

Commissioners' Court – May 24, 2005
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 **24th day of May 2005**, 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

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

1. Approve budget amendment 05-27 [**Herzog**]
2. Approve payment of county invoices [**Herzog**]
3. Approve Utility Permits [**Powers/Borcherding**]
4. Approve March 2005 Treasurer's Report [**Powers/Tuttle**]
5. Accept \$5,000.00 grant from the Texas Department of Public Safety for purchase of Case Management Software necessary to achieve Federal Motor Carrier Safety Administration reporting requirements for the Justice of the Peace, 3 office [**Powers/Salmon**]
6. Accept internal examination reports for the Constable, Pct. 2 Office and the Justice of the Peace, Pct. 3 Office [**Herzog**]
7. Approve purchase of two 5-drawer top rollout shelf file cabinets for the Information Technology Department [**Ingalsbe/McGill**]
8. Authorize appraisal of the Hays County Juvenile Detention Center and amend the contract with Vivian Alexander [**Herzog**]

ACTION ITEMS

SUBDIVISIONS

9. **PCT. 3** 05-3-046 Shadow Valley, Tract 49 RESUBDIVISION, 2 lots – Consider approval of PRELIMINARY PLAN [**Conley/Walther**]
10. **PCT. 4** 05-4-034 Lawrence Subdivision, 1 lot – Consider approval of FINAL PLAT [**Molenaar/Walther**]
11. **PCT. 4** 05-4-009 SL-967, 1 lot – Consider approval of FINAL PLAT [**Molenaar/Walther**]
12. **PCT. 4** 05-4-037 Crossroad Estates, Section 2, Lot 1 RESUBDIVISION, 2 lots – Consider approval of PRELIMINARY PLAN [**Molenaar/Walther**]
13. **PCT. 4** 04-4-053 Harmon Hills, Tract 27, 2 rental spaces – Consider approval of INFRASTRUCTURE PLAN [**Molenaar/Walther**]

ROADS:

14. **PCT. 2** Call for a public hearing on June 7, 2005 to establish traffic regulation (Speed limit) on South Turnersville Rd, CR 212 [**Carter/Borcherding**]
15. **PCT. 2** Call for a public hearing on June 7, 2005 to establish traffic regulation (Speed limit) on South Turnersville Rd, CR 106 [**Carter/Borcherding**]
16. **PCT. 4** Call for a public hearing on June 7, 2005 to establish traffic regulation (Speed limit) in Saddletree subdivision [**Molenaar/Borcherding**]
17. **PCT. 4** Call for a public hearing on June 7, 2005 to establish traffic regulation (Speed limit) in Hurlbut Ranch East subdivision [**Molenaar/Borcherding**]

18. **PCT. 4** Call for a public hearing on June 7, 2005 to establish traffic regulation (Speed limit) in Hurlbut Ranch West subdivision **[Molenaar/Borcherding]**

MISC. ITEMS:

19. Discussion and possible action to accept the resignation of Constable, Precinct 3, Ron Magill and appoint Deputy Constable Darrell W. Ayers as Constable, Precinct 3, pursuant to Section 87.041, Texas Local Government Code, to be effective June 1, 2005. Presentation of plaque recognizing Constable Magill's service to Hays County **[Powers]**
20. Discussion and possible action to approve Utility Adjustment Agreement with CenterPoint Energy Resources Corporation for the Hays County Road Bond Program (HC-Bond-13) – Hays County / TC&B / CenterPoint Energy Resources Corporation (Redwood Road) **[Ingalsbe/Borcherding]**
21. Discussion and possible action to approve Utility Adjustment Agreement with Pedernales Electric Cooperative for the Hays County Road Bond Program (HC-Bond-09) – Hays County / TC&B / Pedernales Electric Cooperative (Nuttly Brown Road) **[Molenaar/Borcherding]**
22. Discussion and possible action to approve Utility Adjustment Agreement with Pedernales Electric Cooperative for the Hays County Road Bond Program (HC-Bond-17) – Hays County / TC&B / Pedernales Electric Cooperative (Sawyer Ranch Road) **[Molenaar/Borcherding]**
23. Discussion and possible action to authorize the County Judge to execute contract with Union Pacific Railroad for reconstruction of At-Grade Railroad Crossing for the Hays County Road Bond Program – Hays County / TC&B / Union Pacific Railroad (Kohlers Crossing) **[Carter/Borcherding]**
24. Discussion and possible action to approve a Resolution approving and authorizing publication of notice of intent to issue one or more series of certificates of obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and resolving other matters in connection therewith (relates to funding of the Hays County Juvenile Detention Facility) **[Powers/Herzog]**
25. Discussion and possible action to order public hearing pursuant to Section 257.024, Texas Transportation Code, on June 14, 2005 to consider the exclusion of certain real property from the boundaries of the Woodcreek North Road District **[Conley]**
26. Discussion and possible action to order a public hearing pursuant to Chapter 1471, Texas Government Code, on June 14, 2005 relating to a bond election for the Woodcreek North Road District **[Conley]**

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.

27. Executive session pursuant to Section 551.071 and 551.072, Texas Government Code, to meet with legal counsel to discuss property acquisition relating to the Hays County Road Bond Program including: **[Molenaar/Borcherding]** (Action may follow in open court)
- A) Parcel 49, Nutty Brown Road, Forest R. Holder and Janet L. Holder, fee owners
 - B) Parcel 51, Nutty Brown Road, Thomas Martinek and Shelly Martinek, fee owners
 - C) Parcel 61, Nutty Brown Road, Larry Roberts and Helen Roberts, fee owners
 - D) Parcels 63, 64 and 65, Nutty Brown Road, David Libersat and Kathy Libersat, fee owners
 - E) Parcel 69, Nutty Brown Road, Alan Lawrence Gahagan and Lisa Marie Gahagan, fee owners
28. Executive session pursuant to Section 551.074, Texas Government Code, to discuss and deliberate the appointment of a Personal Health Director (to include interviews of candidates). Action may follow in open court **[Powers]**
29. Executive session pursuant to Section 551.071 and 551.072, Texas Government Code, to meet with legal counsel to discuss and deliberate the potential acquisition of real property in Precinct 4. Action may follow in open court **[Molenaar]**

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 20th of May, 2005 -- COMMISSIONERS' COURT, HAYS COUNTY, TEXAS

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.