

**Commissioners' Court – December 21, 2004**  
**NOTICE OF A MEETING OF THE**  
**COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS**



This Notice is posted pursuant to the Texas Open Meetings Act. (VERNONS TEXAS CODES ANN. GOV. CODE CH.551). The Hays County Commissioners' Court will hold a meeting at **9:00 A.M.** on the **21<sup>st</sup> day of December 2004**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE** - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag

**PRESENTATIONS & PROCLAMATIONS**

1. Presentation of Hays County Service Plaques [**Powers/Gonzales**]
2. Presentation of \$150,000 check to Camp Ben McCulloch, Inc., for restoration of Camp Ben Park in Pct. 4 [**Molenaar/Robinson/Salmon**]

**PUBLIC COMMENTS**

At this time **3-MINUTE** comments will be taken from the audience on Non-Agenda related topics. To address the Court, please submit a Public Participation/ Witness Form to the County Clerk. Please Complete the Public Participation/ Witness Form in its Entirety.  
NO ACTION MAY BE TAKEN BY THE COURT DURING PUBLIC COMMENTS.

**CONSENT ITEMS**

The following may be acted upon in one motion. A Commissioner, the County Judge, or a Citizen  
May request items be pulled for separate discussion and/or action

3. Approve payment of county invoices [**Herzog**]
4. Approve Budget Amendment # 05-08 [**Herzog**]
5. Approve Utility Permits [**Powers/Borcherding**]
6. Approve Software Group CAD Workstation license Agreement [**Ingalsbe/McGill**]
7. Authorize the County Judge to accept \$38,300 grant from CAPCOG for the Hays County Citizens Collection Station and to execute contract [**Molenaar/Salmon/Pinnix**]
8. Authorize the County Judge to accept grant from the State Homeland Security under the State Law Enforcement Terrorism Prevention Program (LETPP) for a total of \$20,354.00 [**Powers/Chambers/Salmon**]
9. Authorize the County Judge to accept grant from the State Homeland Security Program (SHSP) for a total of \$319,830.00 [**Powers/Ingalsbe/Chambers/Salmon**]
10. Authorize the County Judge to sign amended Blanco River Cleanup Program contract from the Office of Rural Community Affairs [**Ingalsbe/Salmon**]
11. Authorize the County Judge to accept \$53,444.00 grant from the Texas Task Force on Indigent Defense and to execute contract [**Ingalsbe/Salmon**]
12. Approve By-Laws of the Hays County Parks Foundation, Inc. [**Powers/Salmon**]
13. Approve the By-Laws of the Hays County Historical Commission as amended [**Powers/Gachot**]
14. Approve reappoint David Drain, Harrell Robinson, and Ora Mae Tucker to the Northwest Hays County Emergency Services District #1 [**Molenaar**]
15. Approve reappoint Michael Inman and Robert Libensky to the Northwest Hays County Emergency Services District #5 [**Molenaar**]
16. Approve appointment of Robert L. Love to the Northwest Hays County Emergency Services District #5, replacing appointment being vacated by Mike Chessmore [**Molenaar**]
17. Approve reappointments of Jerry Kolacny, Doris Johnson, Ron Wilson, James Tate, Thomas Charles Watts, Jerry McKee Bullock, Gil Peyton, Katherine Cannon, Elvin Holt, Ann M. Storm, Kate Johnson,

Raymond Lankford, Lamarr Petersen, Melissa Falcon, Lila Knight, Pete Anderson, and Richard Gachot to the Hays County Historical Commission for terms beginning January 1, 2005 and ending December 31, 2007; Further approve appointment of ex-officio members Ofelia Vasquez-Philo, Frances Stovall, and Johnnie Armstead for the same term **[Powers/Gachot]**

18. Approve appointments of Michelle M. López, Lisa Hanks, J. Eric Hudgins, Jody Ginn, Jon Thompson, and Bonnie Eissler to the Hays County Historical Commission for terms beginning January 1, 2005 and ending December 31, 2007 **[Powers/Gachot]**
19. Approve interlocal agreement with the City of Kyle relating to road construction on Dry Hole Road and authorize the County Judge to execute same **[Carter]**

## **ACTION ITEMS**

### **SUBDIVISIONS:**

20. **PCT. 4 04-4-022** Belterra, Phase 2, Section 4, 50 lots - Consider approval of FINAL PLAT and accept fiscal surety for the construction of road and drainage improvements **[Molenaar/Walther]**
21. **PCT. 4 04-4-024** Belterra, Phase 2, Section 5C, 35 lots - Consider approval of FINAL PLAT and accept fiscal surety for the construction of road and drainage improvements **[Molenaar/Walther]**
22. **PCT. 4 04-4-025** Belterra, Phase 2, Section 5D, 24 lots - Consider approval of FINAL PLAT and accept fiscal surety for the construction of road and drainage improvements **[Molenaar/Walther]**

### **ROADS:**

### **MISC. ITEMS:**

23. Discussion and possible action to call for a public hearing on January 18, 2005 to discuss the possible creation of the Woodcreek North Road District pursuant to Chapter 257 of the Texas Transportation Code **[Burnett]**
24. Discussion and possible action to approve appointment of Hays County Judge Jim Powers to the Capital Area Metropolitan Planning Organization to replace Commissioner Bill Burnett; further approve designation of Will Conley as a proxy to Judge Powers **[Burnett]**
25. Discussion and possible action to approve agreement for engineering services with Turner, Collie & Braden, Inc. and authorize the County Judge to execute Supplemental Work Authorization No. 1 to Work Authorization No. 20 - Hays County/TC&B/PBS&J (FM 110) **[Ingalsbe/Borcherding]**
26. Discussion and possible action to approve agreement for engineering services with Turner, Collie & Braden, Inc. and authorize the County Judge to execute Supplemental Work Authorization No. 6 to Work Authorization No. 1 - Hays County/TC&B (Bond Program Management) **[Powers/Borcherding]**
27. Discussion and possible action to approve agreement for engineering services with Turner, Collie & Braden, Inc. and authorize the County Judge to execute Supplemental Work Authorization No. 3 to Work Authorization No. 3 - Hays County/TC&B/URS (Redwood Road) **[Ingalsbe/Borcherding]**
28. Discussion and possible action to authorize the County Judge to submit a \$200,000 grant application to the U.S. Soccer Association for the construction of soccer fields at 5-Mile Dam Park **[Ingalsbe/Cobb/Salmon]**
29. Discussion and possible action regarding the Hays County delegation appearance before the Texas Transportation Commission and subsequent State and County discussion **[Molenaar/Burnett]**

## **EXECUTIVE SESSIONS**

The Commissioners' Court will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The Commissioners' Court may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

- 30. Executive session pursuant to Section 551.071, Texas Government Code, to meet with legal counsel to discuss and deliberate Papalote Homes, Ltd. V. Hays County Commissioners Court, Cause No. 04-0325. Action may follow in open court **[Ingalsbe]**
- 31. Executive session pursuant to Section 551.071, Texas Government Code, to meet with legal counsel to discuss and deliberate ongoing negotiations between Hays County and State Street Global Markets, LLC regarding the Hays County Juvenile Detention Facility. Action may follow in open court **[Ingalsbe]**

**ADJOURNMENT**

Posted by 5:00 o'clock P.M. on the 17<sup>th</sup> day of December, 2004 -- COMMISSIONERS' COURT, HAYS COUNTY, TEXAS

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CLERK OF THE COURT

Hays County encourages compliance with the Americans with Disabilities Act (ADA) in the conduct of all public meetings. To that end, persons with disabilities who plan to attend this meeting and who may need auxiliary aids such as an interpreter for a person who is hearing impaired are requested to contact the Hays County Judge's Office at (512) 393-2205 as soon as the meeting is posted (72 hours before the meeting) or as soon as practical so that appropriate arrangements can be made. While it would be helpful to receive as much advance notice as possible, Hays County will make every reasonable effort to accommodate any valid request regardless of when it is received. Braille is not available.