



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF JULY A.D., 2011, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Conley gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the flags. Judge Cobb called the meeting to order.

28241 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve payments of county invoices in the amount \$ 3,247,83.00 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

28242 APPROVE COMMISSIONERS COURT MINUTES OF JULY 19, 2011

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioners Court Minutes of July 19, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

28243 APPROVE RENEWAL OF THE RENTAL AGREEMENT BETWEEN DPS (DEPARTMENT OF PUBLIC SAFETY) AND APPLIED CONCEPTS INC. (ACI) FOR THE STALKER RADAR EQUIPMENT AND AUTHORIZE COUNTY JUDGE TO EXECUTE SAME

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve renewal of the rental agreement between DPS (Department of Public Safety) and Applied Concepts Inc. (ACI) for the Stalker Radar Equipment and authorize County Judge to execute same. All voting "Aye". MOTION PASSED

28244 APPROVE OUT OF STATE TRAINING TRAVEL REQUEST FOR ANGELO FLOIRAN IN THE SHERIFF'S OFFICE

A grant is funding the out of state training so there are no county funds required for this travel request. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Out of State Training Travel Request for Angelo Floiran in the Sheriff's Office. All voting "Aye". MOTION PASSED

28245 AUTHORIZE AUCTION SALE OF VEHICLES, SMALL OFFICE BUILDING, AND FENCING NO LONGER IN USE BY THE SHERIFF'S DEPARTMENT WITH RENE BATES AUCTIONEER

The Sheriff's Office would like to auction the following (2) 2001 Ford Crown Vic, (1) 2007 Dodge Charger, (1) 2006 Ford Expedition, (3) 2006 Ford Crown Vic, (3) 2005 Ford Crown Vic, (1) 1997 Ford Taurus Lx, (1) 1997 Ford Crown Vic, (1) 1991 Ford E-350 Ambulance, (1) 2004 Ford Crown Vic, (1) 1995 El Dorado Bus w/wheelchair Lift, (1) 1997 Homemade Horse Trailer (seized unit), fencing materials. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize auction sale of vehicles, small office building, and fencing no longer in use by the Sheriff's Department with Rene Bates Auctioneers. All voting "Aye". MOTION PASSED



28246 APPROVE AWARD OF BID #2011-B06 "CEMETERY MAINTENANCE" TO DRIPPING SPRINGS LAWN

There were four bids received from Dripping Springs Lawn, Greater Tx Landscape, Oldham Fence, Maintenance Mgt with Dripping Springs Lawn providing the lowest bid. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve award of Bid #2011-B06 "Cemetery Maintenance" to Dripping Springs Lawn. All voting "Aye". MOTION PASSED

28247 APPROVE MOVEMENT OF FUNDS BUDGETED IN COMPLIANCE ADMINISTRATION TO COUNTY COURT-AT-LAW #2 FOR COLLECTION SPECIALIST POSITION

On July 19, 2011 Commissioners Court authorized the movement of 1 Collections Specialist position from the Compliance Administration department to County Court at Law #2. Funds for staff salary, fringe benefits and telephone expense related to this position for the remainder of FY 2011 will be moved from the Compliance budget to the County Court at Law # 2 budget. Amount required \$8,795. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve movement of funds budgeted in Compliance Administration to County Court-at-Law #2 for collection specialist position. All voting "Aye". MOTION PASSED

28248 AMEND THE VETERAN'S SERVICES OFFICE BUDGET TO ALLOCATE MATCHING FUNDS FOR THE TXDOT SECTION 5310 (MAINTENANCE) GRANT FOR VEHICLES AND AUTHORIZE THE PURCHASE OF TWO AUTOMATIC EXTERNAL DEFIBRILLATORS FOR PLACEMENT IN VEHICLES FROM THESE FUNDS

On June 15, 2010 the Commissioners Court executed a Project Grant Agreement with TXDOT for Section 5310 funding for the Veteran's Services Office that included both the capital purchase of the van (no match required) and vehicle maintenance funds in the amount of \$7500.00 for the TxDot-funded vehicles, with 20% match (\$1875.00) required to bring the maintenance portion of the grant to a total of \$9,375.00. A total of \$750.00 was initially budgeted for match and needs to be increased by \$1,125.00. This budget amendment allocates the remainder of the local match required for the vehicle maintenance grant, and authorizes the VSO to purchase two Automatic External Defibrillators for the vehicles which will be covered under the maintenance funds on an 80/20 funding ratio. The budget amendment will utilize salary savings for the required matching funds. The total cost for the two defibrillators is \$2,647.00, with a County match of \$530.00 (20%) and the remainder (\$2,117.00) TxDot funds. Amount required is \$1,125.00 within existing Veteran Service Office Budget. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the Veteran's Services Office budget to allocate matching funds for the TxDOT Section 5310 (Maintenance) grant for vehicles and authorize the purchase of two Automatic External Defibrillators for placement in vehicles from these funds. All voting "Aye". MOTION PASSED

28249 AMEND JUVENILE PROBATION TJPC X GRANT BUDGET TO USE SAVINGS IN GENERAL SUPPLIES TO PURCHASE AN AVER VISION 300AF+ DOCUMENT CAMERA FOR THE GED PROGRAM

This amendment will allow the program to spend the grant award with no matching funds required from the County. Amount required \$576.00 budgeted in Juvenile Probation (001-686-99-035.5201). A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend Juvenile Probation TJPC X Grant budget to use savings in general supplies to purchase an Aver Vision 300AF+ document camera for the GED program. All voting "Aye". MOTION PASSED

28250 RESUBDIVISION OF LOTS 19 AND 20, LOS RANCHOS [11-4-9--6 LOTS] APPROVE PRELIMINARY PLAN; CALL FOR PUBLIC HEARING AUGUST 23, 2011

Roxie Botkin Subdivision Coordinator gave staff recommendation. The Los Ranchos is a recorded subdivision located off of F.M. 150 in Precinct 4. The subdivision was originally platted in 1978 as a 28 lot subdivision. The current configuration of the two lots consists of seven unplatted parcels, three of which are currently developed. This purpose of this resubdivision is to plat six new lots, thereby allowing the existing parcels to be further developed. The proposed lot sizes are as follows: Lot 20A, 6.68; Lot 20B, 2.00 acres; Lot 20C, 2.02 acres; Lot 20D, 2.00 acres; Lot 19A, 3.24; Lot 19B, 4.61. Water and wastewater service for lots 20A, 20B, 20C, 20D and 19B, will be provided by individual water wells on-site sewage facilities. Lot 20B, 20C, and 20D are restricted to advanced septic systems only. Lot 19A will be restricted to rainwater collection and will also utilize an OSSF. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve preliminary plan of Resubdivision of Lots 19 and 20 Los Ranchos and call for a public hearing August 23, 2011. All voting "Aye". MOTION PASSED



28251 AUTHORIZE PAYMENT OF THE FOLLOWING INVOICES FOR THE HAYS COUNTY JUVENILE CENTER: \$1,205.15 & \$514.82 TO CLIFFORD POWER SYSTEMS; \$334.84 TO FLOWERS BAKING CO., \$1,816.65 & \$1,604.94 TO LABATT FOOD SERVICE, AND \$503.37 TO AVATT SERVICES

Brett Littlejohn, Juvenile Detention Director, spoke of the Hays County Juvenile Center would like to authorize the payments to Clifford Power Systems \$1,205.315, \$514.82 and Avatt Services in the amount of \$503.37 (070-685-00.5207, Flowers Baking Co. \$334.84, and \$1,816.65 & \$1,604.94 to Labatt Food Service (070-685.99.0175235). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant, to authorize payment of the following invoices for the Hays County Juvenile Center: \$1,205.15 & \$514.82 to Clifford Power Systems; \$334.84 to Flowers Baking CO., \$1,816.65 & \$1,604.94 to Labatt Food Service, and \$503.37 to Avatt Services. All voting "Aye". MOTION PASSED

Clerks Note Agenda Item # 12 RE: AUTHORIZE COMPLETION OF DESIGN FOR RM 967 AT RUBY RANCH ROAD AND LET THE PROJECT FOR CONSTRUCTION-was pulled

28252 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MASTER SERVICES AGREEMENT BETWEEN HAYS COUNTY AND SECURUS TECHNOLOGIES, INC. FOR THE IMPLEMENTATION OF INMATE-RELATED APPLICATIONS

Hays County Sheriff Gary Cutler, Captain Brad Robinson of the Sheriff's Office and Sally Zeitvogel, Account Manager with Securus Technologies, Inc. spoke of the use of space in the Law Enforcement Center to make inmate-related applications (telephones, electronic mail equipment, etc.) available to the jail population. In addition to receiving a technology fund in the amount of \$40,000, the County will receive a 58% commission on gross revenues under the contract. Commissioner Conley not present for vote. Commissioner Ingalsbe, Commissioner Jones, Commissioner Whisenant and Judge Cobb voting "Aye". MOTION PASSED

28253 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE REAL PROPERTY LEASE BETWEEN SM LEASING, INC. AND HAYS COUNTY, RELATED TO SPACE FOR THE MAINTENANCE DEPARTMENT

Special Counsel Mark Kennedy spoke of the contract with San Marcos Leasing. SM Leasing has agreed to extend the existing lease and allow it to convert to a month-to-month lease, granted that both parties agree to provide at least 90 days notice before termination. This arrangement would provide Hays County with a fixed price for the space while allowing flexibility to transition into other space arrangements should the need arise. Amount required \$2,985.30 per month. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Amendment to the real property lease between SM Leasing, Inc. and Hays County, related to space for the Maintenance Department. All voting "Aye". MOTION PASSED

28254 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE FUNDING AGREEMENT BETWEEN HAYS COUNTY AND LBJ MUSEUM OF SAN MARCOS, INC.

Special Counsel Mark Kennedy and Scott Gregson Vice President of San Marcos, Inc. spoke of the agreement with the LBJ Museum of San Marcos, Inc. The LBJ Museum of SM, Inc. would contract for the construction services described in the Funding Agreement. However, Hays County recently contracted for those services, In addition, the Museum inadvertently left construction services related to the elevator out of the bid package that Hays County used to execute its contract. The Museum intends to contract for those services independent of the County's contract. As a result of these modifications, changes to the Funding Agreement were needed to adequately describe the distribution of funding by the Parties. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an amendment to the Funding Agreement between Hays County and LBJ Museum of San Marcos, Inc. All voting "Aye". MOTION PASSED



28255 PROVIDE FUNDS FOR A 1999 TAHOE DONATED FROM THE CITY OF SAN MARCOS TO HAYS COUNTY CONSTABLE PCT 3, IN WHICH TO INSTALL A LCRA RADIO AND GRAPHICS

Constable Ray Helm the spoke of for graphics this vehicle on the street for professional use. Hays County Constable Precinct 3 would like to pay \$650 out of his community projects fund, and propose the use of contingency funds for the LCRA radio (\$3,380). Amount required is \$ 3,380(001-645-00.5399). **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to provide funds for a 1999 Tahoe donated from the City of San Marcos to Hays County Constable Pct 3, in which to install a LCRA radio and graphics for a total of \$650 out of community projects fund and \$3,380 out of contingencies. All voting "Aye". MOTION PASSED**

28256 UPDATE THE COMMISSIONERS COURT AND STAFF ON THE STATUS OF THE SUBMITTAL OF AN APPLICATION FOR CAMPO FUNDING FOR IMPROVEMENTS TO IH-35 AT ROBERT S. LIGHT BOULEVARD AND TO SECURE A FINANCIAL COMMITMENT FROM THE COUNTY FOR LOCAL MATCH TO BE USED FOR EARLY ENGINEERING AND ENVIRONMENTAL COSTS

On June 28, 2011, former Hays County Commissioner Jeff Barton presented information on the submittal of an application for STP MM funding through CAMPO for improvements to IH-35 at Robert S. Light Blvd (also known as Buda Truck Bypass). The court unanimously passed a motion to support the project and gave a commitment to fund \$ 40,000 as part of the local match. Funds have been identified from RPTP Operating Budget line item for Road Materials and Supplies (020-710-00.5351) and will be given back on a pro rata basis if not spent. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to update the Commissioners Court and staff on the status of the submittal of an application for CAMPO funding for improvements to IH-35 at Robert S. Light Boulevard and to secure a financial commitment from the County for local match to be used for early engineering and environmental costs. All voting "Aye". MOTION PASSED**

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ALL PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY

Court convened into closed executive session at 9:52 a.m. and reconvened into open court meeting at 11:04 a.m. In attendance in Executive Session were Commissioner Jones, Commissioner Conley, Commissioner Ingalsbe, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy and Frank Davis Assistant District Attorney. No Action Taken.

Clerks Note Agenda Item # 20 RE: ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION-was pulled

Clerks Note Agenda Item # 20 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; PRECINCT OFFICES; RESOURCES PROTECTION TRANSPORTATION AND PLANNING DEPARTMENT; AND SPACE NEEDS PROJECTIONS FOR THE HAYS COUNTY JAIL AND RELATED CRIMINAL JUSTICE ANALYSIS-was pulled

Clerks Note Agenda Item # 21 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR-was pulled

Clerks Note Agenda Item # 22 RE: APPROVE HIRING, TRANSFER AND/OR PROMOTION OF VACANT POSITION(S)-was pulled



Clerks Note Agenda Item # 23 RE: *DISCUSSION OF MATERIAL RELATING TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND/OR THE LCRA DIVESTITURE*-was **pulled**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn court All voting "Aye". MOTION PASSED

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 July 26, 2011.



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

