**Clerk's Note Agenda Item #28 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 #29 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 Jones, seconded by Commissioner Conley to adjourn court.

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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 30, 2011.



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

