

**Commissioners Court -May 26, 2009
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 **26TH day of May, 2009**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

INVOCATION:

**PLEDGE OF ALLEGIANCE - Pledge of Allegiance to the American Flag & Pledge of Allegiance to the Texas Flag
CALL TO ORDER /ROLL CALL**

PRESENTATIONS & PROCLAMATIONS

1	1-2	Adopt a Proclamation recognizing Lynda McCarty-Turley accomplishments as Director of Adult Probation. INGALSBE
2	3-5	Adopt a Proclamation recognizing May 24 TH – 30 TH as Hurricane Preparedness Week. SUMTER

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	6	Approve payments of county invoices. HERZOG
4	7-12	Approve Commissioner Court Minutes of May 19, 2009. SUMTER/FRITSCH
5	13-14	Approve award of Bid #2009-B09 "Hot-Mix Overlay for Various County Roads" to Wheeler Coatings Asphalt LP. SUMTER/HERZOG/MAIORKA/BORCHERDING
6	15-16	Approve Institutional OSSF Permit for Dental Clinic for Robert D. White, D.D.S located at 140 Joe Wimberley Blvd., Wimberley, TX 78676, in Precinct 3. CONLEY/PRATT
7	17-23	Approve Utility Permits. SUMTER
8	24-26	Authorize the County Judge to approve proposed annual renewal application for Public Health Emergency Preparedness funding for FY 2010 in the amount of \$145,344.00. SUMTER/HARGRAVES

ACTION ITEMS

ROADS

9	27-28	Call for a public hearing on June 16, 2009 to establish traffic regulations in Hunters Glen subdivision. FORD/BORCHERDING
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MISCELLANEOUS

10	29-30	Discussion and possible action to authorize the County Judge to execute resolution and submit a grant application for up to \$24,000 to the Governor's Office – Criminal Justice Division for the Recovery Act: Edward Byrne Memorial Justice Assistance Formula Grant program. SUMTER/RATLIFF/HAUFF
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WORKSHOP

11	31	10:00AM Discussion of Road procedures and policies as it relates to the road bond; county roads; and list of proposed pre-approved engineers per RFQ Professional and Engineering Services request for Qualifications #2009-P05. Possible action may follow. SUMTER
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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.

12	32	Executive Session pursuant to Section 551.087 of the Texas Government Code to discuss economic development negotiations regarding Project BIO - Central. INGALSBE
13	33	Pursuant to Open Meetings Act, Texas Government Code 551.074, executive session to discuss personnel matters involving evaluation for the department manager in the Resource Protection, Transportation and Planning Department. Possible action may follow. BARTON
14	34	Executive Session pursuant to §551.071 of the Texas Government Code, regarding THK, L.L.C vs. Hays County and pending litigation related thereto. SUMTER

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 22ND day of May, 2009.

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.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Adopt a Proclamation recognizing Lynda McCarty-Turley – Director of Adult Probation

CHECK ONE: ☐ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☒ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED: none

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ingalsbe

SPONSORED BY: Ingalsbe

SUMMARY:



**A RESOLUTION BY HAYS COUNTY, RECOGNIZING
LYNDA McCARTY-TURLEY – DIRECTOR OF ADULT PROBATION**

**STATE OF TEXAS §
 §
COUNTY OF HAYS §**

Whereas, LYNDA McCARTY-TURLEY, earned her Bachelor of Arts degree in Law Enforcement on December 20, 1975 from Southwest Texas State University; and

Whereas, LYNDA McCARTY-TURLEY, began her career on February 15, 1978 as a Juvenile Probation Officer in Comal County, Texas; and

Whereas, LYNDA McCARTY-TURLEY, continued her career in probation as an Adult Probation Officer on October 1, 1980 in Hays County, Texas for the Caldwell, Comal and Hays Counties Adult Probation; and

Whereas, LYNDA McCARTY-TURLEY, was promoted to County Director in Hays County on July 1, 1989 for the Tri-County Adult Probation Department; and

Whereas, LYNDA McCARTY-TURLEY, has successfully administered the Hays County Division of the Caldwell, Comal and Hays Counties Adult Probation Department overseeing 31 employees; and

Whereas, LYNDA McCARTY-TURLEY, has served the Courts, provided rehabilitative opportunities for defendants and protected the communities of both Comal and Hays Counties for the past 31 years.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners' Court of Hays County, Texas, duly convened and acting in its capacity as the governing body of Hays County, recognizes **LYNDA McCARTY-TURLEY**, as an Outstanding Adult Probation Administrator, a fundamental practitioner of Correctional Services and further congratulates **LYNDA McCARTY-TURLEY** on all of her contributions as she has announced her retirement on May 31, 2009, and applaud her many fine accomplishments, her outstanding contributions and a lifetime of dedication in the field of probation.

ADOPTED THIS THE 26TH DAY OF MAY, 2009

**Elizabeth "Liz" Sumter
Hays County Judge**

**Debbie Gonzales Ingalsbe
Commissioner, Pct. 1**

**Jefferson W. Barton
Commissioner, Pct. 2**

**Will Conley
Commissioner, Pct. 3**

**Karen Ford
Commissioner, Pct. 4**

ATTEST:

**Linda C. Fritsche
Hays County Clerk**

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Phone (512) 393-2205

AGENDA ITEM: Proclamation recognizing May 24TH - 30TH as Hurricane Preparedness week.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: SUMTER

SPONSORED BY: SUMTER

SUMMARY:



111 E. San Antonio Street
San Marcos, Texas 78666

PROCLAMATION

Hurricane Awareness Week

WHEREAS, the State of Texas has historically experienced the damaging effects of hurricanes along the Gulf Coast and the damaging effects of severe inland weather systems spawned by hurricanes; and

WHEREAS, there have been many tragic and unnecessary human casualties and there has been costly property losses, all resulting from hurricanes and related weather systems in the State of Texas; and

WHEREAS, human casualties and property damage can be minimized when the public is informed about and prepared for hurricanes and related weather systems; and

WHEREAS, hurricane season is almost upon us and continues to the last day of November, and

WHEREAS, it is incumbent upon the Hays County Emergency Management Department as well as state and local governments, as stewards of the public's safety, to inform and educate the public on appropriate hurricane preparedness and safety measures; and

WHEREAS, Hays County citizens are reminded to monitor broadcast media for information about hurricanes because these deadly storms can cause flooding and tornadoes hundred of miles away, and

THEREFORE, Hays County Commissioners Court hereby proclaims May 24th - 30th as Hurricane Preparedness Week in Hays County.

Hays County Judge Liz Sumter

Debbie Ingalsbie
Commissioner Precinct 1

Jeff Barton
Commissioner Precinct 2

Will Conley
Commissioner Precinct 3

Karen Ford
Commissioner Precinct 4

Linda Fritsche, County Clerk



DIVISION OF EMERGENCY MANAGEMENT
Office of the Governor

RICK PERRY
Governor

Mailing Address:
PO Box 4087
Austin, Texas 78773-0220

Contact Numbers:
512-424-2138 Duty Hours
512-424-2277 Non-Duty Hours
512-424-2444 Fax

Physical Address:
5805 N. Lamar Blvd.
Austin, Texas 78752

STEVEN McCRAW
Director
Office of Homeland Security

JACK COLLEY
Chief

April 16, 2009

Dear Colleagues,

Last year's unprecedented and historic storm season once again showed that Texas is a national leader in hurricane response. Your dedication and your countless hours of service to your fellow citizens allowed us to meet the challenge of three hurricanes, a tropical storm and three other major flood events within a 58 day period.

Our jobs will never be easy. But a key to making our work less difficult is to ensure that our citizens are aware, educated and prepared to deal with hurricanes and all other hazards.

Hurricane Preparedness Week in Texas has been set for May 24 – 30, 2009. This is an opportunity to remind Texans along the coast that storm season predictions are only predictions and "all it takes is one" to do devastating damage to a community.

It is also an opportunity to remind Texans in other areas of the state to monitor broadcast media for information about hurricanes because these deadly storms can cause flooding and tornadoes hundreds of miles away. In addition, evacuations have an impact on highway traffic and communities far from the coast as evacuees seek shelter.

The National Weather Service, the Governor's Division of Emergency Management, local officials and emergency managers will be reminding our coastal residents to double check their emergency supply kits and go over their emergency plans – and to talk to neighbors who may be new to the Texas coast – about the need for hurricane preparedness.

For Hurricane Preparedness Week, see the GDEM Web site:

<www.txdps.state.tx.us/dem>

Thank you for everything you do.

Sincerely,

Jack Colley
Chief

A large, stylized handwritten signature in black ink, appearing to read "Jack Colley".

Agenda Item Request Form

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Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve payment of county invoices.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: 5/26/09

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: As attached.

REQUESTED BY: Auditor's Office

SPONSORED BY: Bill Herzog 

SUMMARY:

Agenda Item Request Form

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no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: APPROVE COMMISSIONERS COURT MINUTES OF MAY 19, 2009

CHECK ONE: **X CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: MAY 26, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: FRITSCHÉ

SPONSORED BY: SUMTER

SUMMARY:



STATE OF TEXAS *
COUNTY OF HAYS

ON THIS THE 19TH DAY OF MAY A.D., 2009, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
LINDA C. FRITSCHKE	COUNTY CLERK

WITH COMMISSIONER PCT. 4 KAREN FORD ABSENT; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Santiago Heredia of El Buen Pastor United Methodist Church in San Marcos gave the invocation and Commissioner Conley led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PRESENTATION ON REDISTRICTING OF COMMISSIONER PRECINCTS BY ROLANDO RIOS OF ROLANDO RIOS AND ASSOCIATES, PLLC IN PREPARATION OF THE 2010 REDISTRICTING PROCESS

Rolando Rios (Rolando Rios and Associates PLLC) spoke of importance of the census count. His firm provided redistricting services for the county during the last census. Court will go out for proposals for this service. Mr. Rios spoke of his experience in providing this service.

26132 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payments of county invoices in the amount of \$421,812.84 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

26133 APPROVE COMMISSIONER COURT MINUTES OF MAY 12, 2009

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioner Court Minutes of May 12, 2009 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

26134 ACCEPT DONATED FUNDS IN THE AMOUNT OF \$900 TO THE HAYS COUNTY SHERIFF'S OFFICE FOR NATIONAL NIGHT OUT TO BE DEPOSITED IN LINE ITEM 28-467-5222 (CRIME PREVENTION PROGRAM) AND AMEND BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to accept donated funds in the amount of \$900 to the Hays County Sheriff's Office for National Night Out to be deposited in line item 28-467-5222 (Crime Prevention Program) and amend budget accordingly. All present voting "Aye". MOTION PASSED

26135 APPROVE THE CANCELLATION OF COMMISSIONER'S COURT ON JUNE 9, 2009

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the cancellation of Commissioner's Court on June 9, 2009. All present voting "Aye". MOTION PASSED

26136 APPROVE THE EXTENSION OF CONTRACT WITH PBS&J FROM JUNE 30, 2009 TO JUNE 30, 2010 FOR PROFESSIONAL SERVICES RELATING TO THE ENVIRONMENTAL ASSESSMENT DOCUMENT IN SUPPORT OF A FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR FM 110

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the extension of contract with PBS&J from June 30, 2009 to June 30, 2010 for professional services relating to the environmental assessment document in support of a Finding Of No Significant Impact (FONSI) for FM 110. All present voting "Aye". MOTION PASSED



MAY 19, 2009

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- 26137 AUTHORIZE THE COUNTY JUDGE TO EXECUTE TWO ADVANCE FUNDING AGREEMENTS FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A LEFT TURN LANE AND ADDING SHOULDERS ON SH 21 AT THE CR 127 INTERSECTION AND ALSO ON SH 21 AT THE YARRINGTON INTERSECTION**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve resolution and authorize the County Judge to execute two Advance Funding Agreements for voluntary local government contributions to transportation improvement projects with no required match with the State of Texas acting by and through the Texas Department of Transportation for the construction of a left turn lane and adding shoulders on SH 21 at the CR 127 intersection and also on SH 21 at the Yarrington intersection. All present voting "Aye". MOTION PASSED

- 26138 APPROVE AWARD OF BID #2009-B11 "CONSTRUCTION OF METAL BUILDING FOR THE CITIZENS COLLECTION STATION/ DRIFTWOOD" TO T&T CONSTRUCTION**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve award of bid #2009-B11 "Construction of Metal Building for the Citizens Collection Station /Driftwood" to T&T Construction. All present voting "Aye". MOTION PASSED

- 26139 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve utility permit no. 02014 on Trail Driver Road issued to LCRA; permit no. 02015 on Kemp Hills Drive issued to The Hills of Texas Estates POA; permit no. 02016 on Harris Hill Road issued to PEC, Inc. as presented by the Hays County Road Department. All present voting "Aye". MOTION PASSED

- 26140 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPT THE REVEGETATION BOND AND THE MAINTENANCE BOND FOR TWO YEARS FOR BELTERRA SUBDIVISION PHASE 4, SECTION 12A [T1-226]**

RPTP Director Jerry Borcharding gave staff recommendation. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to accept road construction and drainage improvements, release of the construction bond, and accept the revegetation bond and the maintenance bond for two years for Belterra Subdivision Phase 4 Section 12A. All present voting "Aye". MOTION PASSED

- 26141 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPT THE REVEGETATION BOND AND THE MAINTENANCE BOND FOR TWO YEARS FOR BELTERRA SUBDIVISION, PHASE 4 SECTION 14 [T1-245]**

RPTP Director Jerry Borcharding gave staff recommendation A motion was made by Commissioner Barton, seconded by Judge Sumter to accept road construction and drainage improvements, release of the construction bond, and accept the revegetation bond and the maintenance bond for two years for Belterra Subdivision Phase 4 Section 14. All voting "Aye". MOTION PASSED

- 26142 CANVASS ELECTION RESULTS FOR JUSTICE OF THE PEACE PRECINCT 3 LOCAL OPTION ELECTION HELD MAY 9, 2009 [T1-262]**

Elections Administrator Joyce Cowan provided results of the election. The proposition: "The legal sale of all alcoholic beverages including mixed beverages" passed with a vote of 1,137 For and 235 Against. A motion was made by Judge Sumter, seconded by Commissioner Barton to canvass election results for Justice of the Peace Precinct 3 Local Option Election held May 9, 2009. All present voting "Aye". MOTION PASSED



26143 CANVASS ELECTION RESULTS FOR SPECIAL ELECTION (INCORPORATION OF JACOB'S WELL) HELD MAY 9, 2009 [T1-296]

Elections Administrator Joyce Cowan provided results of the election. The proposition: "The Incorporation of the Village of Jacobs Well as a Type A general-law municipality – commission form of government" failed with a vote of 241 Against and 155 For Incorporation. A motion was made by Judge Sumter, seconded by Commissioner Conley to canvass election results for Special Election (Incorporation of Jacob's Well) held May 9, 2009. All present voting "Aye". MOTION PASSED

26144 APPROVE OUT OF STATE TRAVEL FOR AN EMPLOYEE IN THE SHERIFF'S OFFICE FOR FORENSIC PROFESSIONAL TRAINING IN LAS VEGAS, NEVADA [T1-318]

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve out of state travel for an employee in the Sheriff's Office for Forensic Professional Training in Las Vegas, Nevada. All present voting "Aye". MOTION PASSED

26145 HIRE ROGERS CONSULTING TO DEVELOP PLANS AND SPECIFICATIONS FOR THE WIDENING OF FISCHER STORE ROAD FROM FM 2325 TO SACHTLEBEN ROAD AND TO ALLOW COMMISSIONER CONLEY TO NEGOTIATE RELATED CONTRACTS AND WORK AUTHORIZATIONS [T1-350]

Commissioner Conley spoke of work that has been done and work to be done. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to hire Rogers Consulting to develop plans and specifications for the widening of Fischer Store Road from FM 2325 to Sachtleben Road and to allow Commissioner Conley to negotiate related contracts and work authorizations. All present voting "Aye". MOTION PASSED

26146 APPROVE PURCHASE OF A HAVEN TECHNOLOGY CORPORATION SPEAKER/MICROPHONE SYSTEM (2 UNITS) FOR USE IN THE TAX OFFICE AT PCT 4 BUILDING [T1-522]

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve the purchase of a Haven Technology Corp. Speaker/Microphone System (2 units) for use in the Tax Office at Pct 4 Building in an amount not to exceed \$1,518.12. All present voting "Aye". MOTION PASSED

26147 APPROVE REVISED BY-LAWS OF THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY BOARD AS ADOPTED BY THAT BOARD ON MAY 6, 2009 [T1-550]

Jeff Hauff spoke of changes that were made. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the revised bylaws of the Hays County Parks and Open Space Advisory Board as adopted by that board on May 6, 2009 to include: "or" under Article V Section 12:(b) refrain from any discussion or voting on the matter; or. All present voting "Aye". MOTION PASSED

26148 AUTHORIZE A TEMPORARY POSITION IN THE VICTIM SERVICES SECTION OF THE DISTRICT ATTORNEY'S OFFICE TO PERFORM CLERICAL AND ENTRY LEVEL ADVOCATE DUTIES [T1-656]

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize a temporary position in the Victim Services Section of The District Attorney's Office to perform clerical and entry level advocate duties. All present voting "Aye". MOTION PASSED

26149 APPROVE AND SIGN LETTERS TO ALL MAYORS IN HAYS COUNTY REGARDING THE BIG PUSH [T1-693]

Letter will request entities to join the county in efforts to achieve better air quality. The Commissioners Court adopted a resolution on May 12, 2009 in support of the Big Push Initiative which involves education and awareness for all county employees, notification to all staff of Ozone Action Days, fleets to gas up after 3pm daily, etc. A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve and sign letters to all Mayors in Hays County regarding the Big Push. All voting "Aye". MOTION PASSED



MAY 19, 2009

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26150 HIRE TEMPORARY HELP FOR HUMAN RESOURCES AND AMEND THE BUDGET ACCORDINGLY [T1-807]

County Auditor Bill Herzog advised that funds will come from contract services line item. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to hire temporary help for Human Resources and amend the budget accordingly. All voting "Aye". MOTION PASSED

26151 APPOINT A GRIEVANCE COMMITTEE IN COMPLIANCE WITH SECTION 3.23 OF THE HAYS COUNTY EMPLOYEE HANDBOOK [T1-846]

A motion was made by Judge Sumter, seconded by Commissioner Conley to appoint a grievance committee of Britney Richey, Yvette Johnson, Janice Weber, Cindy Maiorka, and Judge Rodriguez in compliance with Section 3.23 of the Hays County Employee Handbook. All present voting "Aye". MOTION PASSED

26152 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY, THE HILL COUNTRY CONSERVANCY AND THE CITY OF AUSTIN [T1-880]

On September 30, 2008 the Court adopted a resolution declaring the County's intent to co-purchase and hold a conservation easement on the Dahlstrom Ranch. The Court also requested that counsel negotiate a contract with the Dahlstrom family, the City of Austin, and the Hill Country Conservancy based on terms and conditions proposed by Commissioner Barton. Special Counsel Mark Kennedy explained the memorandum of understanding and he spoke of additional expenses being taken on by the other entities. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Memorandum of Understanding between Hays County, the Hill Country Conservancy and the City of Austin related to Dahlstrom Ranch property. All present voting "Aye". MOTION PASSED

26153 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EARNEST MONEY CONTRACT FOR PURCHASE OF 1.564 ACRES OF LAND FROM PAUL AND MARY DUNN NEAR THE CORNER OF WINTERS MILL PARKWAY AND RM 3237 IN PRECINCT THREE AND TO AUTHORIZE THE JUDGE TO EXECUTE CLOSING DOCUMENTS [T1-1282]

A motion was made by Commissioner Conley, seconded by Commissioner Barton to authorize the County Judge to execute an earnest money contract for purchase of 1.564 acres of land from Paul and Mary Dunn near the corner of Winters Mill Parkway and RM 3237 in Precinct Three and to authorize the Judge to execute closing documents – to be funded from line item 01-414-5399 not to exceed \$24,000. All present voting "Aye". MOTION PASSED

26154 APPROVE THE PURCHASE OF ONE LAPTOP AND TWO DESKTOP COMPUTERS FOR RPTP AND AMEND THE BUDGET ACCORDINGLY [T1-1371]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the purchase of one laptop and two desktop computers for RPTP and amend the budget accordingly. All present voting "Aye". MOTION PASSED

26155 EXECUTIVE SESSION PURSUANT TO SECTION §551.072 OF THE TEXAS GOVERNMENT CODE TO CONSIDER LITIGATION CONCERNING CONDEMNATION PROCEEDINGS FOR ACQUIRING PROPERTY FOR RIGHT OF WAY AT 3070 DRY HOLE DR., KYLE, TEXAS, PART OF THE PASS THROUGH AGREEMENT BETWEEN HAYS COUNTY AND TXDOT FOR THE PROJECT IH 35 & CR 210

[T1-1518] Court convened into closed executive session at 11:00 a.m. and reconvened into open meeting at 11:10 a.m. A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the firm of Duvall, Grunig & Dietz to move forward with condemnation process to acquire right of way located at 3070 Dry Hole Drive in Kyle, Texas consisting of 0.090 acres of land owned by Hank A Elliott, related to pass through finance agreement between Hays County and TxDot for the project at IH35 and CR210. Commissioner Ingalsbe, Commissioner Barton and Judge Sumter voting "Aye". Commissioner Conley abstained. MOTION PASSED



**EXECUTIVE SESSION PURSUANT TO §551.072 OF THE TEXAS GOVERNMENT CODE,
REGARDING EXISTING OR CONTEMPLATED EMPLOYMENT CLAIMS INVOLVING HAYS
COUNTY**

Court convened into closed executive session at 11:20 a.m. and reconvened into open meeting at 12:35 p.m.
No action taken.

**Clerk's Note: Agenda Item #12 RE: APPROVE THE LIST OF ENGINEERS FOR THE PROFESSIONAL
AND ENGINEERING SERVICES REQUEST FOR QUALIFICATIONS #2009-P05 was PULLED**

**Clerk's Note: Agenda Item #15 RE: AUTHORIZE COUNTY JUDGE TO SIGN CONTRACT WITH
ROGERS DESIGN SERVICES FOR MT. GAINOR ROAD IMPROVEMENTS AND TO AUTHORIZE
COMMISSIONER FORD TO APPROVE WORK AUTHORIZATIONS AS PROJECT PROCEEDS FOR A
TOTAL NOT TO EXCEED \$50,000 was PULLED.**

**Clerk's Note: Agenda Item #16 RE: ACCEPT DONATION OF ROW ALONG WAYSIDE DRIVE was
PULLED.**

Court was adjourned.

I, LINDA C. FRITSCHKE, 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 MAY 19, 2009.



LINDA C. FRITSCHKE, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS



Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

No later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve award of Bid #2009-B09 "Hot-Mix Overlay for Various County Roads" to Wheeler Coatings Asphalt LP

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**

 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Borcherding

SPONSORED BY: SUMTER

SUMMARY: Purchasing received 5 bids with Wheeler Coatings Asphalt LP having the lowest and best bid.

See attached tabulation.

TABULATION FOR IFB #2009-B09
HOT-MIX OVERLAY FOR VARIOUS HAYS COUNTY ROADS

WHEELER COATINGS ASPHALT	\$46.57 PER TON \$.88 CENTS PER LINEAR FOOT FOR MILLING
ASPHALT PAVING COMPANY	\$52.75 PER TON \$.90 CENTS PER LINEAR FOOT FOR MILLING
JD RAMMING	\$53.80 PER TON \$1.00 PER LINEAR FOOT FOR MILLING
VK KNOWLTON	\$61.25 PER TON \$.58 CENTS PER LINEAR FOOT FOR MILLING
LONE STAR PAVING	\$63.75 PER TON \$.78 CENTS PER LINEAR FOOT FOR MILLING

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

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no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: *(Since there is nothing unusual or controversial about this Commercial OSSF permit application, it is recommended that it be placed on the Consent Agenda)*

Action to Authorize Institutional OSSF Permit for Dental Clinic for Robert D. White, D.D.S located at 140 Joe Wimberley Blvd., Wimberley, TX 78676, in Precinct 3.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
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PREFERRED MEETING DATE REQUESTED: June 2, 2009

AMOUNT REQUIRED: NA

LINE ITEM NUMBER OF FUNDS REQUIRED: NA

REQUESTED BY: Bob Pratt, R.S., Resource Protection, Transportation & Planning.

SPONSORED BY: Commissioner Conley, Precinct 3

SUMMARY: Robert D. White, D.D.S. is proposing an OSSF to serve a Dental Clinic at 140 Joe Wimberley Blvd., Sander Business Park, Lot #2 in Precinct 3. The property is 1.01 acres.

It is a Low Pressure Dosing system (subsurface) designed by Clifford J. Conner, R.S. The On Site Sewage Facility is designed for a maximum wastewater flow of 200 gpd. The water is supplied by Wimberley WSC. Medical waste will not enter the OSSF. It will be handled by a licensed medical waste disposal company.

STAFF REVIEW/COMMENTS

Resource Protection, Transportation & Planning Director: Recommend approval.

ROAD DIRECTOR: NA

STAFF RECOMMENDATIONS: Recommend approval. No variances to the Hays County OSSF Rules were required/granted.

SITE PROFILE

Page 1
5/18/2009

Permit #: 2008-580

TYPE OF PERMIT: ☒ OSSF permit

PROPERTY ADDRESS: 140 JOE WIMBERLEY BLVD, WIMBERLEY TX 78676

NAME OF OWNER: ROBERT WHITE

MAILING ADDRESS: PO BOX 304 WIMBERLEY TX 78676

Work Phone: (512) 847-9521

Cell:

Home Phone: (512) 847-2335

Fax:

Septic Type: Commercial

Reason: New

3200 Sq Ft

7 Employees

Household: 0

Purchased: 1/27/2009

Revision: 5/6/2009

License Date:

Bathrooms: 3

Plans: 10/29/2008

Final Inspection:

Printed:

Kitchens: 0

Field: 1000

Authorization:

Approved By:

Installed:

Other Information:

☐ Rainwater Collection

☐ City limits

☐ Public Sewer

☐ ETJ

☒ Public Water ☐ Well

☒ Water saving fixtures

☒ Public Water

☒ Recharge zone

☐ Meter / Timer Required

WaterSupply Company:

Record Set:

Volume:

Page:

HAYS COUNTY

Lot/Tract: 2

Block:

Lot size: 1.01

Precinct/Zone: 3

Abstract Number: 0

Affidavit File Date:

Survey:

Grid/Section:

Subdivision: SANDER BUSINESS PARK

Reference:

Evaluator's Information: Site Evaluator: CONNER, JIM

Type of soil: 3

Soil Date: 10/15/2008

200 GPD

General Comments about the system:

11/5/08 ptc w/ Mr. White, Explained that we couldn't have taken in his application before getting the "Permission to Proceed" from Wimberley. Mr. White told me that they are already working with Wimberley and as soon as he gets it he will fax to us. File remains in our Pending files. jj

System Information:

Manufacturer:

Distributor:

Designer: CONNER, JIM

Installer: RYBARSKI, MIKE

Treatment Type: Septic

Disinfectant:

Flood Plain Information:

Disposal: Low Pressure Dose

Flood Plain Status: Exempt

Flood Plain Date:

System:

Aerator:

Flood Plain Certificate:

Flood Plain Complete:

Discharge:

Expiration Date:

Service and Maintenance Information

☐ Routine Maintenance

Service Provider:

Date Maintenance Contract Started:

Insp./year: 3

Date Maintenance Contract Expires:

Location of System:

GPS Latitude: N

GPS Longitude: W

Map Code:

Legal Description:

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Approve Utility Permits.

CHECK ONE: ☒ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**

☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: April 21, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

SPONSORED BY: SUMTER

SUMMARY:

Permit # 02017 Center Point Rd (Water)

Permit # 02018 Opal Lane (Water)

PERMIT NO. : 02017 APPLICATION DATE :5/18/2009 APPROVED DATE : 5/26/2009

CO. CODE : CCW Company Name: CRYSTAL CLEAR Type of Utility: WATER

City: SAN MARCOS Department: OPERATOR

ROAD NO. : ROAD NAME : Center Point Road NAME Robert Wyly

SUBDIVISION :N/A SEGMENT : 1

TYPE LINE : Water line

DESCRIPTION : Water line boring Center point Road . . .

SPECIAL PROVISIONS : Traffic control required; min 36" in depth; to
be bored and case; notify Hays County prior
to construction

NOTICE OF PROPOSED INSTALLATION
Utility Line on Hays County Right of Way

To The Hays County Road Department
c/o Permits and Inspections
401 North Rebel Drive
P.O. Box 1180
Kyle, Texas 78640

Date: 5-18-09

Formal notice is hereby given that Crystal Clear Water
Company proposes to place a Road Barr
line within the right-of-way of Center Point Road
as follows: (give location, length, general design, etc.)

If the proposed installation is a parallel installation, then the installation shall be located two feet within the edge of right-of-way unless otherwise approved by the County.

The line will be constructed and maintained on the road right-of-way as directed by the Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, in accordance with governing laws, including but not limited to the "Federal Clean Water Act," the "Federal Endangered Species Act," and the "Federal Historic Preservation Act." Upon request by the HCRD, proof of compliance with all governing laws, rules, and regulations will be submitted to HCRD before commencement of construction.

Our firm will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will revegetate the project area as indicated under "General Special Provisions."

Our firm will insure that traffic control measures complying with applicable portions of the *Texas Manual of Uniform Traffic Control Devices* will be installed and maintained during this installation.

The location and description of the proposed line and appurtenances is more fully shown by _____ complete sets of drawings attached to this notice.

It is expressly understood that Hays County does not purport, hereby, to grant any right, claim, title, or easement in or upon this road; and it is further understood that Hays County may require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days' written notice.

It is understood and agreed that any damages sustained to the appurtenances installed under this proposal as a result of road construction and/or maintenance, including but not limited to mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work shall be the sole burden and expense of the owner.

Applicant agrees to notify HCRD prior to commencement of any routine or periodic maintenance which requires pruning of trees within the road right-of-way, so that the County may provide specifications for the extent and methods to govern in trimming, topping, tree balance, type of cuts, painting cuts and clean up.

The installation shall not damage any part of the road and adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners. In the event the Applicant fails to comply with any or all of the requirements as set forth herein, Hays County may take such action as it deems appropriate to compel compliance.

Construction of this line will begin on or after the 1 day of June, 2009

General Special Provisions:

By signing below, I certify that I am authorized to represent the Firm listed below, and that the Firm agrees to the conditions/provisions included in this permit.

Firm Crystal Clear Water

Title Operator

By (Print) Robert W. Wyley

Address 2370 FM 1979

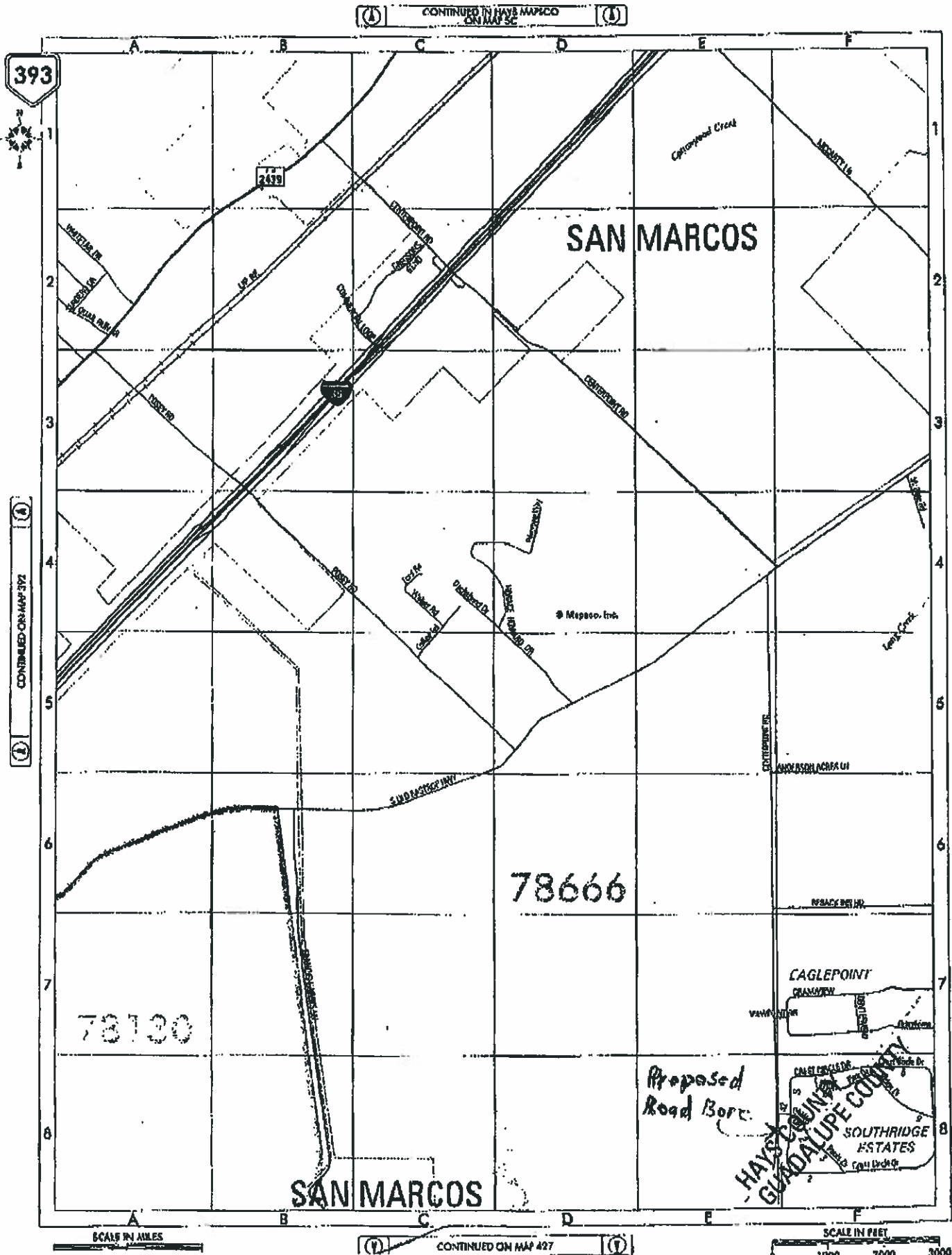
Signature Robert W. Wyley

San Marcos TX 78666

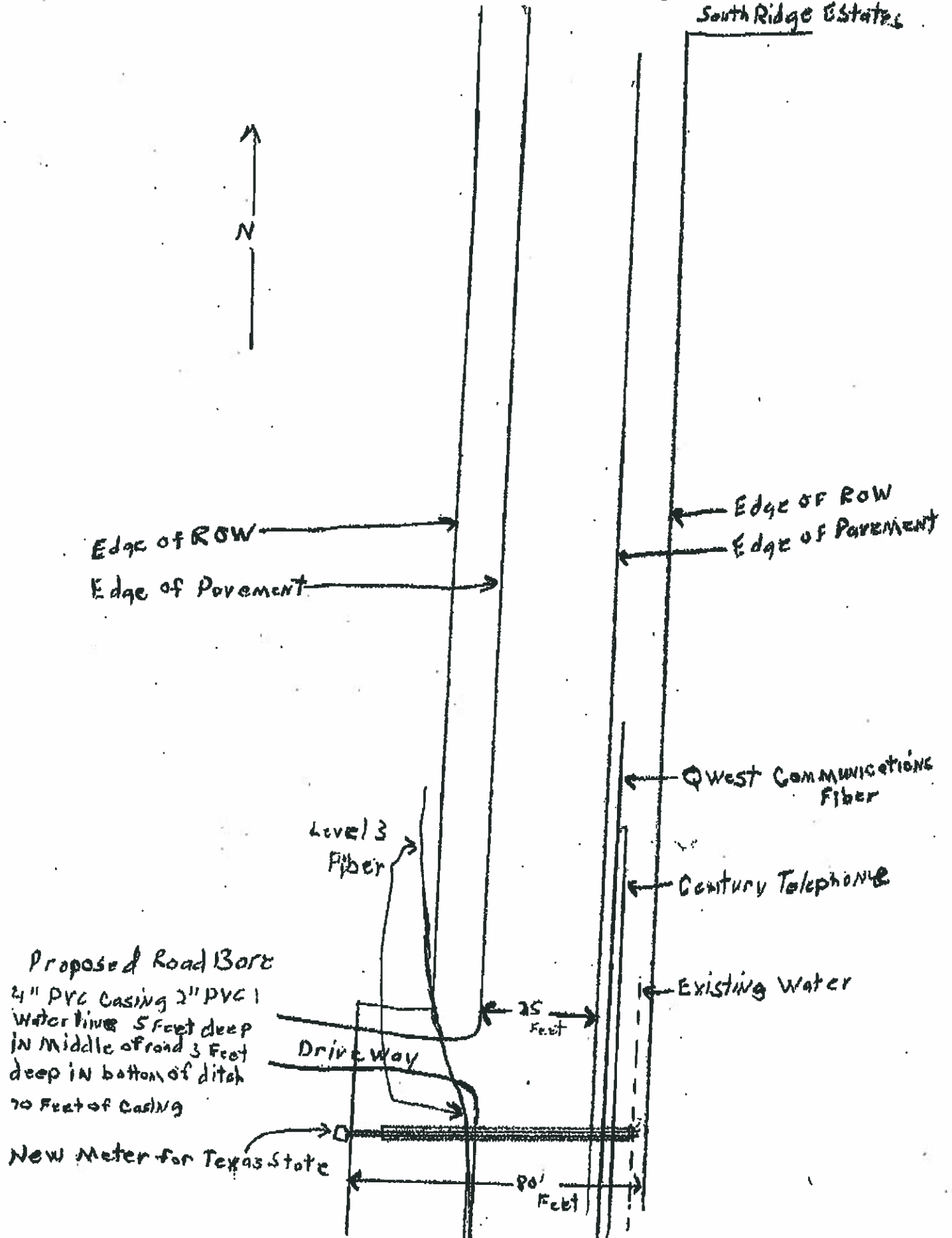
Phone No. 830-372-1031

Form UP1 - 5/0/04

5/19/09



South Ridge Estates



PERMIT NO. : 02018 APPLICATION DATE :5/19/2009 APPROVED DATE : 5/26/2009

CO. CODE : KYLE Company Name: CITY OF KYLE Type of Utility: WATER

City: KYLE Department: UTILITY DEPT.

ROAD NO. : ROAD NAME : Opal Lane NAME Warren Christian

SUBDIVISION :N/A SEGMENT : 1

TYPE LINE : Water line

DESCRIPTION : water line service to be bored under Opal Lane . . .

SPECIAL PROVISIONS : Traffic control; min 36" in depth; to be bored and cased; notify Hays County prior to construction . . .



Road and Bridge Department
2171 Yarrington Road
P O Box 906
San Marcos, TX 78667-0906
(512) 393-7385

Application for Installation

Utility Line on Hays County Right of Way

Date: 5-19-09

Formal notice is hereby given that City of Kyle Public Works/Water Dept.
Company proposes to place a water
line within the right-of-way of Opal Lane
as follows: (give location, length, general design, etc.)
Bore approx. 60' underneath Opal Lane & right-of-way in front of 400 Opal Ln.
Install a 1" poly water line encased in a 2" PVC pipe approx. 4' deep.

If the proposed installation is a parallel installation, then the installation shall be located two feet within the edge of right-of-way unless otherwise approved by the County.

The line will be constructed and maintained on the road right-of-way as directed by the Hays County Road Department (HCRD), an agency of the Commissioners Court of Hays County, in accordance with governing laws, including but not limited to the "Federal Clean Water Act," the "Federal Endangered Species Act," and the "Federal Historic Preservation Act." Upon request by the HCRD, proof of compliance with all governing laws, rules, and regulations will be submitted to HCRD before commencement of construction.

Our firm will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will revegetate the project area as indicated under "General Special Provisions."

Our firm will insure that traffic control measures complying with applicable portions of the *Texas Manual of Uniform Traffic Control Devices* will be installed and maintained during this installation.

The location and description of the proposed line and appurtenances is more fully shown by _____ complete sets of drawings attached to this notice.

It is expressly understood that Hays County does not purport, hereby, to grant any right, claim, title, or easement in or upon this road; and it is further understood that Hays County may require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days' written notice.

It is understood and agreed that any damages sustained to the appurtenances installed under this proposal as a result of road construction and/or maintenance, including but not limited to mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work shall be the sole burden and expense of the owner.

Applicant agrees to notify HCRD prior to commencement of any routine or periodic maintenance which requires pruning of trees within the road right-of-way, so that the County may provide specifications for the extent and methods to govern in trimming, topping, tree balance, type of cuts, painting cuts and clean up.

The installation shall not damage any part of the road and adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners. In the event the Applicant fails to comply with any or all of the requirements as set forth herein, Hays County may take such action as it deems appropriate to compel compliance.

Construction of this line will begin on or after the 26th day of May, 2009.

General Special Provisions:

By signing below, I certify that I am authorized to represent the Firm listed below, and that the Firm agrees to the conditions/provisions included in this permit.

Firm City of Kyle

Title Assistant Superintendent of Public Work

By (Print) Warren Christian

Address 103 S. Front St.

Signature [Signature]

Kyle, TX 78640

Phone 512-262-3403

Approved by Hays County Road & Bridge Department

Signature

Inspector

Title

5/20/09

Date

June 23, 2001

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM:

Discussion and possible action to authorize the County Judge to approve proposed annual renewal application for Public Health Emergency Preparedness funding for FY 2010 in the amount of \$145,344.00.

CHECK ONE: **CONSENT** **X ACTION** ☐ **EXECUTIVE SESSION**

 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Priscilla Hargraves

SPONSORED BY: Sumter

SUMMARY:

This is a renewal application between the Hays County Personal Health Department and the Texas Department of State Health Services for Public Health Emergency Preparedness funds for FY 2010. The award is for \$145,344.00. The funding is for August 1, 2009 through July 31, 2010.

Agenda Item Routing Form

DESCRIPTION OF Item: Authorize the County Judge to approve proposed annual renewal application for Public Health Emergency Preparedness funding for FY 2010 in the amount of \$145,344.00.

This is a renewal application between the Hays County Personal Health Department and the Texas Department of State Health Services for Public Health Emergency Preparedness funds for FY 2010. The award is for \$145,344.00. The funding is for August 1, 2009 through July 31, 2010.

PREFERRED MEETING DATE REQUESTED: May 26, 2009

COUNTY AUDITOR

Typically Requires 1 Business Day Review

AMOUNT AND FUND LINE ITEM NUMBER _____ **FY 2010** _____

COUNTY PURCHASING GUIDELINES FOLLOWED: _____ **N/A** _____

PAYMENT TERMS ACCEPTABLE: _____ **N/A** _____

COMMENTS: Will be budgeted for FY2010

Bill Herzog

SPECIAL COUNSEL

Typically Requires 9 Business Day Review

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COMMISSIONERS' COURT

APPROVED/DISAPPROVED AND DATE: _____

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____



**FY2009
Public Health Emergency Preparedness**

Applicant Information

Legal Name of Applicant Agency: HAYS COUNTY PERSONAL HEALTH DEPARTMENT
Mailing Address:

Street / PO Box: 401 A BROADWAY STREET
 City SAN MARCOS
 Zip 78666

Payee Name: HAYS COUNTY PERSONAL HEALTH DEPARTMENT

Payee Mailing Address:

Street / PO Box: 401 A BROADWAY STREET
 City SAN MARCOS
 Zip 78666

State of Texas Comptroller Vendor ID No (14 digit): 1-74-6002241-5002

Type of Entity (Choose one)

City ☐
 County ☒
 Other Political Subdivision ☐

Project Period

Start 8/1/2009
 End 7/31/2010

Counties Served

County 1 HAYS
 County 2 _____
 County 3 _____
 County 4 _____
 County 5 _____
 County 6 _____
 County 7 _____

Amount of Funding Requested: \$ 145,344.00

ASSURANCES

The facts affirmed by me in this application are truthful. I understand that the truthfulness of the facts affirmed herein and the continuing compliance with these requirements is a condition precedent to the award of a contract. This document has been duly authorized by the governing body of the applicant and I (the person signing below) am authorized to represent the applicant.

Signature of Authorized Representative

Typed Name of Authorized Representative

Title of Authorized Representative

Date of Submission

Authorized Representative Telephone Number

Authorized Representative E-mail Address

Subdivision/Road/Staff Review Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Call for a public hearing on June 16, 2009 to establish traffic regulations in Hunters Glen subdivision.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
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PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: Jerry Borcharding

SPONSORED BY: Commissioner Ford

SUMMARY:

To establish: a stop sign on Hunters Glen Drive at Powder Horn Trail, a stop sign on Hunters Glen Drive at Hilliard Road, a stop sign on Powder Horn Trail at Hilliard Road in Hunters Glen and a speed limit of 30 MPH.

STAFF REVIEW/COMMENTS

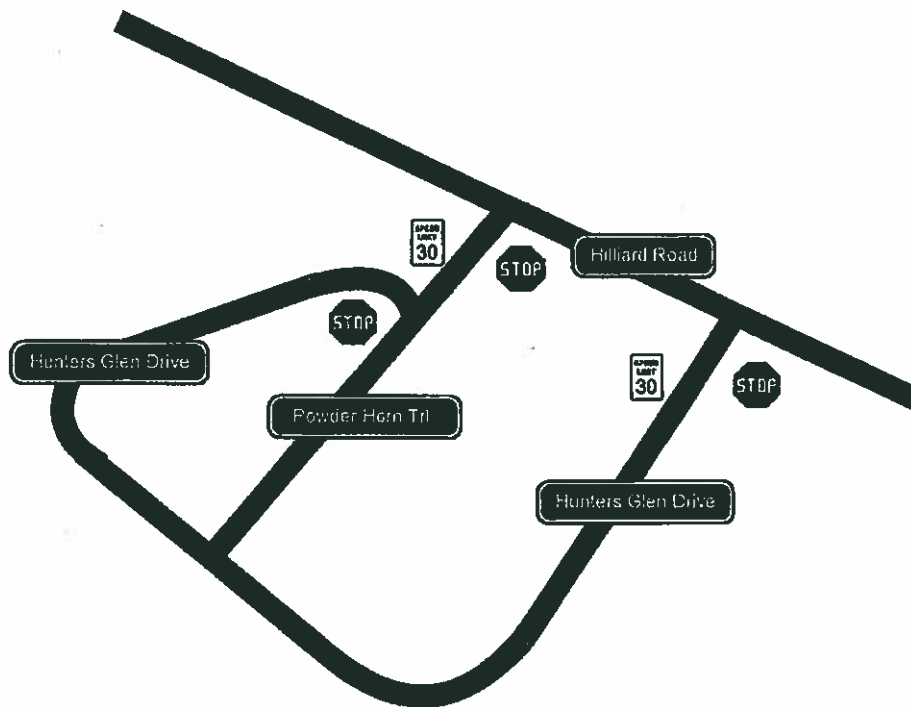
ENVIRONMENTAL HEALTH DIRECTOR:

ROAD DIRECTOR:

STAFF RECOMMENDATIONS:

Precinct 4
Hunters Glen Subdivision

Proposed/Recommended Traffic Regulations:
Stop Signs and Speed Limits As Indicated Below



1. Stop traffic on Powder Horn Trl. and Hilliard Dr.
2. Stop traffic on Hunters Glen Drive at intersection of Powder Horn Trl.
3. Stop traffic on Hunters Glen Drive at intersection of Hilliard Road
4. Speed limit to be set at 30 MPH in Hunters Glen Subdivision

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion and possible action to authorize the County Judge to execute resolution and submit a grant application for up to \$24,000 to the Governor's Office – Criminal Justice Division for the Recovery Act: Edward Byrne Memorial Justice Assistance Formula Grant program.

CHECK ONE: ☐ CONSENT ☒ ACTION ☐ EXECUTIVE SESSION
 ☐ WORKSHOP ☐ PROCLAMATION ☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED: N/A - No matching funds required

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ratliff/Hauff

SPONSORED BY: Sumter

SUMMARY:

The Sheriff's Office is requesting grant funding for equipment to support operations of the Hays County Narcotics Task Force. The equipment will include video and audio surveillance systems and GPS tracking units. The Task Force is a multi-agency, multi-jurisdictional law enforcement organization charged with investigating illicit drug trafficking and vice related offenses in Hays County, and often participates with surrounding central Texas law enforcement agencies in joint operations to curtail criminal activities.

This grant program is made available through allocation of federal funding to the states from the U.S. Department of Justice, Bureau of Justice Assistance, to be managed in accordance with federal guidelines for the Justice Assistance Grant (JAG) program. The grant application must be submitted electronically to the Texas Governor's Office – Criminal Justice Division (CJD) on or before June 1, 2009. The Capital Area Council of Governments, Criminal Justice Advisory Committee also reviews and prioritizes applications submitted from the CAPCOG region and provides recommendations to the CJD for funding award. No matching funds are required from the County for this grant program.

RESOLUTION

A resolution of the Commissioners' Court of the County of Hays, Texas hereby authorizing the submittal of grant application to the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Program/Grants to States and Territories (CFDA# 16.803)

WHEREAS, Hays County is the eligible applicant under the rules of the Office of the Governor – Criminal Justice Division (CJD). The Grant request is for Hays County Narcotics Task Force Surveillance and Officer Safety Project within the Sheriff's Office.

NOW, THEREFOR, BE IT RESOLVED BY THE Commissioners' Court of Hays County, Texas.

1. To authorize the submittal of a grant application to the Office of the Governor – Criminal Justice Division (CJD), identified by CJD as Application No. 2209401.
2. To comply with the provisions of the fiscal reimbursement and reporting requirements of the Office of the Governor – CJD.
3. To use the funds solely for the purposes for which they are provided and in the event of loss or misuse of CJD grant funds, the governing body will return all funds to CJD in full.
4. To provide all applicable matching funds for this project, if required, as per the application and Commissioners' Court approval.
5. To designate the County Judge as the Authorized Official with the power to "apply for, accept, reject, alter or terminate the grant."

PASSED AND APPROVED at a meeting of the Commissioners' Court of Hays County, Texas on the

26th Day of May, 2009.

Elizabeth 'Liz' Sumter, Hays County Judge

Date

STATE OF TEXAS COUNTY OF HAYS

I, Linda Fritsche, County Clerk for the Commissioners' Court of Hays County, Texas, do hereby certify the foregoing contains a true and correct copy of a resolution passed and adopted by the Commissioners' Court of Hays County, Texas in a Regular Meeting held on May 26, 2009.

ATTESTED TO BY:

Linda Fritsche, Hays County Clerk

Date

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Discussion of Road procedures and policies as it relates to the road bond; county roads; and list of proposed pre-approved engineers per RFQ Professional and Engineering Services request for Qualifications #2009-P05. Possible action may follow.

CHECK ONE: ☐ **CONSENT** ☐ **ACTION** ☐ **EXECUTIVE SESSION**
☒ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: SUMTER

SUMMARY: Discussion led by HDR, Jeff Curren, P.E., Senior Vice-President.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Executive Session pursuant to Section 551.087 of the Texas Government Code to discuss economic development negotiations regarding Project BIO- Central

CHECK ONE: ☐ **CONSENT** ☐ **ACTION** ☒ **EXECUTIVE SESSION**

 ☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: March 26, 2009

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Ingalsbe

SPONSORED BY: Ingalsbe

SUMMARY:

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than 2:00 p.m. on WEDNESDAY.

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Pursuant to Open Meetings Act, Texas Government Code 551.074, executive session to discuss personnel matters involving evaluation for the department manager in the Resource Protection, Transportation and Planning Department. Possible action may follow.

CHECK ONE: ☒ **CONSENT** ☒ **ACTION** ☒ **EXECUTIVE SESSION**
☐ **WORKSHOP** ☐ **PROCLAMATION** ☐ **PRESENTATION**

PREFERRED MEETING DATE REQUESTED: Tuesday, May 26, 2009

AMOUNT REQUIRED: 0

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Barton

SUMMARY: When county engineer Jerry Borcharding was named manager of the combined RPTP last year the Court committed to a series of performance reviews to evaluate on-going management in the newly-created department. The Court reviewed the department manager's performance two weeks ago in executive session. Time was limited. The Court indicated it wanted to review certain additional data from HR within the next few weeks. I'm requesting this be put back on the agenda for the 19th or the 26th, with the exact timing to be determined by the County Judge based scheduling and which of these next few meetings looks to have the most room for personnel review.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

no later than **2:00 p.m.** on **WEDNESDAY.**

Phone (512) 393-2205 Fax (512) 393-2282

AGENDA ITEM: Executive Session pursuant to §551.071 of the Texas Government Code, regarding THK, L.L.C vs. Hays County and pending litigation related thereto.

TYPE OF ITEM: EXECUTIVE SESSION

PREFERRED MEETING DATE REQUESTED: May 26, 2009

AMOUNT REQUIRED: n/a

LINE ITEM NUMBER OF FUNDS REQUIRED: n/a

REQUESTED BY: SUMTER

SPONSORED BY: SUMTER

SUMMARY:

Summary to be provided by Legal Counsel in Executive Session.