



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 25TH DAY OF SEPTEMBER A.D., 2012, 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
ROSE ROBINSON	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Cobb 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

RECOGNIZE HAYS COUNTY TREASURER, MICHELLE TUTTLE, AS THE RECIPIENT OF THE 2012 COUNTY TREASURERS' ASSOCIATION OF TEXAS OUTSTANDING TREASURER AWARD

Hays County Treasurer, Michelle Tuttle, has recently been named the 2012 Outstanding Treasurer by the County Treasurers' Association of Texas.

RECOGNIZE HAYS COUNTY EXTENSION AGENT, RICHARD PARRISH, FOR HIS EXCELLENCE IN ANIMAL SCIENCE PROGRAMMING AWARD FROM THE TEXAS ASSOCIATION OF EXTENSION 4-H AGENTS

The Texas Association of Extension 4-H Agents (TAE4-HA) Conference was held August 1-3 in Round Rock with Hays County Extension Agents Richard Parrish and Laura Petty participating. They joined Extension professionals from across the state to take part in educational workshops and association business meetings as well as gain new ideas and resources from exhibits. During the conference, TAE4-HA also presented its awards. Richard Parrish, Agriculture and Natural Resources agent, was honored with the "Excellence in Animal Science Programming Award" for his Livestock Extravaganza. The program is a youth livestock workshop that helps 4-H and FFA Members increase their knowledge and skills related to their respective livestock species, create awareness of the importance of the Quality Counts ethics program, and allow them the chance to visit one-on-one with industry representatives.

28441 ADOPT A PROCLAMATION DECLARING TUESDAY, OCTOBER 2, 2012 AS NATIONAL NIGHT OUT

Phillip Taylor spoke. The National Association of Town Watch (NATW) is sponsoring its 29th Annual Nationwide Crime, Drug, and Violence Prevention Program on October 2nd, 2012 called "National Night Out". This provides a unique opportunity for Citizens of Hays County to join forces with thousands of communities across the State of Texas in promoting cooperative, police-community crime and drug prevention efforts. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt a Proclamation Declaring Tuesday, October 2, 2012 as National Night Out. All voting "Aye". MOTION PASSED**

28442 ADOPT A PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER AS TURKEY'S TACKLING HUNGER MONTH

The Hays County Food Bank represents a countywide effort to provide nutritious food to people year-round that depends upon the generous support of communities throughout the county. In 2011 the Food Bank provided 620,000+ pounds of food at no cost to 14,000 people who need assistance living within their limited resources, and also distributed turkeys with all the trimmings for Thanksgiving meals to more than 2,450 families throughout Hays County. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to adopt a Proclamation recognizing the month of October as Turkey's Tackling Hunger Month. All voting "Aye". MOTION PASSED**



28443 ADOPT A PROCLAMATION DECLARING SEPTEMBER 23 - 29, 2012 AS RESOURCE CONSERVATION AND DEVELOPMENT 50TH ANNIVERSARY WEEK

September 27, 2012 is the 50th Anniversary of the establishment of the Resource Conservation and Development (RC&D) Program developed under the administration of President John F. Kennedy with leadership by Secretary of Agriculture Orville Freeman to help conserve natural resources and to enhance the social and economic well-being of rural communities through volunteer driven RC&D Councils. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring September 23-29, 2012 as Resource Conservation and Development 50th Anniversary Week. All voting "Aye". MOTION PASSED**

RECOGNITION OF THE SERVICE OF MEMBERS ON THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY BOARD

The Commissioners Court would like to give recognition to the Service of Members on the Hays County Parks and Open Space Advisory Board. Judge Bert Cobb members are Michael Aulick, Jon Engel, Kathy Boydston and Linda Tenorio. Commissioner Ingalsbe Precinct 1 members are Todd O. Deracz, David Salazar and Ron Riggins. Commissioner Jones Precinct 2 members are Jim Camp, Barbara G. Vinson, Jeff Kaufmann and Pauline Tom. Commissioner Conley Precinct 3 members are Gary Amaon, John D. Estep and Sherri S. Bilson. Commissioner Ray Whisenant Precinct 4 members are Nancy H Potter, Melinda Mallia, Martha Brown and Donna Brasher.

PRESENTATION BY RICK PERKINS OF THE CLEAN AIR FORCE

Rick Perkins Volunteer/Board Member of Clean Air Force gave a presentation.

28444 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of County Invoices in the amount \$550,098.32 as submitted by the County Auditor. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

28445 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 18, 2012

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of September 18, 2012 as presented by the County Clerk. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

28446 APPROVE AWARD OF BID #2012-09 ROAD IMPROVEMENTS/HOT MIX OVERLAY TO HUNTER INDUSTRIES

Purchasing received two bids provided by Hunter Industries and Lone Star Paving with Hunter Industries providing the lowest bid. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve award of Bid #2012-09 Road Improvements/Hot Mix Overlay to Hunter Industries. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28447 AMEND BUDGET OF SEVERAL DEPARTMENTS IN GENERAL FUND FOR TELEPHONE EXPENSES FROM CONTINGENCIES

After the move, the Grande telephone costs were reallocated to depts; These offices require additional budget for telephone from outside source To 001-608-02..5489 Telephone District Court Reporters. Amount required \$3,217. To 001-628-00.5489 Telephone Justice of Peace 3; To 001-715-00.5489 Telephone TABC; To 001-630-00.5489 Telephone Justice of Peace 5; To 001-637-00.5489 Telephone Constable 3; To 001-646-00.5489 Telephone Civic Center; To 001-651-00.5489 Telephone DPS-License & Weights; From 001-645-00.5399 Countywide Contingencies. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to amend Budget of several Departments in General Fund for Telephone expenses from Contingencies. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**



28448 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE SUPPLIES FOR THE TRAINING ACADEMY AND AMEND THE BUDGET ACCORDINGLY

The Sheriff's Office would like to purchase year end supplies for the Training Academy. On Dec. 6, 2011, Commissioner's Court authorized the Sheriff's Office to amend the operating budget for tuition and related expenses for the Training Academy. The funds have been received for tuition fees. Amount Required \$775.00. Increase Revenue: 001-618-00.4408 (\$775.00) Increase Training Academy: 001-618-00.5333 \$775.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to purchase supplies for the Training Academy and amend the budget accordingly. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28449 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR ON-LINE COMPUTER SERVICES RELATED TO THE CERTIFICATION OF VITAL RECORDS IN THE COUNTY CLERK'S OFFICE

This is a renewal of a contract with the Texas Department of State Health Services that allows the County Clerk's Office to provide Birth Certificates for anyone born in the State of Texas through an on-line connection with DSHS Vital Statistics Unit. The State is reimbursed a small portion of the fee charged by the County for each birth certificate issued. This contract will renew a similar agreement with DSHS that was valid from September 1, 2010 to August 31, 2012. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute contract with the Texas Department of State Health Services for on-line computer services related to the certification of vital records in the County Clerk's Office. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28450 ACCEPT AND RECORD IN-KIND IMMUNIZATIONS FROM THE DEPARTMENT OF STATE HEALTH SERVICES, RECORD HISTORICAL COMMISSION OPERATING AND DOCUMENTARY DONATIONS, AND AMEND VARIOUS DEPARTMENTAL BUDGETS IN PREPARATION FOR THE COUNTY'S FY2012 YEAR-END PROCESS

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept and record In-Kind Immunizations from the Department of State Health Services, record Historical Commission Operating and Documentary donations, and amend various departmental budgets in preparation for the County's FY2012 year-end process. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED

28451 CALL FOR A PUBLIC HEARING ON OCTOBER 9, 2012 TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF DACY LANE AND BEBEE RD

This is to conduct a public hearing on October 9th to establish a 4-way stop at the intersection of Dacy Lane and Bebee Rd. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to call for a public hearing on October 9, 2012 to establish traffic regulations at the intersection of Dacy Lane and Bebee Rd. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28452 REPLAT OF TRACT 37, GLENN H. KOTHMANN PROPERTIES SUBDIVISION [12-4-35-2 LOTS] APPROVE FINAL PLAT

Judge opened public hearing. Bruce R. Merrill III property owner and Commissioner Whisenant spoke on behalf of Roxie McInnis Subdivision Coordinator that gave staff recommendation. Judge closed public hearing. The proposed replat will divide the 9.18 acre lot into two lots. The proposed Lot 37B will be served by an existing private well and on-site sewage facility. Lot 37A will also utilize a private well and OSSF at the time of development. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Replat of Tract 37, Glenn H Kothmann Properties Subdivision. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**



28453 APPROVE A RESOLUTION TO AUTHORIZE THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE, OFFICE OF RURAL AFFAIRS, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR WATER SYSTEM IMPROVEMENTS WITHIN THE CEDAR OAK MESA WATER SUPPLY CORPORATION SERVICE AREA

The Cedar Oak Mesa Water Supply Corporation has requested Hays County to sponsor a grant application to the Texas Department of Agriculture, Office of Rural Affairs for Texas Community Development Block Grant (TxCDBG) funding for assistance to provide further water system improvements within the Wimberley Campfire No. 2 Subdivision. The proposed improvements include replacing substandard water lines with new 6" water lines to improve the water distribution system performance and fire protection capability. Project funds in the amount of \$275,000 will be requested to replace undersized water lines, valves, provide service reconnections, and install fire hydrants within the subdivision, and provide for engineering and grant administration services. The TxCDBG program requires a 5% match to the grant amount request that will be met through funds provided by the Cedar Oaks Mesa Water Supply Corporation. Hays County has previously served to sponsor and administer TxCDBG program funding for the Cedar Oak Mesa Water Supply Corporation that has included replacement of a portion of the water lines and construction of a new 50,000 gallon water storage tank. Amount required \$13,750 to be funded by the Cedar Oak Mesa Water Supply Corporation. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve a Resolution to authorize the County Judge to submit a grant application to the Texas Department of Agriculture, Office of Rural Affairs, Texas Community Development Block Grant Program for water system improvements within the Cedar Oak Mesa Water Supply Corporation service area. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28454 CANCEL COMMISSIONERS COURT DATES OF NOVEMBER 6, 2012, NOVEMBER 27, 2012 DECEMBER 25, 2012 AND JANUARY 1, 2013

The cancellation dates for Commissioners Court are November 6th is Election Day, November 27th is the Tuesday after the Thanksgiving Holiday, December 25th is Christmas and January 1 is New Year's Day. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to cancel Commissioners Court dates of November 6, 2012, November 27, 2012 December 25, 2012 and January 1, 2013. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28455 APPOINT MARK CHAMBERS TO REPLACE JEFF TURNER ON THE SAN MARCOS/HAYS COUNTY EMS BOARD

With the resignation of Jeff Turner, the county has an open position on the San Marcos/Hays County EMS Board. Mark Chambers is very familiar with the duties and responsibilities of this board and with the operations of EMS organizations. He previously served a few years on this board and will be a great asset. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to appoint Mark Chambers to replace Jeff Turner on the San Marcos/Hays County EMS Board. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**

28456 WAIVE THE FEES ASSOCIATED WITH THE RENTAL OF THE HAYS COUNTY CIVIC CENTER FOR THE SAN MARCOS ROTARY CLUBS EVENT, THE EARLY ACT FIRST KNIGHT TOURNAMENT

The San Marcos Rotary Club has held this event at the Civic Center in past years. The Early Act First Knight (EAFK) program was developed by Rotarian Chris Byrd and Founder and Executive Director of Knights of the Guild, Randall Parr. EAFK has developed into a character education program that puts Rotary ideals into the daily academics of mainstream K-8 education. The EAFK approach to teaching character education creatively integrates the instruction of noble character traits with the theme of gallant knights and chivalry. Each new school year, the orientation is integrated with the Tournament of Champions, a medieval tournament complete with Knights, costumed warhorses, and musical soundtracks. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to waive the fees associated with the rental of the Hays County Civic Center for the San Marcos Rotary Clubs event, The Early Act First Knight Tournament. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". Commissioner Conley not present for vote. MOTION PASSED**



DISCUSSION REGARDING THE INCLUSION OF AN INVOCATION DURING COMMISSIONERS COURT MEETINGS

Court convened into closed Executive Session at 11:30 a.m. and reconvened into open court at 12:00 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Lon Shell. No Action Taken.

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe a motion was made to recess until 1:30 p.m. All voting "Aye". MOTION PASSED

County Clerk's Note Agenda Note #22 RE: 10:30 AM: PASS-THROUGH FINANCE AND PRIORITY ROAD BOND PROGRAMS WORK SESSION – **was pulled**

County Clerk's Note Agenda Item #23 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER AND THE FIRE MARSHALL – **was pulled**

County Clerk's Note Agenda Item #24 RE: EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED TO THE MARKETING AND POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES – **was pulled**

County Clerk's Note Agenda Item # 25 RE: EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ALL PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY – **was pulled**

28457 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, SALE, EXCHANGE, OR VALUE ASSOCIATED WITH PROPERTY(IES) ALONG WOODACRE DRIVE IN WIMBERLEY, TEXAS

Court convened into closed Executive Session at 1:45 p.m. and reconvened into open court at 2:30 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Lon Shell. **A motion was made by Commissioner Conley seconded by Commissioner Whisenant to allocate a not to exceed dollar amount of \$752,000.00 out of the Hays County Park Bond Fund to purchase and foreclosing cost and for demolition associated with the Condos at 111 Woodacre Drive and to authorize the County Judge to execute contracts and Special Counsel to execute all documents that are associated with closing. All voting "Aye". MOTION PASSED**

DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION

Fire Marshall recommends to leave the burn ban lifted.

County Clerk's Note Agenda Item #28 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**

County Clerk's Note Agenda Item #29 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR – **was pulled**

DISCUSSION OF MATERIAL RELATING TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND/OR THE LCRA DIVESTITURE

Commissioner Whisenant spoke and gave an update of the previous meetings.



SEPTEMBER 25, 2012

VOLUME U PG 901

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn 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 September 25, 2012.



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

