



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 1ST DAY OF FEBRUARY 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:

Jeff English of First Baptist Church of Kyle 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

Alan Cameron introduced Troy Yocum who is walking across America and is literally drumming up support for struggling military families around the US. Troy Yocum spoke of his deployment to Iraq and his return to the US and the struggle of Veterans returning to the work field. He is asking for support for all returning Veterans and their families.

27773 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount \$ 1,124,795.16 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27774 APPROVE COMMISSIONER COURT MINUTES OF JANUARY 25, 2011

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of January 25, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27775 AUTHORIZE THE COUNTY JUDGE TO SIGN RENEWAL CONTRACTS FOR GENERATOR PLANNED MAINTENANCE AT THE HAYS COUNTY JUSTICE CENTER AND HAYS COUNTY PERSONAL HEALTH DEPARTMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to sign renewal contracts for Generator Planned Maintenance at the Hays County Justice Center and Hays County Personal Health Department. All voting "Aye". MOTION PASSED

27776 APPROVE SPECIFICATIONS FOR RFQ #2011-P04 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SURVEYING SERVICES ON AN AS-NEEDED-BASIS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P04 Request for Qualifications for Professional Surveying Services on an As-Needed-Basis and authorize purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

27777 APPROVE SPECIFICATIONS FOR RFQ #2011-P05 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES ON AN AS-NEEDED BASIS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P05 Request for Qualifications for Professional Engineering Services on an As-Need Basis and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED



27778 APPROVE SPECIFICATIONS FOR RFQ #2011-P06 "QUALIFICATIONS FOR CONSTRUCTION INSPECTION & MATERIALS TESTING FOR IMPROVEMENTS TO FM 1626 & FM 110" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P06 "Qualifications for Construction Inspection & Materials Testing for improvements to FM 1626 & FM 100" and authorize purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

27779 APPROVE THE AMENDMENT OF CONSTABLE 1, 3, 4, 5 BUDGETS FOR THE TEXAS WORKFORCE COMMISSION ON-LINE RESOURCES AGREEMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the amendment of Constable 1,3,4,5 budgets for the Texas Workforce Commission On-Line Resources Agreement. All voting "Aye". MOTION PASSED

27780 CONSIDER THE RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR SHADOW CREEK SUBDIVISION, PHASE 3

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to consider the Release of the Maintenance Bond and accept for maintenance all road and drainage improvements within County ROW for Shadow Creek subdivision, Phase 3. All voting "Aye". MOTION PASSED

27781 HOLD A PUBLIC HEARING TO ESTABLISH A "NO PARKING" ZONE ON THE CUL-DU-SAC ON RICH LANE.

Judge Cobb opened the public hearing. No public input was received. Public hearing was closed. Transportation Director Jerry Borcharding gave staff recommendation. This is to establish a "No Parking" zone on the Rich Lane cul-du-sac. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a "No Parking" zone on the cul-du-sac on Rich Lane. All voting "Aye". MOTION PASSED

27782 RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR BIG SKY RANCH SUBDIVISION

The Maintenance Bond for Big Sky Ranch subdivision expired January 14, 2011. The Road Department has inspected and recommends its acceptance for maintenance. The roads in big Sky Ranch include: Blue Sky Lane (3,322 ft.), Starlight Trail(1,031 ft.) and Moondance Trail (713ft.) Jerry Borcharding Transportation Director gave staff recommendation. A motion was made by Commissioner Conley, seconded by Commissioner Jones to consider the release of the Maintenance Bond and accept for maintenance all road and drainage improvements within County ROW for Big Sky Ranch Subdivision. All voting "Aye". MOTION PASSED

27783 AMENDING PLAT OF LOTS 130, 154, AND 155 OF WIMBERLEY CAMPFIRE #2, SECTION 3 [10-3-10--3 Lots] WAIVE PUBLIC HEARING AND PRELIMINARY PLAN APPROVE VARIANCE TO MINIMUM LOT SIZE IN SECTION 10.1 OF HAYS COUNTY OSSF REGULATIONS AND APPROVE FINAL PLAT

Roxie Boykin Subdivision Coordinator gave an overview of the replat. John Doucet spoke of the lots and how it's been divided and how there are two homes on three lots and is requesting a variance to lot size. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve amending plat of lots 130,154, and 155 of Wimberley Campfire #2 Section 3 and approve variance to minimum lot size in Section 10.1 of Hays County OSSF regulations. All voting "Aye". MOTION PASSED

27784 HIGHPOINTE PHASE IV, SECTION 2. SUBDIVISION [10-4-49] DISCUSSION AND POSSIBLE ACTION TO CONSIDER APPROVAL OF FINAL PLAT.

Roxie Boykin Subdivision Coordinator gave an overview of the plat and gave the final approval. A motion was made by Commissioner Whisenant, and seconded by Commissioner Conley to approve the Highpointe Phase IV, Section 2 Subdivision. All voting "Aye". MOTION PASSED



27785 NOMINATE JERRY BORCHERDING TO THE LONE STAR RAIL DISTRICT TECHNICAL ADVISORY COMMITTEE

The Lone Star Rail District would like to have a Hays County staff member serve on a Technical Advisory Committee and attend two station location workshops as part of an Environmental Impact Statement on the Georgetown to San Antonio passenger rail project. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to nominate Jerry Borcharding to the Lone Star Rail District Technical Advisory Committee. All voting "Aye". MOTION PASSED**

27786 ADOPT A RESOLUTION IN SUPPORT OF HJR 56 (HOUSE JOINT RESOLUTION 56) BY REPRESENTATIVE SOLOMONS REGARDING UNFUNDED MANDATES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a resolution in support of HJR 56 (House Joint Resolution 56) by Representative Solomons regarding unfunded mandates. All voting "Aye". MOTION PASSED

27787 ADOPT A RESOLUTION IN SUPPORT OF EXPEDITED ENVIRONMENTAL REVIEW FOR LOCALLY-FUNDED PROJECTS BY TXDOT

Mike Weaver of Prime Strategies spoke. Commissioner Conley spoke of this being approved at the next meeting of CARTPO and CAMPO. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a resolution in support of Expedited Environmental Review for Locally-Funded Projects by TxDot. All voting "Aye". MOTION PASSED**

27788 PASS A RESOLUTION OF HAYS COUNTY'S PARTICIPATION WITH THE CITY OF KYLE IN AN APPLICATION FOR A REGIONAL WATER AND WASTEWATER PLANNING GRANT FROM THE TEXAS WATER DEVELOPMENT BOARD

Special Counsel, Mark Kennedy spoke of the Resolution and an unspecified amount of in-kind services. This would include staff assistance from time to time. Grants Director Jeff Hauff spoke of the grant. Commissioner Jones stated of the City of Kyle is seeking the County's support by passing this Resolution. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to pass a Resolution of Hays County's participation with the City of Kyle in an application for a Regional Water and Wastewater Planning Grant from the Texas Water Development Board with the exception of bullets 2 & 3. All voting "Aye". MOTION PASSED**

27789 TRANSFER A 2006 WHITE CROWN VICTORIA (VIN # 2FAFP71W76X125482) FROM THE HAYS COUNTY SHERIFF'S OFFICE TO THE CONSTABLE PRECINCT 3 OFFICE THAT WILL REPLACE THE 2002 CROWN VICTORIA (VIN # 2FAFP71W52X132859) THAT IS CURRENTLY BEING USED

A motion was made by Commissioner Conley, seconded by Commissioner Jones to transfer a 2006 white Crown Victoria(VIN #2FAFP71W76X125482) from the Sheriff's Office to the Constable Precinct 3 Office that will replace the 2002 Crown Victoria(VIN#2FAFP71W52X132859) that is currently being used. All voting "Aye". MOTION PASSED

27790 PROMOTE AND FUND HEALTH CHECK 2011 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS, AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT

Dee Dee Baen Human Resources Director spoke of employees appreciation of the County's coverage of the Health Check. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to promote and fund Health Check 2011 for Hays County employees and eligible dependents, authorize payroll deduction of addition fees for optional services employees may elect. All voting "Aye". MOTION PASSED**

27791 APPROVE THE APPOINTMENT OF MIKE OWENS TO ESD #2 FOR A TWO YEAR TERM, BEGINNING FEBRUARY 1, 2011

Mike Owens is replacing Celedonio Mendoza, Jr. as a member of ESD # 2. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Mike Owens to ESD # 2 for a two year term, beginning February 1, 2011. All voting "Aye". MOTION PASSED**



27792 APPROVE THE EXCEPTION OF THE PROMOTION SALARY ADMINISTRATION POLICY OF TWO STAFF MEMBERS OF THE COUNTY CLERK'S OFFICE AT THE 25TH PERCENTILE EFFECTIVE FEBRUARY 1, 2011

Two staff members were promoted to Chief Deputy position in the County Clerk's Office. County policy states that when someone is promoted that they are to receive a 6% increase. The problem is that a few of staff that they would be supervising would be earning more than the Chief Deputies would. These ladies have been with the County Clerk's Office for over 12 years and are very knowledgeable. The court is willing to make an exception to the Promotion Salary Administration Policy to the 25th percentile. The request for increase on one of the deputies is 3.95% and on the other deputy it's 8.59% above what they are currently earning. This will come out of salary savings within the County Clerk's budget. This has been reviewed by both Auditor and HR Departments. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the exception of the promotion salary Administration Policy of two staff members of the County Clerk's Office at the 25th percentile effective February 1, 2011. All voting "Aye". MOTION PASSED**

27793 RATIFY THE EXTENDED DOUBLE FILL OF ADMINISTRATIVE ASSISTANT III POSITION IN THE COUNTY JUDGE'S OFFICE

In order to ease the transition of executive administration, the County's Judge Office requested the Administrative Assistant III position be double-filled for the month of January 2011. By error, the request was never submitted to Commissioner's Court, which is required for any double-fill that extends beyond 2 weeks. Now that the double-fill has entered the second half of January, counsel has advised that the best way to accommodate this issue is to request ratification. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the extended double fill of Administrative Assistant III position in the County Judge's office. All voting "Aye". MOTION PASSED**

27794 ACCEPT THE HAYS COUNTY WATER/WASTEWATER PLAN WITH EXCEPTIONS AND INSTRUCT HDR TO SUBMIT TO THE STATE WATER DEVELOPMENT BOARD

Tony Bagwell of HDR spoke of the different recommendations like the possibility of running waterlines under the existing walking trail and all channel reservoirs. This plan will be used for informational purposes. Commissioner Conley spoke of need to turn in something to the state by the end of the month. Commissioner Conley will coordinate with Commissioner Whisenant prior to moving ahead. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the Water/Wastewater Study with exceptions and instruct HDR to submit to the State Water Development Board. All voting "Aye". MOTION PASSED**

27795 EXECUTIVE SESSION PURSUANT TO SECTION 552.071 TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION RELATED TO CCN AMENDMENT APPLICATIONS (CCN NOS. 11157 AND 20453) FROM AQUA UTILITIES, INC.

Mark Kennedy made the Court aware that this item was inadvertently posted as 552.071 and should have been as 551.071 of the Texas Government Code. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Counsel to draft and send a letter to Glen Lewis of Aqua Texas, requesting: 1) That Aqua withdraw the applications to modify the service area for CCN Nos. 11157 and 20453; and 2) That Aqua consent to the transfer of Westridge's Contract with Aqua to Hays County, since Hays County is now fee owner of the property in question. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING COLLECTIVE BARGAINING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT

Court convened into closed executive session at 12:30 p.m. and reconvened into open meeting at 3:48 p.m. No action taken

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ALL PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into closed executive session at 12:30 p.m. and reconvened into open meeting at 3:48 p.m. No action taken



DISCUSSION RELATED TO THE BURN BAN

At this time the Court decided to leave the burn ban in effect.

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; 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*

DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR

Mike Weaver of Prime Strategies gave a powerpoint presentation on Hays County Pass Through Financing Program.

PRESENTATIONS BY DEPARTMENT HEADS TO UPDATE AND INFORM THE COMMISSIONERS COURT OF DEPARTMENT STRUCTURE, PERFORMANCE, AND GOALS

Jeff Turner Office of Emergency Management Coordinator gave an overview of the duties of his office. Some of the duties include planning for disasters and training county staff on how to handle emergency situations. He also spoke of a newly elected officials Emergency Preparedness Training on February 25, 2011 at the Courthouse. Mike Mendoza Veterans Services Officer gave an overview of the duties his office. Since he's been in this position he's seen an increase in the number of Veterans being served.

COURT ADJOURNMENT

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn Commissioners Court.

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 FEBRUARY 1, 2011.



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

