



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

**ON THIS THE 12<sup>TH</sup> DAY OF FEBRUARY A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:**

<b>ALBERT H. COBB JR</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILL CONLEY</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RAY O. WHISENANT JR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

**AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Gary Smith, Retired Air Force Chaplin gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**RECOGNIZE THE MEMBERS OF THE HAYS COUNTY TRANSPORTATION COMMITTEE**

Commissioner Jones recognized the Transportation Committee for their hard work and dedication. Not all members were able to make it today but the ones that were present were presented with a Certificate. Commissioner Conley presented a few Certificates. Joe Cantalupo of Parsons Brinkerhoff spoke of working with all the members of the committee and thanked them for all their dedication. Each of the Commissioners and the County Judge read a list of members they appointed to the committee and thanked them for all their work and dedication including the County staff that assisted with meeting the needs of Hays County's future. Committee members include: County Wide – Dwain York, Winton Porterfield. Precinct 1 – Susan Narvaiz, Diane Hervol, David Salazar. Precinct 2 – Joe Hernandez, Daniel Heideman, Terry Hauptrief. Precinct 3 – Glen Straube, Jeffrey Jewett, Thomas Talcott. Precinct 4 – Ben Sorrell, Roy Odell, Don Meador. TxDOT – Ed Collins, Don Nyland. CAPCOG – David Fowler, Maureen McCoy, Bubba Needham. CARTS – David Marsh, Lyle Nelson. Lone Star Rail District – Joseph Black, Alison Schultz. Texas State University – Paul Hamilton. Bear Creek – Bruce Upham, Seabo Rountree. Buda – Chance Sparks. Dripping Springs – Jon Thompson. Hays City – Michael Warnken. Kyle – Lucy Johnson. Niederwald – Reynell Smith. San Marcos – Matthew Lewis. Wimberley – Bob Flocke, Don Ferguson. Woodcreek – Eric Eskelund. City of Kyle – Steven Widaki. City of Woodcreek – Frank Wood. City of San Marcos – Linda Huff. Mountain City – Tiffany Curnutt. San Marcos – John Foreman. Hays County – Jerry Borcharding, Clint Garza, Steve Floyd. Parsons Brinkerhoff – Joe Cantalupo. Aulick and Assoc. – Michael Aulick. CD&P – Arin, Gray, Cathy Howell.

**PRESENTATION REGARDING ACTIVITIES OF THE CORE 4 EDUCATION SUBCOMMITTEE**

Gene Bourgeois, Provost, Texas State University, Kim Porterfield San Marcos City Council member Place 1 and Stephanie Reyes, Assistant to the City Manager, for the City of San Marcos gave a brief powerpoint presentation. The following people served on the Core Four Education Subcommittee: Dr. Denise Trauth, President, Texas State University (chair), Dr. Gen Bourgeois, Provost, Texas State University, Dr. Michelle Hamilton, Director of Center for P-16 Initiatives, Texas State University, Daniel Guerrero, Mayor, City of San Marcos, Kim Porterfield, City Council Place 1, City of San Marcos, Jim Nuse, City Council Place 1, City of San Marcos, Stephanie Reyes, Assistant to the City Manager, City of San Marcos, Mark Eads, Superintendent, SMCISD, Rosemary Garza, Principal, Hernandez Elementary School, SMCISD, Michelle Darling, Principal, San Marcos High School, SMCISD, Lon Shell, Chief of Staff to County Judge, Hays County, Shelley Williams, Chief Juvenile Probation Officer, Hays County, Cherri Schmidt, Public Health Educator, Hays County Personal Health Department, Nina Wright, Director of Development, Texas Higher Education Coordination Board. Six Elements of "Communities of Choice" – 1) Good public schools, 2) Stable neighborhoods, 3) Family-wage jobs, 4) Community amenities, 5) Sustained economic development, 6) Educated workforce. Core Four included – Hays County, City of San Marcos, San Marcos CISD, Texas State University. Regarding public education, charged to identify actions for the long-term benefit of the community. Key issues examined included: Attendance and days missed, dropout rates, post high school education, aligned parent development, teenage pregnancy, after school programs, 9<sup>th</sup> grade retention, AP opportunities, early childhood education, 3<sup>rd</sup> grade reading level.

**28753 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$813,847.21 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**28754 APPROVE COMMISSIONERS COURT MINUTES OF FEBRUARY 5, 2013**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of February 5, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**28755 AMEND THE COUNTY-WIDE BUDGET, INCREASING REVENUE AND EXPENDITURES, FOR ADULT PROBATIONS PORTION OF THE NEC PHONE LEASE**

The Mitel Capital Phone Lease was previously approved by Commissioner's Court. This amendment is needed to appropriately record Adult Probation's portion of the lease. Revenue received from the agency will offset the expense. Budget Amendment: Increase: 001-000-00.4630 Miscellaneous Revenue 7,237; Increase: 001-645-00.5473\_017 Eqpt Lease-Mitel Capital Lease 5,895; Increase: 001-645-00.5571\_001 Interest Telephone-Capital 1,342. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the County-Wide budget, increasing revenue and expenditures, for Adult Probations portion of the NEC Phone lease. All voting "Aye". MOTION PASSED

**28756 AMEND THE IMMUNIZATION GRANT BUDGET TO DECREASE SALARIES AND INCREASE EQUIPMENT FOR THE PURCHASE OF ONE REFRIGERATOR FOR \$1,625.00 AND ONE FREEZER FOR \$1,789.00**

The Personal Health Department needs a refrigerator and a freezer that are in compliance with standards set by the Department of State Health Services in order to store vaccines properly. The Immunization Grant will fund 100% of this purchase. Amount Required \$3,414.00; Decrease Expense Staff Salaries 120-675-99-018.5021; Increase Expense Miscellaneous Equipment Operating 120-675-99-018.5719\_400. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Immunization grant budget to decrease salaries and increase equipment for the purchase of one refrigerator for \$1,625.00 and one freezer for \$1,789.00. All voting "Aye". MOTION PASSED

**28757 APPROVE AWARD OF BID #2013-B02 COUNTY ROAD 266 & CENTERPOINT ROAD IMPROVEMENTS TO JOE BLAND CONSTRUCTION, LP IN THE AMOUNT OF \$4,090,254.16**

Purchasing received seven (7) bids with Joe Bland Construction providing the lowest and best bid. After checking references it is the recommendation to award Bid #2013-B02 to Joe Bland Construction in the amount of \$4,090,254.16. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve award of Bid #2013-B02 County Road 266 & Centerpoint Road Improvements to Joe Bland Construction, LP in the amount of \$4,090,254.16. All voting "Aye". MOTION PASSED

**28758 ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM CONSTABLE PRECINCT 3 DARRELL AYRES**

Since January 1, 2003, Hays County Constables of Precinct 3 in accordance with the Texas Racial Profiling Law (S.B. No 1074), has been collecting contract data for the purpose of identifying and responding (if necessary) to concerns regarding racial profiling practices. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept the annual Racial Profiling Report from Constable Precinct 3 Darrell Ayres. All voting "Aye". MOTION PASSED

**28759 ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM THE HAYS COUNTY SHERIFF'S OFFICE**

In accordance with State Law and specific to the Texas Code of Criminal Procedure, Chapter 2.132 (b)(6) & (7), the following report has been prepared and is being respectfully submitted. The report consists of statistical data collected by the Hays County Sheriff's Office as prescribed by statute for the calendar year of 2012. It is important to note that reporting requirements under the Texas CCP Chapter 2.134 have been exempted due to compliance with the provisions of the Texas CCP Chapter 2.134 (a). In addition, the Hays County Sheriff's Office has adopted and r a policy concerning Racial Profiling. The policy is within the requisite standards as have been set forth by statute and recommended by the legislature. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the annual Racial Profiling Report from the Hays County Sheriff's Office. All voting "Aye". MOTION PASSED



**28760 AUTHORIZE THE EXECUTION OF AN AMENDMENT TO LETTER OF CREDIT 1240, PROVIDING FOR MAINTENANCE SURETY FOR BELTERRA SUBDIVISION, PHASE 2 SECTION 7**

On January 8, 2013 Commissioners Court voted to release Construction Surety and accept Maintenance Surety for Belterra Subdivision, Phase 2 Section 7. The agenda backup referred to bonds as the surety instrument; however the county was holding a letter of credit. Approval of this item will authorize execution of an amendment to the original letter of credit and result in a reduction in surety to 10% of construction costs as previously approved in court. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the execution of an amendment to Letter of Credit 1240, providing for maintenance surety for Belterra Subdivision, Phase 2 Section 7. All voting "Aye". MOTION PASSED**

**28761 AUTHORIZE APPLICATION FOR ADDITIONAL FUNDING FOR THE REGIONAL AND LOCAL SERVICES SYSTEM/LOCAL PUBLIC HEALTH SERVICES (RLSS/LPHS) PROGRAM IN THE AMOUNT OF \$5,169**

The original RLSS/LPHS contract was accepted on July 31, 2012 for \$51,463.00. Additional funding has been offered by the Texas Department of State Health Services for the current contract period which ends on August 31, 2013. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize application for additional funding for the Regional and Local Services System/Local Public Health Services (RLSS/LPHS) program in the amount of \$5,169. All voting "Aye". MOTION PASSED**

**28762 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SPERATE CONTRACT THAT PROVIDES THE ADDITIONAL WORK NEEDED ON NUTTY BROWN ROAD, AWARDING THAT WORK TO THE LOWEST BIDDER FROM THOSE SOUGHT BY THE TRANSPORTATION DEPT**

This change in scope will provide a box culvert extension across a property where an improved open ditch was designed. Amount required \$23,000; 5448-010 (Total project budget (5446-008+5448-010) = \$147,500, contracted \$100,000-----this project remains within budget). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a separate contract that provides the additional work needed on Nutty Brown Road awarding that work to the lowest bidder from those sought by the Transportation Dept. Commissioner Conley voting "No". Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED**

**28763 APPROVE THE SEPTEMBER - DECEMBER 2012 TREASURER'S REPORTS AND INVESTMENT REPORTS**

Approve the September, October, November and December 2012 Treasurer's Report and Investment Reports. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the September - December 2012 Treasurer's Reports and Investment Reports. All voting "Aye". MOTION PASSED**

**28764 APPROVE UTILITY PERMITS**

Utility Permit # 876 to NRP Contractors, LLC for a water line installation. The public water line extensions will "T" from an existing 12" water line approximately 1000 LF from the intersection of McCarty Lane and Hunter Road. The extension will bore approximately 60 LF beneath McCarty Lane to extend northeast to the proposed Sienna Pointe development. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Utility Permit # 876 for McCarty Lane as submitted by the Hays County Road Department. All voting "Aye". MOTION PASSED**

**28765 APPROVE SPECIFICATIONS FOR RFP 2013-P04 FOOD AND CATERING SERVICES FOR THE HAYS COUNTY GOVERNMENT CENTER AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

**A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve specifications for RFP 2013-P04 Food and Catering Services for the Hays County Government Center and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED**

**Clerk's Note: Agenda Item #16 RE: CALL FOR A PUBLIC HEARING ON FEBRUARY 26, 2013 TO ESTABLISH TRAFFIC REGULATIONS IN THE VILLAGE OF BEAR CREEK - was pulled**



**28766 CALL FOR A PUBLIC HEARING ON FEBRUARY 26, 2013 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 27 RIVER OAKS OF WIMBERLEY, UNIT 2**

Clint Garza Director of Development Services spoke. The River Oaks of Wimberley Subdivision is a recorded subdivision located off of Wayside Drive in Precinct 3. The proposed re-plat will divide the 4.99 acre lot into two lots - Lot 27A being 2.50 acres and Lot 27B being 2.49 acres. Water service will be provided by private wells and wastewater treatment will be accomplished by advanced on-site sewage facilities. Lot 27A is currently served by a conventional OSSF and an existing private well. Should the existing OSSF need replacement it will be replaced by an advanced system. The Hays County minimum lot size for a lot served by a private well is 3.00 acres with a conventional OSSF and 2.00 acres with an advanced OSSF. Due to the current configuration of the property, it would not be possible to meet the minimum lot size requirements without replacement of the septic system. The property owner feels that replacing the existing functioning system would be an undue burden. The variance will be requested and discussed at the time of the public hearing. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to call for a public hearing on February 26, 2013 to discuss final plat approval of the Replat of Lot 27 River Oaks of Wimberley, Unit 2. All voting "Aye". MOTION PASSED**

**28767 HOLD PUBLIC HEARING FOR REPLAT OF LOT 6 AND LOT 7, BLOCK 1, ROLLING HILLS ESTATES SEC. 1 (3 LOTS) APPROVE FINAL PLAT**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Clint Garza Director of Development Services spoke. Rolling Hills Estates is a platted subdivision located off F.M. 2001 in precinct 2. The owner of Lot 6 and Lot 7 is proposing to divide the 2 lots to create 3 lots ranging from 0.75 to 1.54 acres in size. All 3 lots will be served by Goforth S.U.D. and on-site sewage facilities. No action taken.

**28768 BELTERRA COMMERCIAL SUBDIVISION PARCEL E1 [12-4-5--1 LOT] WAIVE PRELIMINARY PLAN AND APPROVE FINAL PLAT**

Clint Garza Director of Development and Community Services gave staff recommendation. The Belterra Commercial Subdivision is a proposed division of a 9.529 acre portion of the planned commercial parcel at the intersection of Belterra Drive and U.S. Highway 290. Water and wastewater to the site will be provided by Hays County WCID #1. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to waive preliminary plan and approve final plat of Belterra Commercial Subdivision Parcel E1. All voting "Aye". MOTION PASSED**

**28769 ACTION REGARDING A NEW HAYS COUNTY-TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) PARTNERSHIP PROGRAM FOR STATE HIGHWAYS IN HAYS COUNTY**

Mike Weaver of Prime Strategies gave a brief PowerPoint. Jim McMeans – Wimberley resident spoke. Hays County is in the process of completing both the Pass-Through Finance Program and Priority Road Bond Program projects. It is estimated that Hays County, through projects being constructed ahead of schedule and under budget, will recognize a savings of approximately \$35.0 million. Hays County would like to work with TxDOT to leverage the \$35.0 million in savings. Hays County, working with TxDOT, has identified nine (9) projects that the County and State could develop in partnership. In order to move forward with the development of these projects and leverage State funding, Hays County needs to consider a formal request to TxDOT to participate in this financing and construction partnership. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt a Resolution and authorize the County to move forward in that Official communication to the State Commission. All voting "Aye". MOTION PASSED**

**28770 ACTION REGARDING THE COUNTY'S REFUNDING BOND OPPORTUNITY**

Dan Wegmiller gave an update to the Court on current refunding opportunities. Mr. Wegmiller handed out a one-page summary schedule. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe regarding the Refunding Bond Opportunity to authorize Specialize Public Finance to move forward with their recommendation to consult with the Auditor and Judge as they move through those processes. All voting "Aye". MOTION PASSED**





**28771 APPROVE A PROFESSIONAL SERVICE AGREEMENT BETWEEN HAYS COUNTY AND DIVERSE PLANNING AND DEVELOPMENT FOR CONSULTING SERVICES RELATED TO MATTERS ASSOCIATED WITH REGIONAL WATER RESOURCE POLICY AND ADMINISTRATIVE PROTOCOL IN AN AMOUNT NOT TO EXCEED \$25,000 WITH FUNDS TO COME OUT OF THE LCRA FUNDS**

Jim McMeans – Wimberley resident and David Glenn – Wimberley resident spoke. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a Professional Service Agreement between Hays County and Diverse Planning and Development for consulting services related to matters associated with regional water resource policy and administrative protocol in an amount to exceed \$25,000 with the funds to come out of the LCRA Funds. All voting "Aye". MOTION PASSED

**28772 APPROVE A RESOLUTION IN SUPPORT OF THE INTER-BASIN TRANSFER OF SURFACE WATER SUPPLIES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve a resolution in support of the inter-basin transfer of surface water supplies. All voting "Aye". MOTION PASSED

**28773 IDENTIFY FUNDS FOR CONSTABLE PRECINCT 2 MOBILE RADIO EQUIPMENT REPAIR AND AMEND THE BUDGET ACCORDINGLY**

Constable Kohler Precinct 2 Office had LCRA repair a mobile radio unit that was not operational. This unit was out of warranty; therefore the cost of repair was much higher than anticipated. The total repair cost is \$707.63 and there is only \$300 available in the equipment maintenance budget. Constable Kohler does not feel he has enough funding in other line items available to cover the difference and would ask the Court to fund the difference. Amount required \$408.00 Increase: 001-636-00.5411 Equipment Maintenance 408; Decrease: Veh. Mtc. \$408. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to use vehicle maintenance funds for Constable Precinct 2 mobile radio equipment repair and amend the budget accordingly.

An amended motion was made by Commissioner Jones, seconded by Commissioner Whisenant to change amount to \$550.00 and amend the budget accordingly. All voting "Aye". MOTION PASSED

**28774 APPROVE AN AGREEMENT BETWEEN HAYS COUNTY AND DR. WEERATUNGA FOR PHYSICIAN SERVICES FOR THE TB CLINIC**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve an agreement between Hays County and Dr. Weeratunga for physician services for the TB clinic All voting "Aye". MOTION PASSED

**28775 WAIVE PARTS OF SECTION I. ORGANIZATION CONTAINED IN THE CAMPO JOINT POWERS AGREEMENT, TO ALLOW FORMER COMMISSIONER JOHN CYRIER TO SERVE AS CALDWELL COUNTY REPRESENTATIVE ON CAMPO POLICY BOARD FOR TERM TO WHICH CALDWELL COUNTY COMMISSIONERS COURT APPOINTS HIM**

Former Commissioner John Cyrier of Caldwell County has been serving on the CAMPO Transportation Policy Board for several years. He did not seek re-election in November. On December 17, the Caldwell County Commissioners' Court appointed Mr. Cyrier as their representative to the CAMPO TPB. However, under the current CAMPO Joint Powers Agreement (JPA), membership on the Transportation Policy Board will consist of..."One member of the Caldwell County Commissioners' Court." Therefore, it has been suggested that each governing body for the six signatories to the JPA consider approving language similar to that provided below to allow Mr. Cyrier to continue to represent Caldwell County on the CAMPO Policy Board: "Consider and take appropriate action on waiving only those portions of Section I. Organization contained in the CAMPO Joint Powers Agreement to allow former Commissioner John Cyrier to serve as Caldwell County Representative to CAMPO for any term to which Caldwell County Commissioners Court elects to appoint him before January 1, 2015." A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to waive parts of Section I. Organization contained in the CAMPO Joint Powers Agreement, to allow former Commissioner John Cyrier to serve as Caldwell County representative on CAMPO policy board for term to which Caldwell County Commissioners Court appoints him. All voting "Aye". MOTION PASSED



**28776 AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR AND EMERGENCY MANAGEMENT COORDINATOR TO EXECUTE MEMORANDUMS OF UNDERSTANDING BETWEEN HAYS COUNTY AND LOCAL BUSINESSES RELATED TO USE OF THE FACILITIES AS A CLOSED POINT OF DISPENSING LOCATIONS**

Emergency Management Coordinator Kharley Smith spoke. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Development Services Director and Emergency Management Coordinator to execute Memorandums of Understanding between Hays County and local businesses related to use of the facilities as a Closed Point of Dispensing locations. All voting "Aye". MOTION PASSED**

**28777 REINSTATE HAYS COUNTY'S MEMBERSHIP TO THE NATIONAL ASSOCIATION OF COUNTIES (NACO)**

Mark Hamlin Brazos County District Clerk, Texas Association of Counties Board member and NACO representative spoke. Hays County membership includes one free conference registration to any NACO conference (\$825 value). Amount \$1,687.00. 001-645-00-5302. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to reinstate Hays County's membership to the National Association of Counties (NACO). All voting "Aye". MOTION PASSED**

**28778 PROMOTE AND FUND HEALTH CHECK 2013 FOR HAYS COUNTY EMPLOYEES AND ELIGIBLE DEPENDENTS AND AUTHORIZE PAYROLL DEDUCTION OF ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT**

Dee Dee Baen, Human Resources Director spoke. Health Check is a community wide celebration offering health screenings that include a complete metabolic panel (screening for glucose, renal and liver disorders); lipid panel (cholesterol with HDL/LDL breakdown and triglycerides); complete blood cell count for hematology disorders including white, hemoglobin, hematocrit and platelets. Per Central Texas Medical Center (CTMC), these tests, valued at hundreds of dollars, are offered for \$45 per person through Health Check (2012-\$45; 2011-\$25; 2010-\$35). Additionally, CTMC is offering Hays County employees the option of pre-registering which allows for blood draws at our worksite. As in prior years, these sites include the Government Center, the Sheriff's office and Road & Bridge on Yarrington. Thursday, March 21: location to be determined Tuesday, April 2: Wednesday, April 3: A recap of the last six years of our participation in Health Check is as follows: Hays County paid 100% of the participant's fee. Dependents over the age of 18 that are covered on our health plan were allowed to participate at no cost (with the exception of the additional tests). Historical participation is as follows: 2007: 150 employees participated, \$3725 2008: 187 employees participated, \$6545; Optional EE-paid Tests: Thyroid (71); PSA (26) 2009: 165 employees participated, \$5775; Optional EE-paid Tests: Thyroid (68); PSA (34) 2010: 168 employees participated, \$5880; Optional EE-paid Tests: Thyroid (62); PSA (34) 2011: 155 employees participated, \$3875; Optional EE-paid Tests: Thyroid (46) PSA (27) A1C (45) 2012: 131 employees participated, \$5895: Optional EE-paid Tests: Thyroid (39) Vitamin D (28) AIC (31) The requested amount of \$7,065 (157 employees x \$45) is an estimate, (20% over last year's participation of 131 employees). In addition to the basic blood screenings, employees can choose to have a thyroid stimulating hormone (TSH) test (\$15), a hemoglobin A1C test for \$15 (used to measure the amount of glucose that attaches to the protein in the red blood cells), a Vitamin D test is added for \$30, and a Hepatitis C test for \$30. Health Check no longer offers the PSA because it is not a recommended test as currently recommended by the US Preventive Services Task Force and that the current evidence for this test is insufficient to qualify it as a good screening test. Similar to last year and in order to minimize cash handling, reconciling and balancing, we are requesting the voluntary fees associated with optional tests to be payroll deducted. This has been coordinated with the Treasurer's office for payroll purposes and Treasurer Tuttle is supportive of this automation. An option to the County if they do not wish to absorb the entire cost could be to offer payroll deduction for a \$5 or \$10 cost sharing. The actual day-long health fair portion of Health Check will be held on Thursday April 18 from 7am to 3pm at Embassy Suites Conference Center. Amount required \$7,065.00; 003-730-00.5342. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to promote and fund Health Check 2013 for Hays County employees and eligible dependents and authorize payroll deduction of additional fees for optional services employees may elect. All voting "Aye". MOTION PASSED**

**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 RIGHT OF WAY ACQUISITION ON FM 150**

Court convened into Executive Session at 12:05 pm and reconvened into open court at 12:20 pm. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.



**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**

Court convened into Executive Session at 12:25 pm and reconvened into open court at 12:50 pm. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Chief of Staff Lon Shell. No action taken.

**28779 RATIFY THE LIFTING OF THE BURN BAN AND/OR DISASTER DECLARATION**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to ratify the lifting of the Burn Ban that the County Judge lifted yesterday. All voting "Aye". MOTION PASSED

**County Clerk's Note Agenda Item #33 RE:** DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PRECINCT 2 FACILITY PROJECT; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT – was pulled

**DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR**

Allen Crozier of HDR gave a brief overview of the projects under way. US 290 (Mighty Tiger to McGregor) – Continuous left turn lane and improve shoulders (approx. 3.7 mi.). RM 12 @ Sports Park Drive – Safety improvements (add left turn lane and other intersection safety improvements). RM 1826 @ Nutty Brown Rd – Safety improvements (left turn lane and other intersection safety improvements). RM 1826 @ Crystal Hill Dr (Goldenwood) – Safety improvements (left turn lane and other intersection safety improvements(potential acceleration lane)). RM 1826 @ Darden Hill Rd (CR 162) – Safety improvements (left turn lane and other intersection safety improvements – realignment of Darden hill Rd at intersection). RM 1826 @ RM 967 – Project Complete. RM 2325 Fischer Store Rd (CR 181) to Carney Lane – Project Complete. RM 12 @ Old Kyle Rd – Prop. 12 – City led. RM 12 & RM 32 Junction – Project Complete. RM 12 @ Parkway Development – ROW preservation & environmental studies for 4 lane divided parkway. RM 12 @ Hugo Road (CR 214) – Project complete. RM 12 @ Sink Creek – Project complete. RM 12 @ Wonder World Drive – Project complete. Old Bastrop Hwy (CR 266) – 1.9 mi. – widen to 3 lanes (2 + CLTL) & 4' shoulders/acquire ROW for an ultimate 4-lane section. SH 21 @ High Road (CR 127) – Project complete. SH 21 @ FM 2001 – Project complete. SH 21 @ Rhode Rd (CR 126) – Safety improvements (left turn lane and other intersection safety improvements). Dacy Lane (CR 205) Bebee Rd to Windy Hill – Engineering/environmental studies & ROW preservation (2-12' lanes, 14' left turn lane, bicycle lanes & sidewalks) (1.5 mi). Lime Kiln Rd @ Sink Creek – Study complete. Post Rd (CR 140) – Study complete. Lakewood Drive @ RM 1626 – Raise grade of approach (replace culvert with bridge) on Lakewood Dr @ 1626 safety improvements. RM 967@ Ruby Ranch Rd – Safety improvements (turn lanes).

**County Clerk's Note Agenda Item #35 RE:** DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY – was pulled

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 February 12, 2013.



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