



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 18TH DAY OF JANUARY 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:

Pastor John McComb from the San Marcos Community Center gave the invocation and commissioner Conley led the court in the pledge of allegiance to the flags. Judge Cobb called the meeting to order.

27728 RECOGNITION OF PRECINCT 3, JUSTICE OF THE PEACE CLERKS – JANET PESL AND CINDI CARTER

JP Pct 3 Andy Cable gave recognition to Janet Pedsl and Cindi Carter for their initiative and service to both Hays county and its citizens.

27729 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payments of county invoices in the amount of \$2,507,842.82 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27730 APPROVE THE REAPPOINTMENT OF KATE JOHNSON FOR CHAIR OF THE HAYS COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the reappointment of Kate Johnson for Chair of the Hays County Historical Commission. All voting "Aye". MOTION PASSED

27731 APPROVE AMENDMENTS FOR BUDGETS OF GENERAL FUND, ROAD AND BRIDGE, JUVENILE CENTER, AND FAMILY HEALTH SERVICES FOR BUDGETED LONGEVITY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve amendments for budgets of General Fund, Road and Bridge, Juvenile Center, and Family Health Services for budgeted longevity. All voting "Aye". MOTION PASSED

27732 APPROVE THE APPOINTMENT OF JUDGE COBB TO THE HEALTHY COMMUNITY COLLABORATIVE AND TO THE HAYS COUNTY INSURANCE COMMITTEE

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the appointment of Judge Cobb to the Healthy Community Collaborative and to the Hays County Insurance Committee. All voting "Aye". MOTION PASSED

27733 ACCEPT CONTRIBUTIONS FOR THE HISTORICAL COMMISSION-BUCK WINN DOCUMENTARY AND AMEND THE BUDGET FOR USE OF THOSE FUNDS FOR DIRECT EXPENSES RELATED TO THE PROJECT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to accept contributions for the Historical Commission-Buck Winn documentary and amend the budget for use of those funds for direct expenses related to the project no matching county funds needed contributions \$14,800.00, general supplies \$3,500.00, postage \$150.00, contract services \$9500.00 and travel \$1,650.00. All voting "Aye". MOTION PASSED



27734 APPROVE REAPPOINTMENTS OF PARKS AND OPEN SPACE ADVISORY BOARD MEMBERS FOR THE COMMISSIONER, PRECINCT FOUR

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve reappointments of Parks and Open Space Advisory Board Members for the Commissioner, Precinct Four include Nancy Potter, Melinda Mallia, Martha Brown, and Donna Brasher. All voting "Aye". MOTION PASSED

27735 RELEASE THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR SHADOW CREEK SUBDIVISION, PHASE 1, SECTION 3

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant 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 1, Section 3. All voting "Aye". MOTION PASSED

27736 CALL FOR A PUBLIC HEARING ON FEBRUARY 1, 2011 TO ESTABLISH A "NO PARKING" ZONE ON THE CUL-DU-SAC ON RICH LANE

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to call for a public hearing on February 1, 2011 to establish a "No Parking" zone on the Cul-Du-Sac on Rich Lane. All voting "Aye". MOTION PASSED

27737 RELEASE FISCAL SURETY FOR A PORTION OF THE STREET AND DRAINAGE IMPROVEMENTS IN STUDIO ESTATES SUBDIVISION, SECTION 1

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to consider the release of Fiscal Surety for a portion of the street and drainage improvements in Studio Estates Subdivision, Section 1. All voting "Aye". MOTION PASSED

27738 AUTHORIZE THE FILING OF THE RECORD PLAT FOR THE REPLAT OF CREEK OF DRIFTWOOD SUBDIVISION, LOTS 40-48

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the filing of the record plat of Creek of Driftwood Subdivision, Lots 40-48. All voting "Aye". MOTION PASSED

27739 CHANGE THE USE OF TEMPORARY FUNDING ORIGINALLY IDENTIFIED IN THE FY'11 BUDGET FOR JAIL BUILDING MAINTENANCE TO VEHICLE MAINTENANCE

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to change the use of temporary funding originally identified in the FY'11 budget for Jail Building Maintenance to Vehicle Maintenance. All voting "Aye". MOTION PASSED

27740 RECLASSIFY THE DIRECTOR OF CORRECTIONS POSITION TO (JAIL) CAPTAIN AND THE CURRENT (JAIL) CAPTAIN POSITION TO (JAIL) LIEUTENANT IN THE SHERIFF'S OFFICE

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to reclassify the Director of Corrections position to (Jail) Captain and the current Jail Captain position to (Jail) Lieutenant in the Sheriff's office. All voting "Aye". MOTION PASSED

27741 INCREASE THE SALARY OF THE CURRENT (LAW ENFORCEMENT) CAPTAIN

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to increase the salary of the current (Law Enforcement) Captain. All voting "Aye". MOTION PASSED

27742 APPROVE THE APPOINTMENT OF MICHAEL AULICK TO THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY BOARD

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the appointment of Michael Aulick to the Hays County Parks and Open Space Advisory Board. All voting "Aye". MOTION PASSED



27743 APPROVE THE APPOINTMENT OF PAULINE TOM TO THE PARKS AND OPEN SPACE ADVISORY BOARD FOR THE PRECINCT TWO COMMISSIONER

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Pauline Tom to the Parks and Open Space Advisory Board for the Precinct Two Commissioner. All voting "Aye". MOTION PASSED

27744 ADOPT A RESOLUTION PETITIONING THE LCRA BOARD OF DIRECTORS TO TAKE CERTAIN ACTIONS RELATED TO ITS INTENT TO MARKET THE 32 LCRA-OWNED WATER AND/OR WASTEWATER SYSTEMS AS A SINGLE BLOCK TO THE HIGHEST BIDDER

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adopt a resolution petitioning the LCRA Board of Directors to take certain actions related to its intent to market the 32 LCRA owned water and/or wastewater systems as a single block to the highest bidder. All voting "Aye". MOTION PASSED

27745 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LEASE AGREEMENT WITH THE CITY OF KYLE FOR THE COUNTY'S LEASE OF THE EXISTING PRECINCT 2 OFFICES AT 111 FRONT STREET IN KYLE, TEXAS

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a Lease Agreement with the City of Kyle for the county's lease of the existing Precinct 2 offices at 111 Front Street in Kyle Texas also to amended the budget of \$21,000 annual. All voting "Aye". MOTION PASSED

27746 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A TEXAS 1033 SURPLUS PROPERTY PROGRAM APPLICATION LETTER AND RELEASE OF LIABILITY FOR THE HAYS COUNTY SHERIFF'S OFFICE

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a Texas 1033 Surplus Property Program Application Letter and Release of Liability for the Hays County Sheriff's Office. All voting "Aye". MOTION PASSED

27747 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #1 WITH MYERS CONCRETE CONSTRUCTION, LP, FOR THE WINTERS MILL PARKWAY TRAIL, IN THE AMOUNT OF \$54,279.59

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order #1 with Myers Concrete Construction, LP for the Winters Mill Parkway Trail, in the amount of \$54,279.59. All voting "Aye". MOTION PASSED

27748 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT FOR ENGINEERING SERVICES SUPPLEMENTAL #4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH LOCKWOOD, ANDREWS & NEWNAM, INC. (LAN)

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the County Judge to execute a contract for Engineering Services Supplemental #4 to the Professional Services Agreement with Lockwood, Andrews & Newnam, Inc. All voting "Aye". MOTION PASSED

27749 ACCEPT THE ANNUAL RACIAL PROFILE REPORT FROM CONSTABLE PCT. 3

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to accept the Annual Racial Profile Report from Constable Pct.3. All voting "Aye". MOTION PASSED



27750 ACCEPT RESULTS OF BALLOTS RECEIVED FROM RECORD OWNERS OF PROPERTY ON PIEDRAS PASS IN THE ROCKY RANCH ACRES SECTION 2 SUBDIVISION REGARDING IMPROVEMENTS AND ASSESSMENT OF THE COST PURSUANT TO TEXAS TRANSPORTATION CODE CHAPTER 253 WITH POSSIBLE ACTION ORDERING THE IMPROVEMENTS AND ASSESSING THE COST OF THE IMPROVEMENTS

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to accept results of ballots received from record owners of property on Piedras Pass in the Rocky Ranch Acres Sec 2 Subdivision regarding improvement and assessment of the cost pursuant to Texas Transportation code Chapter 253 with possible action ordering the improvements and assessing the cost of the improvements. All voting "Aye". MOTION PASSED

27751 POST AND TEMPORARILY ASSIGN AN ADMIN III POSITION TO RPTP TO PROVIDE ADMINISTRATIVE ASSISTANCE

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to allow RPTP to hire Admin III position for the total amount of \$17,355 from the salary savings in the RPTP budget with the start date of 01/24/2011 and end date of 05/20/2011. All voting "Aye". MOTION PASSED

27752 AUTHORIZE THE COUNTY JUDGE EXECUTE SEVERAL POSSESSION AND USE AGREEMENTS RELATED TO RIGHT OF WAY (ROW) ACQUISITION IN HAYS COUNTY; AND TO DISCUSS AND DETERMINE COMMISSIONERS COURT POLICY PERTAINING TO THE AUTHORITY OF INDIVIDUAL COURT MEMBERS TO EXECUTE DOCUMENTS RELATED TO ROW AND ROW ACQUISITION

Lenee Lovejoy requested the court to table this item for one week. Court convened into closed executive session at 10:40 a.m. and reconvened into open meeting at 10:54 a.m. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept and for the County Judge to sign a Possession and Use Agreement for highway project Ranch Road 12 parcel number 17 also to authorize the County Judge to sign a Possession and Use Agreement with Wimberley Springs Quicksand Partnership on three tracts they own along Highway 2325 and with Black Family Partnership Ltd also property along Highway 2325 which is part of our safety improvement project. All voting "Aye". MOTION PASSED. A motion was made by Commissioner Conley seconded by Commissioner Whisenant to table the proposed Amendments to the Resolution until the adjustments are made for one week until next Commissioner Court date. All voting "Aye". MOTION PASSED

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING SOAH DOCKET NO 582-10-5643, WHICH RELATES TO A PROPOSAL FOR THE CREATION OF A REGIONAL GROUNDWATER CONSERVATION DISTRICT THAT SERVES THE HILL COUNTRY PRIORITY GROUNDWATER MANAGEMENT AREA. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.

Court convened into closed executive session at 11:00 a.m. and reconvened into open meeting at 12:23 p.m. No action taken

DISCUSSION AND POSSIBLE ACTION TO DISCUSS THE ORGANIZATION OF RPTP. PURSUANT TO OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE 551.074, COMMISSIONERS COURT MAY CONVENE TO EXECUTIVE SESSION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT AND DUTIES OF THE RPTP DIRECTOR AND INDIVIDUAL EMPLOYEES OF DEVELOPMENT SERVICES. ACTION MAY FOLLOW IN OPEN COURT

Court convened into closed executive session at 11:00 a.m. and reconvened into open meeting at 12:23 p.m. No action taken.



Clerk's Note – Agenda # 28 Re: *DISCUSSION OF RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINT 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 no discussion and no action taken**

Clerk's Note – Agenda # 29 Re: *DISCUSSION OF ISSUES RELATED TO THE RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR* **was PULLED no discussion and no action taken**

Court was adjourned.

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 JANUARY 18, 2011.



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

