

Commissioners Court -February 8, 2011  
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 **8th day of February, 2011**, in the Hays County Courthouse, Room 301, San Marcos, Texas. An Open Meeting will be held concerning the following subjects:

**CALL TO ORDER /ROLL CALL**

**INVOCATION and Moment of Silence in remembrance of Charelle Burnett**

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

**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	3	Approve payments of county invoices. <b>HERZOG</b>
2	4-9	Approve Commissioner Court Minutes of February 1, 2011. <b>COBB/GONZALEZ</b>
3	10-11	Accept the Hays County ESD#5 Annual Report. <b>JONES</b>

**ACTION ITEMS**

**ROADS**

4	12-13	Hold a public hearing to establish traffic regulations on Tiger Lane. Discussion and possible action may follow. <b>WHISENANT/BORCHERDING</b>
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**SUBDIVISIONS**

5	14-16	10-4-47 Resubdivision of lot 69, Rolling Oaks Subdivision, Section 4 (2 lots). Hold public hearing; discussion and possible action to approve final plat. <b>WHISENANT/BOTKIN</b>
6	17-18	10-3-48 Replat of Creekside at Wimberley, Vacating lot 1, Creekside at Wimberley, and lot 2, Creekside at Wimberley, Section 2, and Establishing lot 1R, Creekside at Wimberley. Discussion and possible action to consider approval of preliminary plan; call for public hearing on March 8, 2011. <b>CONLEY/BOTKIN</b>

**MISCELLANEOUS**

7	19-21	Discussion and possible action to authorize a Commercial OSSF Permit for Texas State University located on the Freeman Ranch, in Precinct 3. <b>CONLEY/GARZA</b>
8	22-23	Discussion and possible action to adopt a resolution in support of Travis County's application for pass-through finance funding for improvements to FM 1626 in Travis County, a road linking Hays and Travis counties. <b>JONES</b>
9	24-31	Discussion and possible action to approve the Sheriff's Office Re-Organization plan. <b>CONLEY/CUTLER</b>
10	32-35	Discussion and possible action to authorize the County Judge to execute an amended FY 2011 Bioterrorism Preparedness contract between the Texas Department of State Health Services (DSHS) and the Personal Health Department (PHD). <b>INGALSBE/HARGRAVES</b>
11	36-44	Discussion and possible action to authorize the County Judge to execute a renewal agreement, with modifications, between Hays County Personal Health Department (PHD) and Dr. Jurairat Molina, MD for pediatric allergy services to be provided in the Personal Health Department facility. <b>INGALSBE/HARGRAVES</b>

12	45-48	Discussion and possible action to approve payment of \$18,849.83 for the relocation of a Verizon 400-pair copper cable located along Dacy Lane from Goforth Road to Kyle Parkway and authorize the County Judge to sign the agreement. <b>INGALSBE</b>
13	49	Discussion and possible action to appoint Michael R. Aulick to Director, Position #2 and M. Scott Roberts to Director, Position #5 on the Driftwood Economic Development Municipal Management District's Board of Directors. <b>WHISENANT</b>

#### **WORKSHOP**

14	50	10:00 AM presentation by LCRA regarding the planned sale of their water and wastewater facilities. Possible discussion and action may follow the presentation. <b>WHISENANT</b>
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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.

15	51	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding all pending and/or contemplated litigation involving Hays County. <b>COBB/KENNEDY</b>
16	52	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 Hays County property on Old Bastrop Highway adjacent to San Pedro Cemetery. Possible action may follow in open Court. <b>INGALSBE</b>
17	53	Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding Right-of-Way acquisition on or near FM 150 in Precinct 1. Possible action may follow in open court. <b>INGALSBE</b>
18	54	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding collective bargaining. Possible action may follow in open Court. <b>COBB</b>

#### **STANDING AGENDA ITEM**

19	Discussion and possible action related to the burn ban. <b>COBB/CHAMBERS</b>
20	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. Possible action may follow. <b>INGALSBE</b>
21	Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow. <b>COBB</b>
22	Presentations by Department Heads to update and inform the Commissioners Court of department structure, performance, and goals. <b>COBB/BAEN</b>

#### **ADJOURNMENT**

Posted by 5:00 o'clock P.M. on the 4<sup>TH</sup> day of February, 2011

**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.

# *Agenda Item Request Form*

## **Hays County Commissioners' Court**

2:00 p.m. Every Wednesday

**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 payment of county invoices.**

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

**PREFERRED MEETING DATE REQUESTED: 2/8/11**

**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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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 COMMISSIONER COURT MINUTES OF FEBRUARY 1, 2011**

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

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** GONZALEZ

**SPONSORED BY:** COBB

**SUMMARY:**



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 1ST DAY OF FEBRUARY A.D., 2011, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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:

Jeff English of First Baptist Church of Kyle gave the invocation and Judge Cobb led the court in the pledge of allegiance to the flags. Judge Cobb called the meeting to order.

**Public Comments**

Alan Cameron introduced Troy Yocum who is walking across America and is literally drumming up support for struggling military families around the US. Troy Yocum spoke of his deployment to Iraq and his return to the US and the struggle of Veterans returning to the work field. He is asking for support for all returning Veterans and their families.

**27773 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 \$ 1,124,795.16 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**27774 APPROVE COMMISSIONER COURT MINUTES OF JANUARY 25, 2011**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Commissioner Court Minutes of January 25, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**27775 AUTHORIZE THE COUNTY JUDGE TO SIGN RENEWAL CONTRACTS FOR GENERATOR PLANNED MAINTENANCE AT THE HAYS COUNTY JUSTICE CENTER AND HAYS COUNTY PERSONAL HEALTH DEPARTMENT**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to sign renewal contracts for Generator Planned Maintenance at the Hays County Justice Center and Hays County Personal Health Department. All voting "Aye". MOTION PASSED

**27776 APPROVE SPECIFICATIONS FOR RFQ #2011-P04 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SURVEYING SERVICES ON AN AS-NEEDED-BASIS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P04 Request for Qualifications for Professional Surveying Services on an As-Needed-Basis and authorize purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

**27777 APPROVE SPECIFICATIONS FOR RFQ #2011-P05 REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES ON AN AS-NEEDED BASIS AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P05 Request for Qualifications for Professional Engineering Services on an As-Need Basis and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED



FEBRUARY 1, 2011

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VOLUME U PAGE 533

- 27778 APPROVE SPECIFICATIONS FOR RFQ #2011-P06 "QUALIFICATIONS FOR CONSTRUCTION INSPECTION & MATERIALS TESTING FOR IMPROVEMENTS TO FM 1626 & FM 110" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ #2011-P06 "Qualifications for Construction Inspection & Materials Testing for improvements to FM 1626 & FM 100" and authorize purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

- 27779 APPROVE THE AMENDMENT OF CONSTABLE 1, 3, 4, 5 BUDGETS FOR THE TEXAS WORKFORCE COMMISSION ON-LINE RESOURCES AGREEMENT**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the amendment of Constable 1,3,4,5 budgets for the Texas Workforce Commission On-Line Resources Agreement. All voting "Aye". MOTION PASSED

- 27780 CONSIDER THE RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR SHADOW CREEK SUBDIVISION, PHASE 3**

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to consider the Release of the Maintenance Bond and accept for maintenance all road and drainage improvements within County ROW for Shadow Creek subdivision, Phase 3. All voting "Aye". MOTION PASSED

- 27781 HOLD A PUBLIC HEARING TO ESTABLISH A "NO PARKING" ZONE ON THE CUL-DU-SAC ON RICH LANE.**

Judge Cobb opened the public hearing. No public input was received. Public hearing was closed. Transportation Director Jerry Borcharding gave staff recommendation. This is to establish a "No Parking" zone on the Rich Lane cul-du-sac. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish a "No Parking" zone on the cul-du-sac on Rich Lane. All voting "Aye". MOTION PASSED

- 27782 RELEASE OF THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR BIG SKY RANCH SUBDIVISION**

The Maintenance Bond for Big Sky Ranch subdivision expired January 14, 2011. The Road Department has inspected and recommends its acceptance for maintenance. The roads in big Sky Ranch include: Blue Sky Lane (3,322 ft.), Starlight Trail (1,031 ft.) and Moondance Trail (713 ft.) Jerry Borcharding Transportation Director gave staff recommendation. A motion was made by Commissioner Conley, seconded by Commissioner Jones to consider the release of the Maintenance Bond and accept for maintenance all road and drainage improvements within County ROW for Big Sky Ranch Subdivision. All voting "Aye". MOTION PASSED

- 27783 AMENDING PLAT OF LOTS 130, 154, AND 155 OF WIMBERLEY CAMPFIRE #2, SECTION 3 [10-3-10-3 Lots] WAIVE PUBLIC HEARING AND PRELIMINARY PLAN APPROVE VARIANCE TO MINIMUM LOT SIZE IN SECTION 10.1 OF HAYS COUNTY OSSF REGULATIONS AND APPROVE FINAL PLAT**

Roxie Boykin Subdivision Coordinator gave an overview of the replat. John Doucet spoke of the lots and how it's been divided and how there are two homes on three lots and is requesting a variance to lot size. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve amending plat of lots 130, 154, and 155 of Wimberley Campfire #2 Section 3 and approve variance to minimum lot size in Section 10.1 of Hays County OSSF regulations. All voting "Aye". MOTION PASSED

- 27784 NOMINATE JERRY BORCHERDING TO THE LONE STAR RAIL DISTRICT TECHNICAL ADVISORY COMMITTEE**

The Lone Star Rail District would like to have a Hays County staff member serve on a Technical Advisory Committee and attend two station location workshops as part of an Environmental Impact Statement on the Georgetown to San Antonio passenger rail project. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to nominate Jerry Borcharding to the Lone Star Rail District Technical Advisory Committee. All voting "Aye". MOTION PASSED



**27785        ADOPT A RESOLUTION IN SUPPORT OF HJR 56 (HOUSE JOINT RESOLUTION 56)  
BY REPRESENTATIVE SOLOMONS REGARDING UNFUNDED MANDATES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to adopt a resolution in support of HJR 56 (House Joint Resolution 56) by Representative Solomons regarding unfunded mandates. All voting "Aye". MOTION PASSED

**27786        ADOPT A RESOLUTION IN SUPPORT OF EXPEDITED ENVIRONMENTAL REVIEW  
FOR LOCALLY-FUNDED PROJECTS BY TXDOT**

Mike Weaver of Prime Strategies spoke. Commissioner Conley spoke of this being approved at the next meeting of CARTPO and CAMPO. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a resolution in support of Expedited Environmental Review for Locally-Funded Projects by TxDot. All voting "Aye". MOTION PASSED

**27787        PASS A RESOLUTION OF HAYS COUNTY'S PARTICIPATION WITH THE CITY OF  
KYLE IN AN APPLICATION FOR A REGIONAL WATER AND WASTEWATER  
PLANNING GRANT FROM THE TEXAS WATER DEVELOPMENT BOARD**

Special Counsel, Mark Kennedy spoke of the Resolution and an unspecified amount of in-kind services. This would include staff assistance from time to time. Grants Director Jeff Hauff spoke of the grant. Commissioner Jones stated of the City of Kyle is seeking the County's support by passing this Resolution. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to pass a Resolution of Hays County's participation with the City of Kyle in an application for a Regional Water and Wastewater Planning Grant from the Texas Water Development Board with the exception of bullets 2 & 3. All voting "Aye". MOTION PASSED

**27788        TRANSFER A 2006 WHITE CROWN VICTORIA (VIN # 2FAFP71W76X125482)  
FROM THE HAYS COUNTY SHERIFF'S OFFICE TO THE CONSTABLE PRECINCT 3  
OFFICE THAT WILL REPLACE THE 2002 CROWN VICTORIA (VIN #  
2FAFP71W52X132859) THAT IS CURRENTLY BEING USED**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to transfer a 2006 white Crown Victoria(VIN #2FAFP71W76X125482) from the Sheriff's Office to the Constable Precinct 3 Office that will replace the 2002 Crown Victoria(VIN#2FAFP71W52X132859) that is currently being used. All voting "Aye". MOTION PASSED

**27789        PROMOTE AND FUND HEALTH CHECK 2011 FOR HAYS COUNTY EMPLOYEES  
AND ELIGIBLE DEPENDENTS, AUTHORIZE PAYROLL DEDUCTION OF  
ADDITIONAL FEES FOR OPTIONAL SERVICES EMPLOYEES MAY ELECT**

Dee Dee Baen Human Resources Director spoke of employees appreciation of the County's coverage of the Health Check. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to promote and fund Health Check 2011 for Hays County employees and eligible dependents, authorize payroll deduction of addition fees for optional services employees may elect. All voting "Aye". MOTION PASSED

**27790        APPROVE THE APPOINTMENT OF MIKE OWENS TO ESD #2 FOR A TWO YEAR  
TERM, BEGINNING FEBRUARY 1, 2011**

Mike Owens is replacing Celedonio Mendoza, Jr. as a member of ESD # 2. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of Mike Owens to ESD # 2 for a two year term, beginning February 1, 2011. All voting "Aye". MOTION PASSED



FEBRUARY 1, 2011

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VOLUME U PAGE 535

**27791 APPROVE THE EXCEPTION OF THE PROMOTION SALARY ADMINISTRATION POLICY OF TWO STAFF MEMBERS OF THE COUNTY CLERK'S OFFICE AT THE 25<sup>TH</sup> PERCENTILE EFFECTIVE FEBRUARY 1, 2011**

Two staff members were promoted to Chief Deputy position in the County Clerk's Office. County policy states that when someone is promoted that they are to receive a 6% increase. The problem is that a few of staff that they would be supervising would be earning more than the Chief Deputies would. These ladies have been with the County Clerk's Office for over 12 years and are very knowledgeable. The court is willing to make an exception to the Promotion Salary Administration Policy to the 25<sup>th</sup> percentile. The request for increase on one of the deputies is 3.95% and on the other deputy it's 8.59% above what they are currently earning. This will come out of salary savings within the County Clerk's budget. This has been reviewed by both Auditor and HR Departments. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve the exception of the promotion salary Administration Policy of two staff members of the County Clerk's Office at the 25<sup>th</sup> percentile effective February 1, 2011. All voting "Aye". MOTION PASSED

**27792 RATIFY THE EXTENDED DOUBLE FILL OF ADMINISTRATIVE ASSISTANT III POSITION IN THE COUNTY JUDGE'S OFFICE**

In order to ease the transition of executive administration, the County's Judge Office requested the Administrative Assistant III position be double-filled for the month of January 2011. By error, the request was never submitted to Commissioner's Court, which is required for any double-fill that extends beyond 2 weeks. Now that the double-fill has entered the second half of January, counsel has advised that the best way to accommodate this issue is to request ratification. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to ratify the extended double fill of Administrative Assistant III position in the County Judge's office. All voting "Aye". MOTION PASSED

**27793 ACCEPT THE HAYS COUNTY WATER/WASTEWATER PLAN WITH EXCEPTIONS AND INSTRUCT HDR TO SUBMIT TO THE STATE WATER DEVELOPMENT BOARD**

Tony Bagwell of HDR spoke of the different recommendations like the possibility of running waterlines under the existing walking trail and all channel reservoirs. This plan will be used for informational purposes. Commissioner Conley spoke of need to turn in something to the state by the end of the month. Commissioner Conley will coordinate with Commissioner Whisenant prior to moving ahead. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the Water/Wastewater Study with exceptions and instruct HDR to submit to the State Water Development Board. All voting "Aye". MOTION PASSED

**27794 EXECUTIVE SESSION PURSUANT TO SECTION 552.071 TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION RELATED TO CCN AMENDMENT APPLICATIONS (CCN NOS. 11157 AND 20453) FROM AQUA UTILITIES, INC.**

Mark Kennedy made the Court aware that this item was inadvertently posted as 552.071 and should have been as 551.071 of the Texas Government Code. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize Counsel to draft and send a letter to Glen Lewis of Aqua Texas, requesting: 1) That Aqua withdraw the applications to modify the service area for CCN Nos. 11157 and 20453; and 2) That Aqua consent to the transfer of Westridge's Contract with Aqua to Hays County, since Hays County is now fee owner of the property in question. All voting "Aye". MOTION PASSED

**EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING COLLECTIVE BARGAINING. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT**

Court convened into closed executive session at 12:30 p.m. and reconvened into open meeting at 3:48 p.m. No action taken

**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 12:30 p.m. and reconvened into open meeting at 3:48 p.m. No action taken



**DISCUSSION RELATED TO THE BURN BAN**

At this time the Court decided to leave the burn ban in effect.

**Clerk's Note Agenda item # 27 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. POSSIBLE ACTION MAY FOLLOW – was pulled

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

Mike Weaver of Prime Strategies gave a powerpoint presentation on Hays County Pass Through Financing Program.

**PRESENTATIONS BY DEPARTMENT HEADS TO UPDATE AND INFORM THE COMMISSIONERS COURT OF DEPARTMENT STRUCTURE, PERFORMANCE, AND GOALS**

Jeff Turner Office of Emergency Management Coordinator gave an overview of the duties of his office. Some of the duties include planning for disasters and training county staff on how to handle emergency situations. He also spoke of a newly elected officials Emergency Preparedness Training on February 25, 2011 at the Courthouse. Mike Mendoza Veterans Services Officer gave an overview of the duties his office. Since he's been in this position he's seen an increase in the number of Veterans being served.

**COURT ADJOURNMENT**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to adjourn Commissioners Court.

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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 1, 2011.



LIZ Q. GONZALEZ, 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:** Discussion and possible action to accept the Hays County ESD #5 Annual Report.

**TYPE OF ITEM:** CONSENT

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** Commissioner Precinct 2 Mark Jones

**SPONSORED BY:** Commissioner Precinct 2 Mark Jones

**SUMMARY:**

(see report)

## **Hays County Emergency Services District #5**

### **Operating Budget October 1, 2010 to September 30, 2011**

<b>Item</b>	<b>Budget</b>
Tax Assessor-Collector	\$5000
Appraisal District	\$12,000
Auditing Services	\$2,600
Treasurer Bond Service	\$100
Post Office Box Rental	\$50
Miscellaneous	\$250
Kyle Volunteer Fire Department	\$1,738,097
Contingency Fund	\$100,000
Legal Fund	\$15,000
<b>Total</b>	<b>\$1,873,097</b>

1/27/2011

***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: Hold a public hearing to establish traffic regulations on Tiger Lane.**

**CIRCLE ONE ACTION ITEM      Subdivision      Road      Staff Recommendation**

**PREFERRED MEETING DATE REQUESTED: February 8, 2011**

**AMOUNT REQUIRED: n/a**

**LINE ITEM NUMBER OF FUNDS REQUIRED: n/a**

**REQUESTED BY: Jerry Borcharding**

**SPONSORED BY: Commissioner Ray Whisenant**

**SUMMARY:**

**To establish: a 20 MPH school zone speed limit w/ flasher light and accompanying pedestrian signs on Tiger Lane, at the request of the Dripping Springs ISD (see attached map).**

**STAFF REVIEW/COMMENTS**

**ENVIRONMENTAL HEALTH DIRECTOR:**

**ROAD DIRECTOR:**

**STAFF RECOMMENDATIONS:**

**SCHOOL**  
**SPEED**  
**LIMIT**  
**20**  
2000 A.M. TO  
6:00 P.M.  
MON. - FRI.

**CELLPHONE**  
**USE**  
**PROHIBITED**  
10:00 A.M. TO 6:00 P.M.  
MON. - FRI.

PG-27656  
(8" x 11")



LEGEND

PAVEMENT STRIPING

10Y

10Y

Figure 1

# TRAFFIC CONTROL PLAN & PARKING IMPROVEMENTS

**Cunningham | Allen, Inc.**  
Engineers • Surveyors  
Tel: (512) 327-2946  
www.cunningham-allen.com  
TPO REG. NO. E-284

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## *Agenda Item Request Form*

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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:**

**10-4-47 Resubdivision of lot 69, Rolling Oaks Subdivision, Section 4 (2 lots). Hold public hearing; discussion and possible action to approve final plat.**

**TYPE OF ITEM: ACTION**

**PREFERRED MEETING DATE REQUESTED: February 8, 2011**

**AMOUNT REQUIRED: N/A**

**LINE ITEM NUMBER OF FUNDS REQUIRED: N/A**

**REQUESTED BY: Botkin**

**SPONSORED BY: Whisenant**

**SUMMARY:**

The Rolling Oaks Subdivision is a recorded subdivision located off of F.M. 3237 in Precinct 4. Section 4 was originally divided in 1969 and at that time there were 141 lots in the section. Today there are 158 taxable parcels on the CAD records. Lot 69 is 5.46 acres as platted but the proposed configuration will divide the lot into 2 parcels of 2.73 acres in size. Both lots will be served by OSSFs and individual water wells. Preliminary plan was approved on January 11, 2011.

**RESUBDIVISION OF LOT 69  
ROLLING OAKS, SECTION FOUR  
ESTABLISHING LOT 69A & LOT 69B  
A SUBDIVISION IN  
HAYS COUNTY, TEXAS**

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS: WE, ALEN ZUKANOVIC, VALENTINA ZUKANOVIC AND REDZO ZUKANOVIC, OWNERS OF A RECORD 8.11 ACRE TRACT OF LAND, OUT OF THE JESUSA PEREZ SURVEY IN HAYS COUNTY, TEXAS, AS CONVEYED TO US BY DEED DATED MAY 21, 2007, AND RECORDED IN VOLUME 3170, PAGE 52, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, HAVE AND EXCEPT THAT PORTION DEDICATED AND ACCEPTED BY HAYS COUNTY FOR ROADWAY PURPOSES, DO HEREBY SUBDIVIDE 8.46 ACRES OF LAND TO BE KNOWN AS "RESUBDIVISION OF LOT 69, ROLLING OAKS, SECTION FOUR ESTABLISHING LOT 69A & LOT 69B" IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED AND DO HEREBY DEDICATE TO THE OWNERS OF THE PROPERTY THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

IN WITNESS WHEREOF: REDZO ZUKANOVIC, VALENTINA ZUKANOVIC AND ALEN ZUKANOVIC  
HAS CAUSED THESE PRESENTS TO BE EXECUTED, AND THERE UNTO DULY AUTHORIZED THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, A.D. 2011.

\_\_\_\_\_  
REDZO ZUKANOVIC  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
VALENTINA ZUKANOVIC  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ALEN ZUKANOVIC  
OWNER

\_\_\_\_\_  
DATE

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED  
REDZO ZUKANOVIC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO  
THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE  
SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
COUNTY, TEXAS  
COMMISSION EXPIRES \_\_\_\_\_  
PRINT NAME \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED  
VALENTINA ZUKANOVIC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO  
THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE  
SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
COUNTY, TEXAS  
COMMISSION EXPIRES \_\_\_\_\_  
PRINT NAME \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED  
ALEN ZUKANOVIC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO  
THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE  
SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
COUNTY, TEXAS  
COMMISSION EXPIRES \_\_\_\_\_  
PRINT NAME \_\_\_\_\_

**GENERAL NOTES**

- 1) ALL LOTS WITHIN THIS RESUBDIVISION ARE PROHIBITED FROM FURTHER SUBDIVISION.
- 2) TCEQ REGULATED DEVELOPMENT IS PROHIBITED.
- 3) EROSION/SEDIMENTATION CONTROL IS REQUIRED FOR ALL CONSTRUCTION, INCLUDING SINGLE FAMILY LOTS.

APPROVAL OF THIS PRELIMINARY PLAN DOES NOT CONSTITUTE APPROVAL OF ANY DEVIATION FROM THE COUNTY'S LAND DEVELOPMENT REGULATIONS IN THE FINAL PLAT, CONSTRUCTION PLAN OR SITE PLAN STAGE, UNLESS SUCH DEVIATIONS HAVE BEEN SPECIFICALLY REQUESTED IN WRITING AND SUBSEQUENTLY APPROVED IN WRITING BY THE COUNTY. SUCH APPROVALS DO NOT RELIEVE THE ENGINEER OF THE OBLIGATION TO MODIFY THE DESIGN OF THE PROJECT IF IT DOES NOT MEET ALL OTHER COUNTY LAND DEVELOPMENT REGULATIONS OR IF IT IS SUBSEQUENTLY DETERMINED THAT THE DESIGN WOULD ADVERSELY IMPACT THE PUBLIC'S SAFETY, HEALTH, WELFARE OR PROPERTY.

**HAYS COUNTY DEVELOPMENT SERVICES NOTES:**

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM DUE TO EXISTING WATER SUPPLIES AND WATER QUALITY. PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY THE COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST AVAILABLE WATER SOURCE.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE DESIGNED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES.

NO CONSTRUCTION OF OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

\_\_\_\_\_  
JERRY BOWEN/DAVID P. E. DIRECTOR  
REGULATORY, PROTECTION, TRANSPORTATION,  
AND PLANNING  
HAYS COUNTY DEVELOPMENT SERVICES

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TONY POPE, P.E., C.F.M.  
HAYS COUNTY RESOURCE PROTECTION,  
TRANSPORTATION AND PLANNING  
FLOODPLAIN ADMINISTRATION

\_\_\_\_\_  
DATE

STATE OF TEXAS  
COUNTY OF HAYS

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011, THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS,  
PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND SAID ORDER HAS BEEN  
ENTERED IN THE MINUTES OF SAID COURT IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
WITNESS MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011.

\_\_\_\_\_  
ROBERT "BERT" COBB  
COUNTY JUDGE  
HAYS COUNTY, TEXAS

\_\_\_\_\_  
LIZ GONZALEZ  
COUNTY CLERK  
HAYS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE  
FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR  
RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011, AT \_\_\_\_\_ O'CLOCK  
\_\_\_\_\_, IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS, IN BOOK \_\_\_\_\_, PAGE(S) \_\_\_\_\_  
WITNESS MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2011.

\_\_\_\_\_  
LIZ GONZALEZ  
COUNTY CLERK  
HAYS COUNTY, TEXAS

**DRIVEWAY NOTES:**

IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO  
DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A  
PUBLICLY DEDICATED ROADWAY UNLESS (a) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE ROAD  
DEPARTMENT OF HAYS COUNTY AND (b) THE DRIVEWAY SATISFIES THE MINIMUM SPECIFIC REQUIREMENTS FOR  
DRIVEWAYS SET FORTH IN SECTION 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, IT IS UNDERSTOOD  
THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES DELINEATED AND  
SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN  
SUCH STREETS, ROADS, OR PUBLIC THOROUGHFARES, OR IN CONNECTION THEREWITH SHALL BE THE  
RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THIS TRACT OF LAND COVERED BY THIS PLAT  
IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF  
HAYS COUNTY, TEXAS AND THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, ASSUMES NO OBLIGATION  
TO BUILD STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING  
ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THE WATER COURSES DEPICTED ON THIS PLAN HAVE BEEN  
ACCURATELY REFLECTED IN A GENERAL LOCATION AND THAT NO OTHER SENSITIVE FEATURES EXIST.

\_\_\_\_\_  
DANIEL R. (BOCKY) EDWARDS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 5472

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, THAT I, THE UNDERSIGNED, A  
REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS,  
HEREBY CERTIFY THAT THIS PLAT SURVEYOR IN THE STATE OF TEXAS,  
REQUIREMENTS OF THE HAYS COUNTY SUBDIVISION SPECIFICATIONS AND  
FURTHER CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND  
IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER  
MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE  
PROPERLY PLACED UNDER MY SUPERVISION.

\_\_\_\_\_  
DANIEL R. (BOCKY) EDWARDS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 5472  
P.O.B. 999  
VANDERLEY, TEXAS 76676  
512-847-3927

\_\_\_\_\_  
DATE

**RESUBDIVISION OF LOT 69  
ROLLING OAKS SECTION FOUR  
ESTABLISHING LOT 69A & LOT 69B  
A SUBDIVISION IN  
HAYS COUNTY, TEXAS**

**NOTES:**

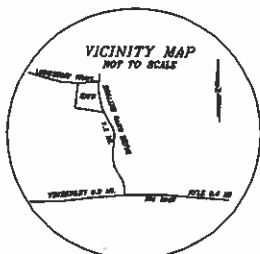
- 1) THESE LOTS ARE NOT LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF ANY MUNICIPALITY.
- 2) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48209C023F, DATED SEP. 2, 2005, THESE LOTS ARE LOCATED IN ZONE X AND ARE NOT IN THE 100-YEAR FLOODPLAIN.
- 3) THIS SUBDIVISION IS NOT WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
- 4) THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE BARTON CREEK SEGMENT OF THE EDWARDS AQUIFER.
- 5) THIS SUBDIVISION IS IN THE BOUNDARIES OF THE VIMBERLEY INDEPENDENT SCHOOL DISTRICT.
- 6) ALL CULVERTS SHALL BE 10" MINIMUM DIAMETER.
- 7) THE FOLLOWING PUBLIC UTILITY EASEMENT WAS GRANTED IN VOLUME 1456, PAGE 73, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS:  
10' ALONG ALL LOT LINES.
- 8) THIS SUBDIVISION IS IN THE BOUNDARIES OF THE VIMBERLEY HAYS COUNTY ESD #7.
- 9) THIS SUBDIVISION IS IN THE BOUNDARIES OF THE VIMBERLEY RURAL FIRE DISTRICT #1.
- 10) ACCORDING TO THE HAYS-TRINITY GCD MAP THESE LOTS ARE NOT INCLUDED IN ANY SINGLE MEMBER DISTRICT.
- 11) THE FOLLOWING UTILITY EASEMENTS ARE HEREBY DEDICATED:  
20' UTILITY EASEMENT ALONG ALL STREET LOT LINES  
10' UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES

(25')  
DEDICATED TO  
PUBLIC 301/170

LINE	BEARING	DISTANCE
L1	N 05°31'10" E	64.03'
L2	S 05°31'10" W	64.03'
L3	S 02°31'00" E	64.67'
L4	N 02°31'00" W	64.67'

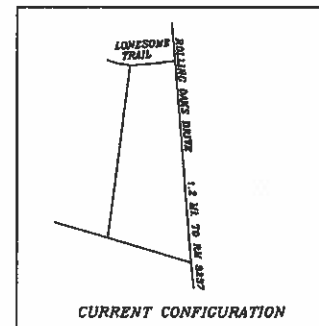
CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
1	10°48'28"	310.52'	55.74'	55.66'	N 07°32'04" E
		(310.52')	(55.69')	(55.62')	(N 07°34'17" E)

(25')  
DEDICATED TO  
PUBLIC 301/170



**LOT 70**  
REYNALDO FLORES TREVIÑO  
(6.98) AC  
1677/177

**LOT 68**  
CATRY J. BALCH  
(7.613) AC  
1764/264



TOTAL NO. LOTS 2  
TOTAL AREA LOTS 3.46 ACRES  
PROPOSED LAND USE RESIDENTIAL  
AVERAGE LOT AREA 2.73 ACRES

NO. LOTS BETWEEN 2 AC. AND 5 AC. 2

NO. LOTS LARGER THAN 5 AC.  
AND SMALLER THAN 10 AC. 0

ELECTRIC SERVICE P. E. C.  
TELEPHONE SERVICE VERIZON  
WATER SUPPLY INDIVIDUAL WELL/RAINWATER COLLECTION  
WASTEWATER INDIVIDUAL ADVANCED WASTEWATER SYSTEMS

OWNER/DEVELOPER  
VALENTINE ZUKANDVIK  
REDZO ZUKANDVIK AND  
ALEX ZUKANDVIK  
1255 ROLLING OAKS DRIVE  
DRIFTWOOD, TEXAS 78619

SURVEYOR  
DANIEL R. (ROCKY) EDWARDS  
HAYS COUNTY LAND SURVEYING  
P.O. BOX 991  
VIMBERLEY, TEXAS 78676  
512-847-3827

SCALE 1" = 100'  
JANUARY, 2011

**LEGEND**

- ( ) RECORD INFORMATION
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD, WITH CAP, SET



## *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:**

**10-3-48 Replat of Creekside at Wimberley, Vacating lot 1, Creekside at Wimberley, and lot 2, Creekside at Wimberley, Section 2, and Establishing lot 1R, Creekside at Wimberley. Discussion and possible action to consider approval of preliminary plan; call for public hearing on March 8, 2011.**

**TYPE OF ITEM: ACTION**

**PREFERRED MEETING DATE REQUESTED: February 8, 2011**

**AMOUNT REQUIRED: N/A**

**LINE ITEM NUMBER OF FUNDS REQUIRED: N/A**

**REQUESTED BY: Botkin**

**SPONSORED BY: Conley**

**SUMMARY:**

**Creekside at Wimberley is a platted subdivision located off Ranch Road 12 and Cypress Creek in Precinct 3. The owner of Lot 2, Creekside at Wimberley Section 2 (6.08 acres) and the owner of Lot 1, Creekside at Wimberley (2.00 acres) wish to vacate the two lots and create Lot 1R, Creekside at Wimberley (8.08 acres). Although this is a decrease in density, a public hearing is required on all cancellation and vacations of previously platted lots. The newly platted 8.08 acre lot will be served by existing connection to public water supply and sanitary sewer service.**

OUT OF THE ELIZA SNEDICOR SURVEY NO. 66  
MAYS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS  
MAY 1 1901

## VACATING PLATS

[illegible]

City of Monterey  
San Jose, N. 45° 34'

100

DEPOSITION & WITNESS CREDITS

33 E 17

A topographic map section showing contour lines and a small settlement. The word "Gulf" is printed vertically. The map includes a scale bar at the top and a north arrow pointing towards the top right.

VE 25

10

Scale: 1-100  
AUGUST 6, 2009

FROM STACEY W. ALLEN  
(PHO-TELE) (NO 2319) 1000

—O— PHOENIX UTILITY INC  
--- CASEMONT AND SE TUCOS

---

**PRELIMINARY PLAN FOR  
INSTRUCTION IN ENGLISH**

ROA  
VAB

William H. & Elizabeth M. Michener  
3700 73rd Avenue  
Austin, Texas 78737

PRO-TECH ENGINEERING GROUP, INC.  
100 E. San Antonio St., Suite 100  
San Mateo, Calif. 94401

PROTECT

**ENGINEERING GROUP**

SHEET 01

***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:**

**Action to Authorize Commercial OSSF Permit for Texas State University located on the Freeman Ranch, in Precinct 3.**

**CIRCLE ONE ACTION ITEM**

**Subdivision**

**Road**

**Staff Recommendation**

**PREFERRED MEETING DATE REQUESTED: February 08, 2011**

**AMOUNT REQUIRED: NA**

**LINE ITEM NUMBER OF FUNDS REQUIRED: NA**

**REQUESTED BY: Clint Garza, Director, Development Services.**

**SPONSORED BY: Commissioner Conley, Precinct 3**

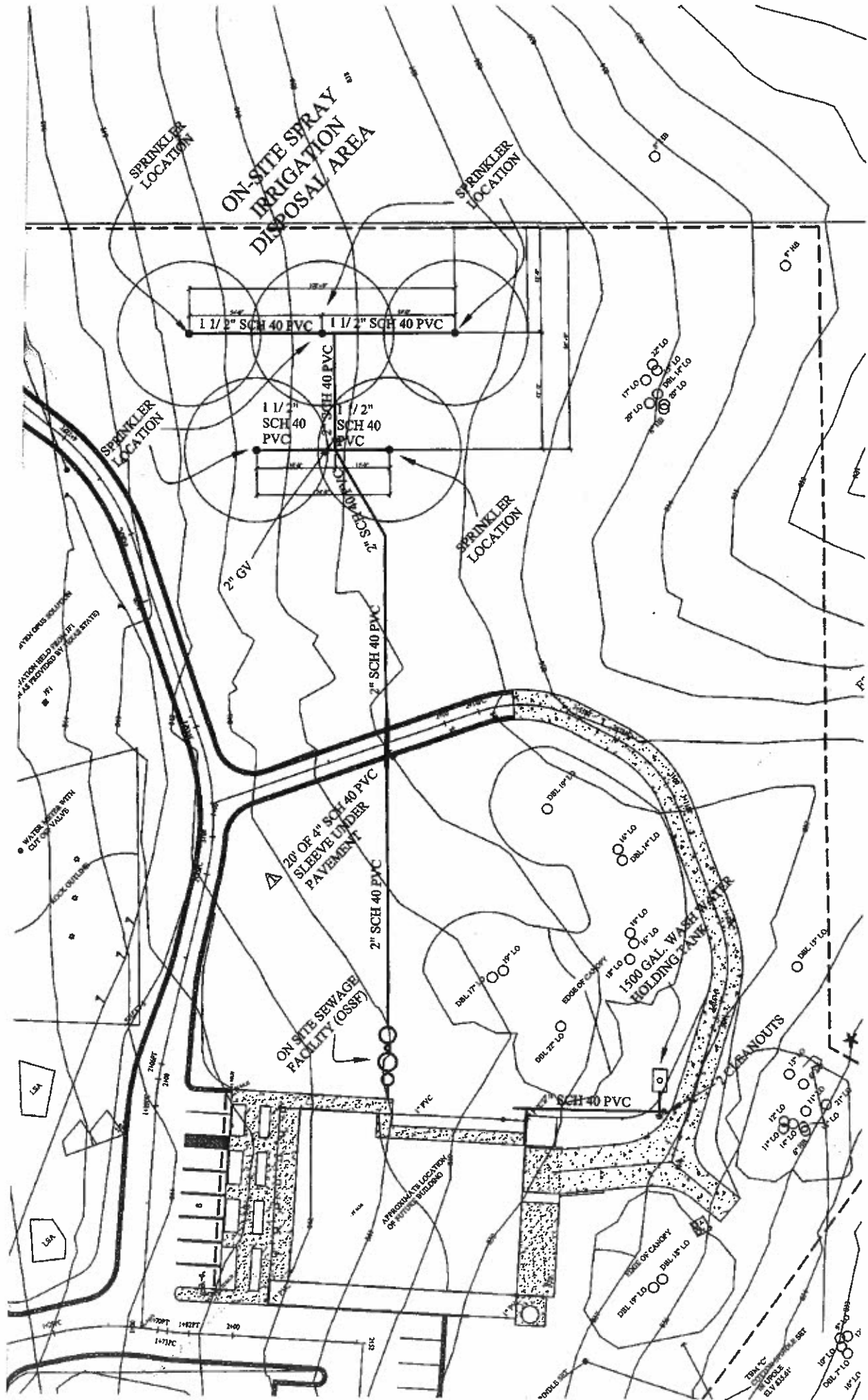
**SUMMARY:** TX State University is proposing an OSSF to serve a 6358 sq ft Multipurpose Educational Facility. The facility will contain two meeting rooms, offices, and a research laboratory. The tract of land is 3486.6 acres. The proposed on-site sewage facility consists of an aerobic treatment unit followed by surface dispersal. The spray will be dispersed between the hours of midnight and 5am. The system was designed by John D. Mercer, P.E. The On Site Sewage Facility is designed for a maximum wastewater flow of 615 gpd. The water supply is an on site water well. The site specification sheet and site plan are attached. The process wastewater from the research lab will be discharged to a 1500 gallon holding tank and will be hauled to a wastewater treatment plant.

**STAFF REVIEW/COMMENTS**

**Development Services 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  
2/1/2011

OSSF Permit #: 2011-40

**TYPES OF PERMITS:** ☒ OSSF permit

**PROPERTY ADDRESS:** 2021 FREEMAN RANCH ROAD, SAN MARCOS TX 78666

**NAME OF OWNER:** TEXAS STATE UNIVERSITY

**MAILING ADDRESS:** 601 UNIVERSITY DRIVE SAN MARCOS TX 78666 TANNER CRAIGEN

**Work Phone:** (512) 245-9968

**Cell:** (512) 748-8182

**Home Phone:** (512) 748-8182

**Fax:**

**Septic Type:** Institutional

**Reason:** New

**6358 Sq Ft**

**10 Employees**

**Purchased:** 1/27/2011

**Revision:**

**License Date:**

**Field:** 12300

**Plans:**

**Final Inspection:**

**Printed:**

0 0 0 0

**Authorization:** 2/8/2011

**Approved By:**

**Installed:**

**Other Information:**

☐ Rainwater Collection

☐ City limits

☐ Public Sewer

☐ ETJ

☒ Well

☐ Water saving fixtures

☐ Public Water

☐ Recharge zone

☐ Meter / Timer Required

**WaterSupply Company:**

**Record Set:**

**Volume:** 360

**Page:** 1

**HAYS COUNTY**

**Lot/Tract:**

**Block:**

**Lot size:** 3486.6

**Precinct/Zone:**

**Affidavit File Date:**

**Survey:**

**Grid/Section:**

**Subdivision:**

**Reference:**

**Evaluator's Information:**

**Site Evaluator:** MERCER, JOHN D

**Type of soil:** 3

**Soil Date:** 2/17/2009

**615 GPD**

**Special Requirements:** Owner must make sure that the water supply system complies with Texas Commission on Environmental Quality public water system rules. Call 512-339-2929 for info. Maintenance provider must submit BOD sample on first maintenance visit

## System Information:

**Manufacturer:**

**Distributor:**

**Designer:** MERCER, JOHN D

**Installer:** KIOLBASSA, QUINTEN

**Treatment Type:** Aerobic

**Disinfectant:**

**Flood Plain Permit:**

**Disposal:** Surface Application

**Drainfield:** 0 x 0 x 0 - 0

**Flood Plain Status:**

**Brand / Model**

**Serial Number**

**Date**

**Flood Plain Date:**

**System:**

**Aerator:**

**Flood Plain Certificate:**

**Discharge:**

**Flood Plain Complete:**

**Expiration Date:**

## Service and Maintenance Information

**Routine Maintenance Required**

☐ Active Service

☐ Electronic Monitoring

**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:**

**Discussion and possible action to adopt a resolution in support of Travis County's application for pass-through finance funding for improvements to FM 1626 in Travis County, a road linking Hays and Travis counties.**

#### **TYPE OF ITEM: ACTION**

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** Commissioner Precinct 2 Mark Jones

**SPONSORED BY:** Commissioner Precinct 2 Mark Jones

**SUMMARY:** This would put the Hays County Commissioners Court on record in support of Travis County's application for pass-through funds to improve FM 1626 from near the Hays/Travis County Line to FM 2304 (Manchaca Road). There is no funding or other effort required from Hays County, except perhaps minimal coordination with our consulting engineers. Travis County Commissioners Court is seeking an agreement with the state to improve this section of FM 1626 in order to enhance regional transportation and take pressure off Brodie Lane. The improvements would link with the study area included in the Hays County FM 1626 pass-through project – and would either link, or come close to linking with actual improvements planned by Hays County. Though some Travis officials have been concerned about Hays County's efforts to improve traffic flow and safety on this corridor – fearing it might lead to more vehicle trips – I think we should be supportive of any effort to improve capacity and safety along either side of FM 1626, and I appreciate Travis County's interest in both improving a regional connector and relieving congestion for their neighborhoods along Brodie Lane. The resolution also supports improvements to Manchaca Road off of FM 1626, a route that could be used by some Hays County commuters as an alternate to Brodie Lane. Those improvements to Manchaca Road are planned to be completed by TxDOT outside of the Pass Through Finance Application.



**WHEREAS**, Hays County is developing improvements to FM 1626 from FM 967 to near Brodie Lane, across the Travis County Line, as part of the County's Pass-Through Finance Program in cooperation with the Texas Department of Transportation; and

**WHEREAS**, FM 1626 is a significant roadway in the regional transportation system serving both residents of northern Hays County and southern Travis County; and

**WHEREAS**, FM 1626 from near the Hays/Travis County Line to Manchaca Road is a currently heavily traveled two-lane roadway; and

**WHEREAS**, Travis County is responding to the Texas Department of Transportation's Call for Projects for the Fiscal Year 2011 Pass-Through Finance Program for funding to construct improvements to FM 1626 from near the Hays/Travis County Line to Manchaca Road; and

**WHEREAS**, these improvements include widening the roadway to four-lane facilities with center turn lanes; and

**WHEREAS**, the proposed expansion of the roadway would improve the regional roadway system serving northern Hays County and southern Travis County, and could improve both safety and mobility for the general public on both sides of the county line;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS:**

- (a) That the Commissioners Court of Hays County, Texas supports Travis County's application for pass-through finance funding for improvements to FM 1626 from near the Hays/Travis County Line to FM 2304 (Manchaca Road), and
- (b) That the Commissioners Court of Hays County, Texas urges the Texas Department of Transportation to favorably consider the County's pass-through finance application.

**DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF HAYS COUNTY  
ON THIS \_\_\_\_\_ DAY OF February 2010.**

\_\_\_\_\_  
Bert Cobb  
Hays County Judge

\_\_\_\_\_  
Debbie Gonzales Ingalsbe, Precinct 1

\_\_\_\_\_  
Mark Jones, Precinct 2

\_\_\_\_\_  
Will Conley, Precinct 3

\_\_\_\_\_  
Ray Whisenant, Precinct 4

Attest:

\_\_\_\_\_  
Liz Gonzalez, County Clerk

## *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 approve the Sheriff's Office Re-Organization plan.

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

**PREFERRED MEETING DATE REQUESTED:**

**AMOUNT REQUIRED: \$9,000.**

**LINE ITEM NUMBER OF FUNDS REQUIRED: 001-618-00.5021**

**REQUESTED BY: Sheriff Cutler**

**SPONSORED BY: Commissioner Conley**

**SUMMARY:**

**In an effort to maximize the efficiency and potential of the Sheriff's Office, the following changes in the organization need to be made.**

- 1. Delete a Law Enforcement Lieutenant and add a Captain.**
- 2. Delete a Jail Sergeant and add a Jail Lieutenant**

**In order to accomplish this goal, \$9000.00 will need to be utilized from our salary savings.**



# *Agenda Item Routing Form*

**DESCRIPTION OF Item:** Discussion and possible action to approve the Sheriff's Office Re-Organization plan.

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

## **COUNTY AUDITOR**

**AMOUNT:** \$9,000

**LINE ITEM NUMBER:** 001-618-00.5021

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

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:** In the past we have needed the attrition salary savings for additional overtime costs. It is too early in the year to determine what is available.

**Bill Herzog**

## **SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

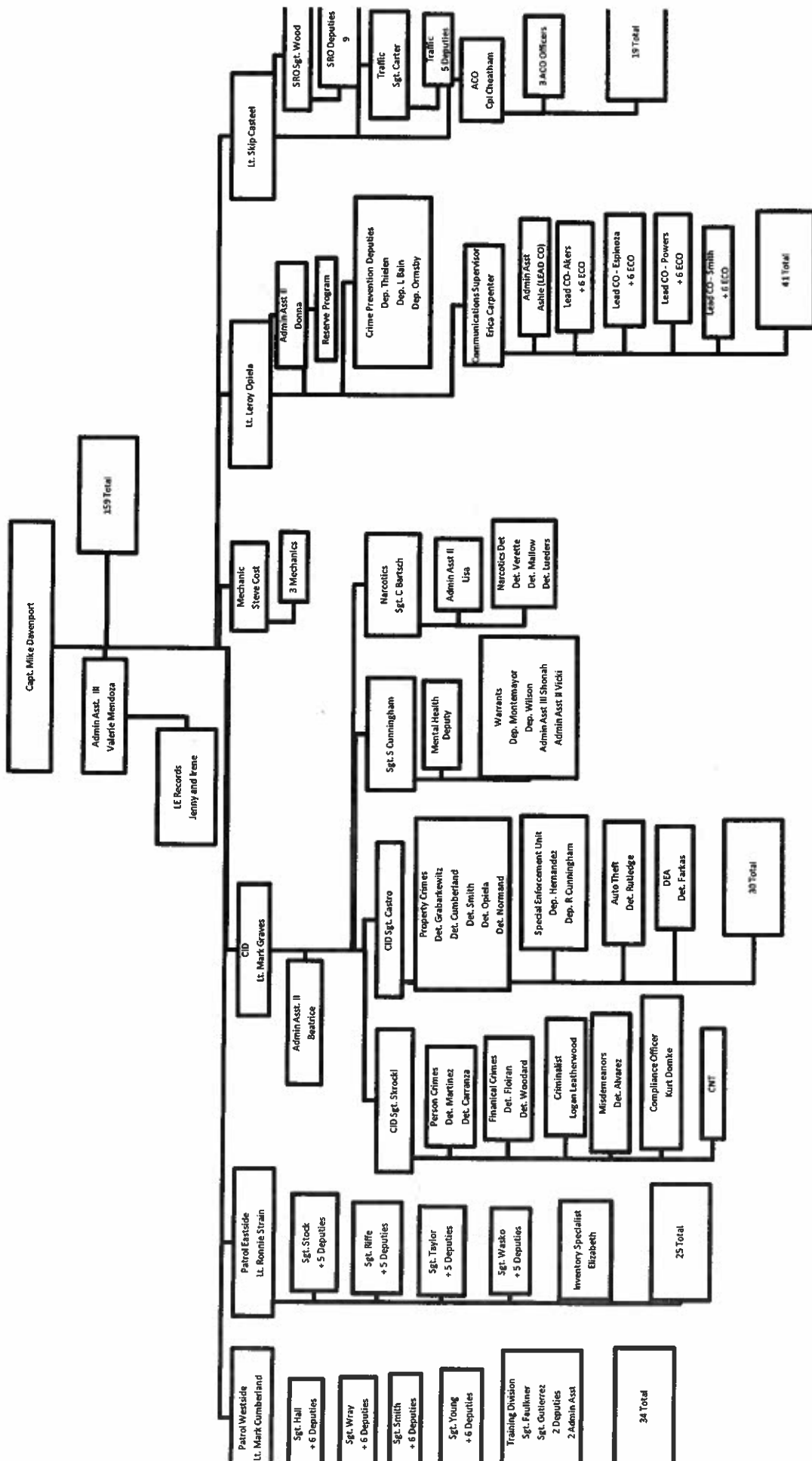
## **COUNTY JUDGE**

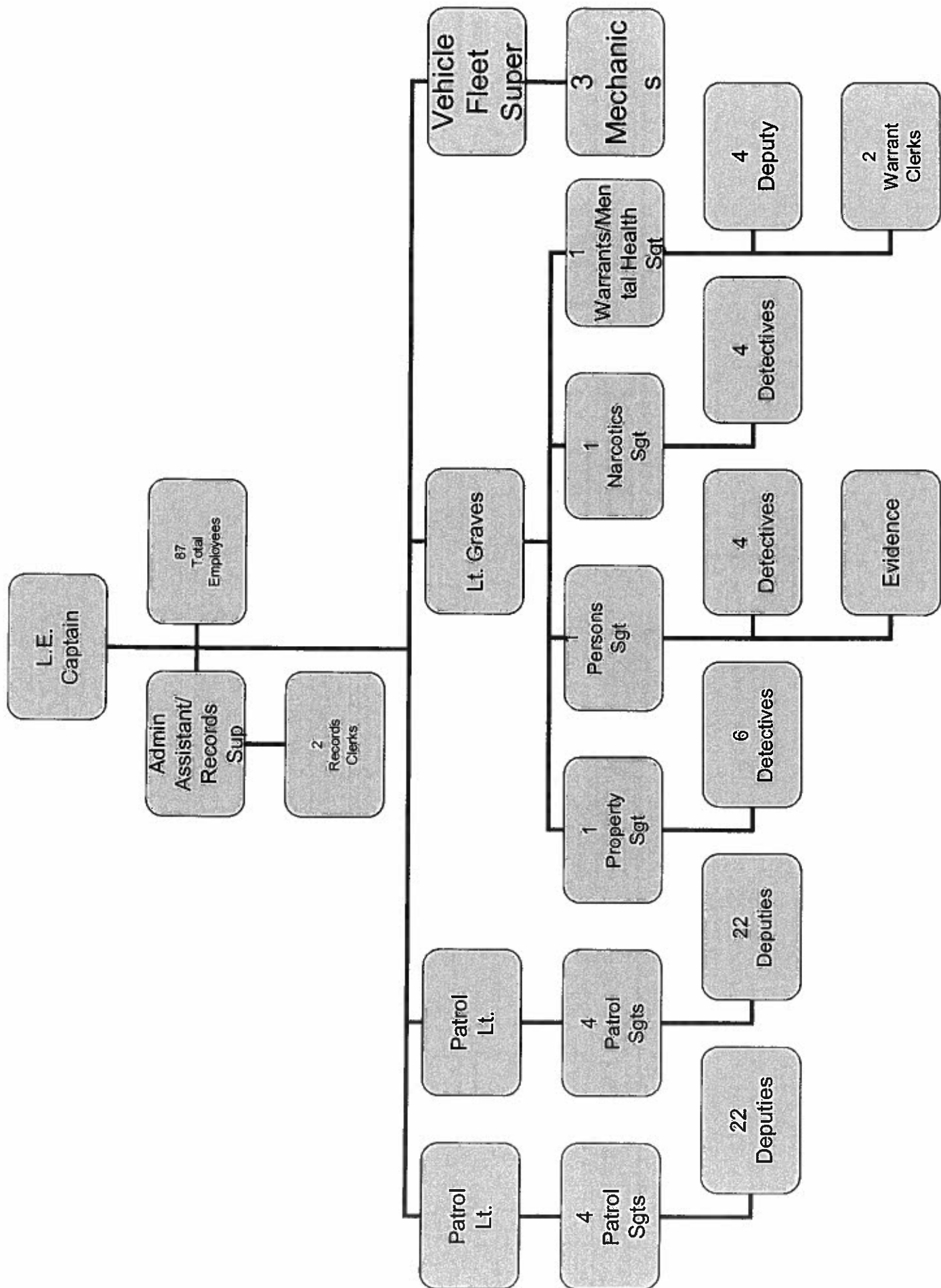
*Signature Required if Approved*

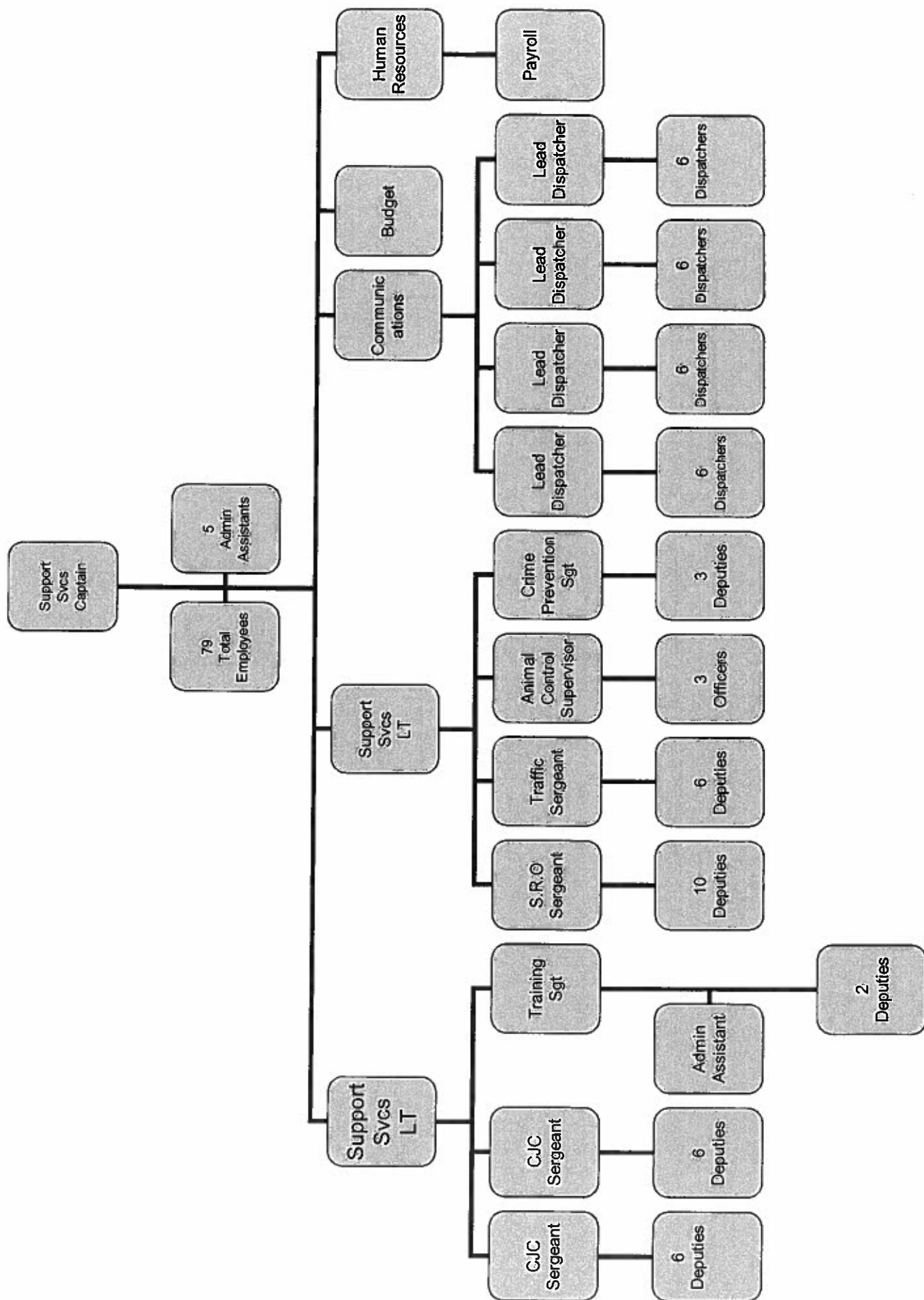
**DATE CONTRACT SIGNED:** \_\_\_\_\_

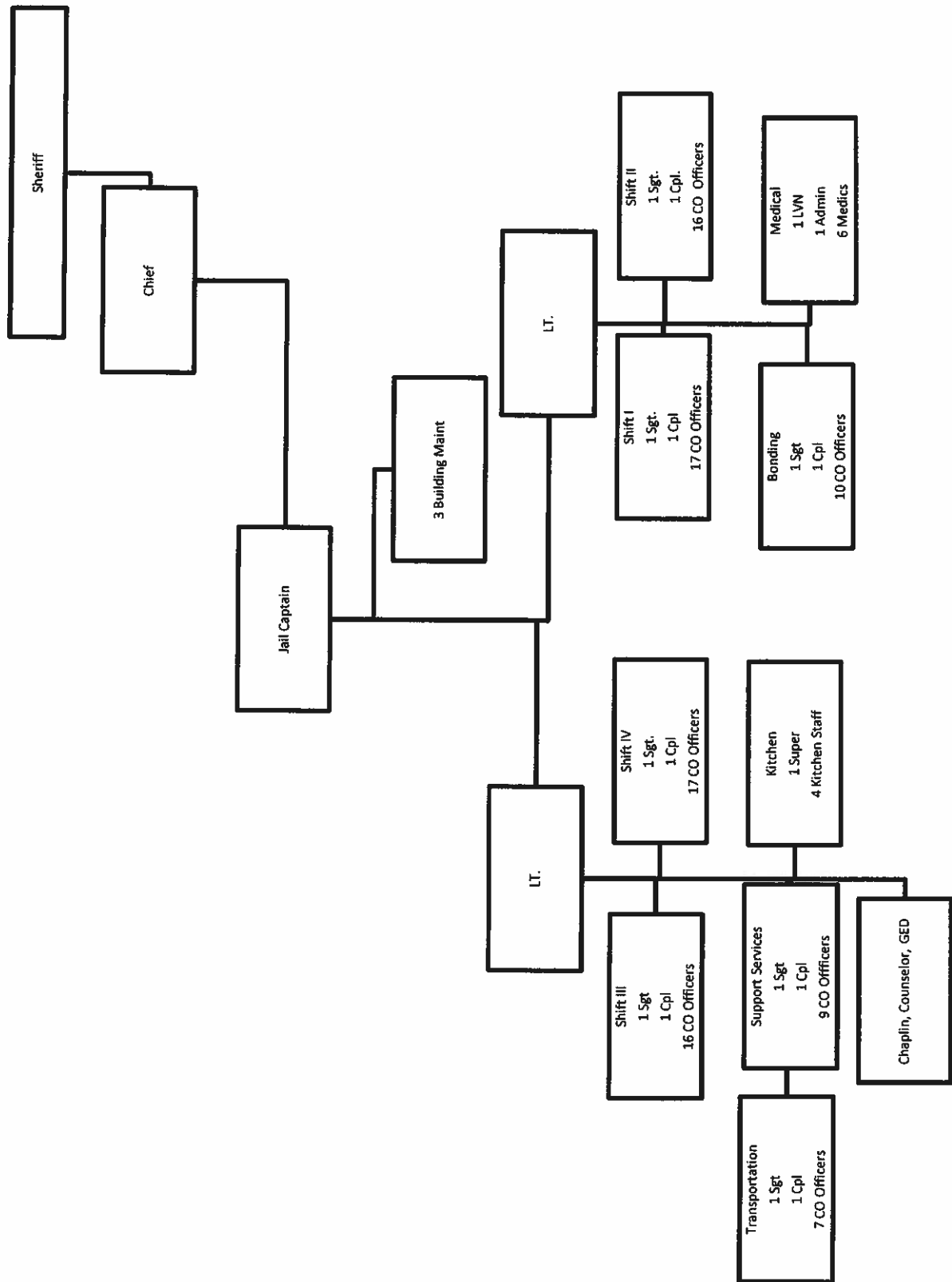


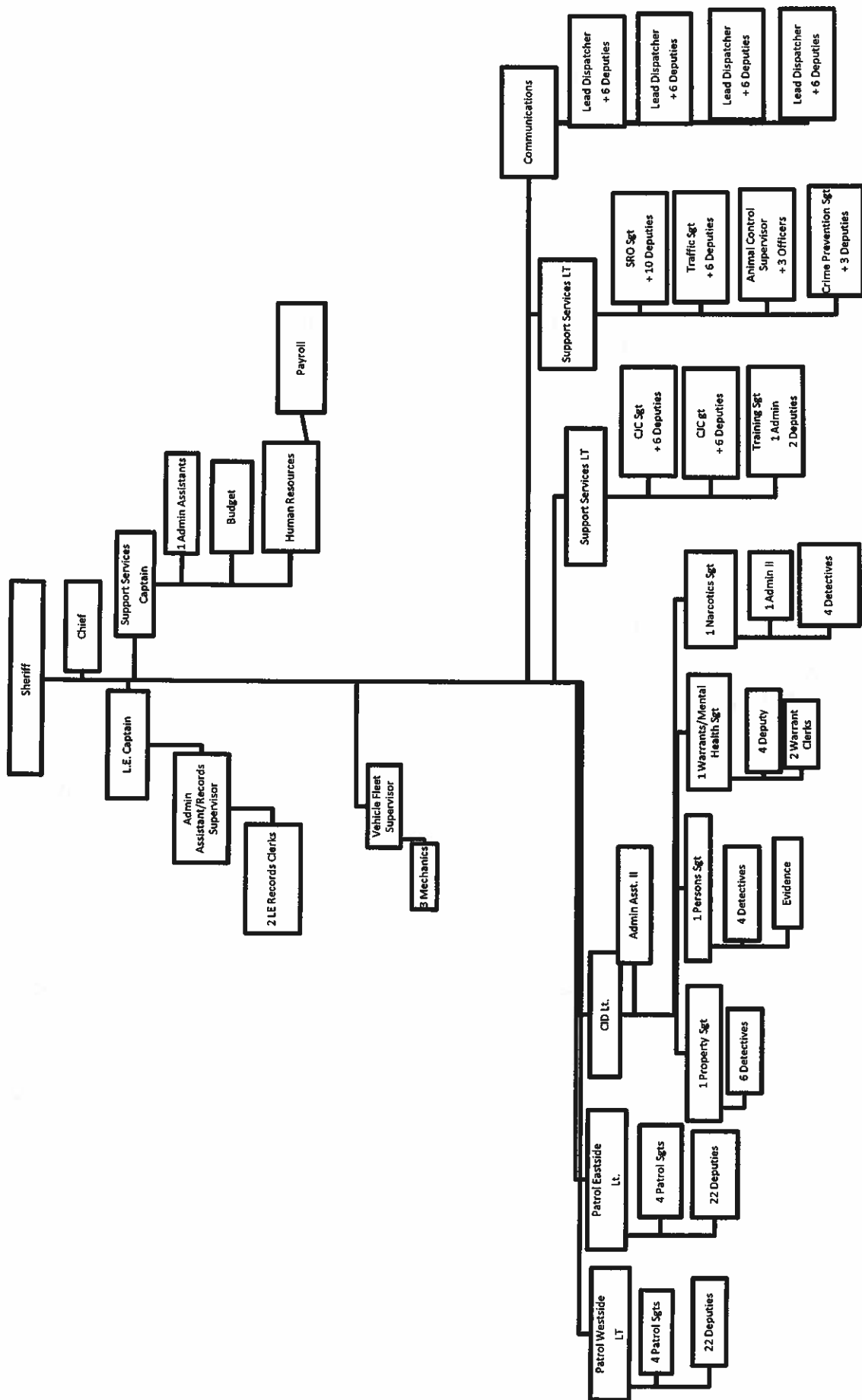
# Hays County Sheriff's Office Organizational Chart











## *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 an amended FY 2011 Bioterrorism Preparedness contract between the Texas Department of State Health Services (DSHS) and the Personal Health Department (PHD).

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

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** Priscilla Hargraves

**SPONSORED BY:** Ingalsbe

**SUMMARY:** DSHS is amending the term for the FY 2011 Bioterrorism Preparedness contract so that the end date will align with the end of the federal project period per federal guidance. The contract term was 08/01/2010 thru 07/31/2012. The contract term is revised to 08/01/2010 thru 07/31/2011. There is no change in the funding amount for FY 2011.

The Bioterrorism Preparedness contract is what we usually refer to as the Public Health Emergency Preparedness (PHEP) contract with DSHS that funds our emergency preparedness program. The team is composed of the PHEP Coordinator, Chuck Chapman, and the Strategic National Stockpile (SNS) Specialist (title has been changed from SNS Coordinator). We should have a new person in this position by mid-month. The grant amount for FY2011 is \$145,902. It funds infrastructure, equipment, and supplies to sustain the program, as well as, training, travel, salaries, etc. for these 2 staff to work with other emergency managers, e.g. Jeff Turner, Ken Bell, John Moseley, coordinate activities with our regional partners, e.g. Travis and Williamson Counties, and other agencies to ensure that Hays Co is prepared in the event of a bioterrorist event or other public health emergency.

We are responsible for submitting monthly vouchers for reimbursement, and monthly, quarterly (now semi-annually) and annual reports. These reports provide the state with fiscal information, as well as, narratives of our progression in completing objectives of the work plan.



DEPARTMENT OF STATE HEALTH SERVICES



Amendment  
To

The Department of State Health Services (DSHS) and HAYS COUNTY HEALTH DEPARTMENT (Contractor) agree to amend the Program Attachment # 001A (Program Attachment) to Contract # 2010-035679 (Contract) in accordance with this Amendment No. 001B : CPS-BIOTERRORISM PREPAREDNESS, effective 01/18/2011.

The purpose of this Amendment is to revise contract end date to align with the end of the federal project period per federal guidance.

Therefore, DSHS and Contractor agree as follows:

CONTRACT TERM is revised as follows: 08/01/2010 THRU: ~~07/31/2012~~ 07/31/2011

PROGRAM ATTACHMENT NO. is changed from ~~001A~~ to 001B

SECTION VI. BILLING INSTRUCTIONS, is replaced in its entirety with the following:

Contractor shall request payment by submitting the State of Texas Purchase Voucher (Form B-13) on a monthly basis and acceptable supporting documentation for reimbursement of the required services/deliverables. Additionally, the Contractor shall submit the Match/Reimbursement Certification (Form B-13A) and the Financial Status Report (FSR-269A) on a quarterly basis. Vouchers and supporting documentation should be mailed or submitted by fax or electronic mail to the addresses/number below.

Claims Processing Unit, MC1940  
Texas Department of State Health Services  
1100 West 49<sup>th</sup> Street  
PO Box 149347  
Austin, TX 78714-9347

The fax number for submitting State of Texas Purchase Voucher (Form B-13), Match/Reimbursement Certification Form (Form B-13A), and Financial Status Report to the Claims Processing Unit is (512) 458-7442. The email address is invoices@dshs.state.tx.us.

SECTION VII. BUDGET, the attached Categorical Budget is being revised to reflect due date of final Financial status report as follows:

Financial status reports are due: 11/30/2010, 03/02/2011, 05/30/2011, ~~08/30/2011, 11/30/2011, 03/01/2012, 05/30/2012, 10/01/2012~~ 09/29/2011

All other terms and conditions not hereby amended are to remain in full force and effect. In the event of a conflict between the terms of this contract and the terms of this Amendment, this Amendment shall control.

**Department of State Health Services**

\_\_\_\_\_  
Signature of Authorized Official

Date: \_\_\_\_\_

Bob Burnette, C.P.M., CTPM

Director, Client Services Contracting Unit

1100 WEST 49TH STREET  
AUSTIN, TEXAS 78756

(512) 458-7470

Bob.Burnette@dshs.state.tx.us

**Contractor**

\_\_\_\_\_  
Signature of Authorized Official

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**DEPARTMENT OF STATE HEALTH SERVICES**



1100 WEST 49TH STREET  
AUSTIN, TEXAS 78756-3199

**CATEGORICAL BUDGET CHANGE REQUEST**

**DSHS PROGRAM:** CPS-BIOTERRORISM PREPAREDNESS

**CONTRATOR:** HAYS COUNTY HEALTH DEPARTMENT

**CONTRACT NO:** 2010-035679

**CONTRACT TERM:** 08/01/2010      **THRU:** 07/31/2011

**BUDGET PERIOD:** 08/01/2010      **THRU:** 07/31/2011

**CHG:** 001B

<b>DIRECT COST (OBJECT CLASS CATEGORIES)</b>			
	<b>Current Approved Budget (A)</b>	<b>Revised Budget (B)</b>	<b>Change Requested</b>
Personnel	\$95,944.00	\$95,944.00	\$0.00
Fringe Benefits	\$37,106.00	\$37,106.00	\$0.00
Travel	\$3,035.00	\$3,035.00	\$0.00
Equipment	\$8,654.00	\$8,654.00	\$0.00
Supplies	\$2,903.00	\$2,903.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00
Other	\$12,850.00	\$12,850.00	\$0.00
<b>Total Direct Charges</b>	<b>\$160,492.00</b>	<b>\$160,492.00</b>	<b>\$0.00</b>
<b>INDIRECT COST</b>			
Base (\$)	\$0.00	\$0.00	\$0.00
Rate (%)	0.00%	0.00%	0.00%
<b>Indirect Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>PROGRAM INCOME</b>			
Program Income	\$0.00	\$0.00	\$0.00
Other Match	\$14,590.00	\$14,590.00	\$0.00
<b>Income Total</b>	<b>\$14,590.00</b>	<b>\$14,590.00</b>	<b>\$0.00</b>
<b>LIMITS/RESTRICTIONS</b>			
Advance Limit	\$0.00	\$0.00	\$0.00
Restricted Budget	\$0.00	\$0.00	\$0.00
<b>SUMMARY</b>			
Cost Total	\$160,492.00	\$160,492.00	\$0.00
Performing Agency Share	\$14,590.00	\$14,590.00	\$0.00
Receiving Agency Share	\$145,902.00	\$145,902.00	\$0.00
<b>Total Reimbursements Limit</b>	<b>\$145,902.00</b>	<b>\$145,902.00</b>	<b>\$0.00</b>
<b>JUSTIFICATION</b>			
This amendment is to revise contract end date to align with the end of the federal project period per federal guidance.			

Financial status reports are due: 11/30/2010, 03/02/2011, 05/30/2011, 09/29/2011

## *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 a renewal of agreement, with modifications, between Hays County Personal Health Department (PHD) and Dr. Jurairat Molina, MD for pediatric allergy services to be provided in the Personal Health Department facility.

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

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** None

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** HARGRAVES

**SPONSORED BY:** INGALSBE

#### **SUMMARY:**

This is the renewal of the agreement which offers space within the PHD for Dr. Jurairat Molina, M.D. to provide pediatric allergy services to Medicaid or unfunded clients (currently at Medicaid rates) referred by the PHD and area physicians. These services will be provided from February 01, 2011 to February 01, 2012. Modifications have been made to further protect the County from liability, and to clarify the types of cases that will be handled by Dr. Molina.

## MEMORANDUM OF AGREEMENT FOR PHYSICIAN SERVICES

This Memorandum of Agreement for Physician Services (hereinafter "MOA") is entered into between Hays County, a political subdivision of the State of Texas (hereinafter "County"), which has a principal business address at 111 E. San Antonio, Suite 300, San Marcos, Texas 78666, and Dr. Jurairat Molina, whose primary place of business is located at 2500 West William Canon Drive, Suite 204, Austin, Texas, 78745 (hereinafter "Provider").

Provider shall conduct an Allergy Clinic, the purpose of which is to provide allergy evaluations and treatment of allergy diseases including allergic rhinitis, asthma, chronic cough, chronic sinusitis, food allergy, chronic skin allergy and other allergy-related conditions. The Allergy Clinic shall offer allergy skin testing and allergy shot (immunotherapy) as an option for treatment. The Allergy Clinic shall provide a comprehensive treatment for those ~~Medicaid patients and Indigent Hays County resident patients~~ patients screened by the Personal Health Department with allergies and asthma and other allergy-related conditions to promote a better quality of life and to reduce emergency room visits and hospitalization as well as to prevent complications such as respiratory difficulty and infection.

The Hays County Personal Health Department in conjunction with Provider shall provide initial care for allergy-related issues and treatment. This program is intended to effectively eliminate the barriers that exist for many families and provides access to an Allergy Specialist for consultation and treatment.

**NOW THEREFORE**, in consideration of the mutual promises and covenants herein contained and intending to be legally bound hereby, the County and Provider agree as follows:

### **Section 1. Scope of Work**

#### **1.1 The County agrees to provide:**

- 1.1.1 Space in which Provider can conduct the Allergy Clinic within the Hays County Health Department facility, located at 401-A Broadway Street, San Marcos, TX 78666.
- 1.1.2 Scheduling and Pre-screening for ~~Medicaid and Indigent~~ clients.
- 1.1.3 Direction and guidance regarding which clients may be served in the Personal Health Department Facility.
- 1.1.3-4 Emergency basic life support.
- 1.1.4-5 Access to standard office supplies in the County's possession.

#### **1.2 Provider agrees to provide:**

- 1.2.1 Patient care to all allergy patients confirmed by County under Sections 1.1.2 and 1.1.3, above, by conducting allergy evaluations, which may include allergy skin testing, pulmonary function testing for evaluation of asthma and other respiratory problems, and treatment which may include allergy immunotherapy.
- 1.2.2 Medical provider Medicaid client billing.
- 1.2.3 Any Support staff that Provider needs to conduct the Allergy Clinic.
- 1.2.4 Professional liability coverage in an amount equal to or greater than the industry standard for a physician practicing in Provider's specialization. Evidence of said professional liability coverage is attached hereto as Exhibit "A" and incorporated herein for all purposes.

#### **1.3 In exchange for Provider's operation of the Allergy Clinic, the County hereby agrees to meet its obligations under this MOA at no charge to Provider. In exchange for the County's provision of space for the Allergy Clinic, Provider hereby agrees to meet his obligations under this MOA at no charge to County.**

**Section 2. Term**

- 2.1 The period of performance for activities under the MOA shall be from 02/01/2011 to 01/31/2012, unless this MOA is terminated at an earlier date (See Section 3).

**Section 3. Termination**

- 3.1 This MOA may be terminated at any time upon the thirty (30) days' written notification by the party seeking termination.

**Section 4. Dispute Resolution**

- 4.1 Any charge disputes arising from this MOA shall first be resolved by informal discussions between the county and provider. Any dispute that cannot be resolved by informal discussions between county and provider within a reasonable period of time of the commencement of such discussions (not to exceed thirty (30) days), may be resolved through mediation. If a dispute cannot be resolved by mediation, then either party to this MOA may seek relief in a Hays County court of appropriate jurisdiction.

**Section 5. Liability; Indemnification; Waiver of Subrogation**

- 5.1 This MOA establishes that this program is not a health insurance program.
- 5.2 Provider agrees to indemnify and hold harmless the County, and its directors, officers, employees, agents, shareholders, subsidiaries, and affiliates (collectively, the "Indemnified Persons") for any loss, liability, claim, damage, expense arising from third-party claims (collectively, "Damages") in connection with actions performed by Provider and its agents under this MOA.
- 5.3 Provider hereby waives all rights of subrogation against the County for bodily injury (including death) or any other loss arising from actions performed by Provider under this MOA.

**Section 6. Non-discrimination**

- 6.1 In connection with the delivery of services under this MOA, County and Provider agree to comply with the Civil Rights Act of 1964 and all other Federal, State or local laws, rules and orders prohibiting discrimination.

**Section 7. Governing Laws**

- 7.1 This MOA shall be governed and construed in accordance with the laws of the State of Texas, and is subject to all applicable Federal laws, regulations, rules and policies.

**Section 8. Assignment**

- 8.1 This MOA may not be assigned, delegated, or transferred by either the County or Provider without the express written consent and authorization by both parties. The provisions of the MOA shall be binding upon and shall inure to the benefit of County and Provider hereto and their duly authorized transferees, successors and assigns.

**Section 9. Severability**

- 9.1 The provisions of this MOA are not severable. In the event that anyone or more provisions of this MOA are deemed null, void, illegal or unenforceable, County and Provider shall renegotiate or terminate the remaining provision of this MOA unless mutually agreed otherwise.

**Section 10. Proprietary Information**

- 10.1 The parties agree that all materials and information pertaining to this agreement provided to the participating health center, including, but not limited to County's name/trademark, logo, Participating Employee Lists, compensation methodologies and rates, and any other specific administrative details, is the proprietary property of county. Participating Health Center will safeguard such information in accordance with the requirements of state and federal law, and shall not use such information, directly or indirectly, for any purpose other than to accomplish the purposes of this agreement, nor shall participating county disclose or release any information pertaining to this agreement to the media or any third party without the prior written consent of the company. This specifically includes, but is not limited to, use of any of the above referenced materials or information, directly or indirectly, to further the business purposes of any organization or business other than the company to whom the information pertains. *This provision shall survive termination or expiration of this Agreement for any reason.*

**Section 11. Entire MOA/Amendments**

- 11.1 This MOA represents the complete understanding of County and Provider. Any amendments to this MOA shall be in writing and signed by both County and Provider. This MOA supersedes any other agreement of understandings between County and Provider whether oral or written, relating to the scope of work as described in Attachment A. No such other agreements or understandings may be enforced by either County or Provider nor may they be employed for interpretation purposes in any dispute involving this MOA.

IN WITNESS WHEREOF, County and Provider hereby execute this MOA by their duly authorized representatives, effective this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**COUNTY**

**PROVIDER**

\_\_\_\_\_  
Dr. Bert Cobb  
Hays County Judge  
111 E. San Antonio, Suite 300  
San Marcos, TX 78666

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dr. Jurairat Molina  
Medical Doctor

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Liz Q. Gonzalez, Hays County Clerk

**EXHIBIT "A"**  
**PROVIDER'S PROOF OF INSURANCE**



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**IN WITNESS WHEREOF**, County and Provider hereby execute this MOA by their duly authorized representatives, effective this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**COUNTY**

**PROVIDER**

Dr. Bert Cobb Hays County Judge 111 E. San Antonio, Suite 300 San Marcos, TX 78666	Date
---	------

Dr. Jurairat Molina	Date
Medical Doctor	

ATTEST: Liz Q. Gonzalez, Hays County Clerk

**EXHIBIT "A"**  
**PROVIDER'S PROOF OF INSURANCE**

## *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 approve payment of \$18,849.83 for the relocation of a Verizon 400-pair copper cable located along Dacy Lane from Goforth Road to Kyle Parkway and authorize the County Judge to execute.**

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

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** \$18,849.83

**LINE ITEM NUMBER OF FUNDS REQUIRED:** Funds available within total budget

**REQUESTED BY:** Ingalsbe

**SPONSORED BY:** Ingalsbe

**SUMMARY:** This cable was placed along the east side of Dacy Lane back in June 2010 as requested by the city of Kyle. Shortly after we began the reconstruction of Dacy Lane, we were notified by Verizon that the cable would need to be relocated and the cost would be \$56,549.49. The county was not notified during the preliminary discussions and I did not believe the county should be responsible for the entire cost to relocate the cable. After some discussions with Verizon and Kyle representatives, they have each agreed to pay for a third of the cost.

I am asking the county to consider paying \$18,849.83 or 1/3 of the cost as well.

This cable serves Seton Hospital.

# *Agenda Item Routing Form*

**DESCRIPTION OF Item:** Discussion and Possible action to approve payment of \$18,849.83 for the relocation of a Verizon 400-pair copper cable located along Dacy Lane from Goforth Road to Kyle Parkway and authorize the County Judge to execute.

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

## **COUNTY AUDITOR**

**AMOUNT:** \$18,849.83

**LINE ITEM NUMBER:** Funds available within total budget

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

**PAYMENT TERMS ACCEPTABLE:** N/A

**COMMENTS:**

**Bill Herzog**

## **SPECIAL COUNSEL**

**CONTRACT TERMS ACCEPTABLE:** \_\_\_\_\_

**COMMENTS:**

## **COUNTY JUDGE**

*Signature Required if Approved*

**DATE CONTRACT SIGNED:** \_\_\_\_\_



Date: January 26, 2011

To: Commissioner Debbie Ingalsbe  
111 E. San Antonio St., ste 304  
San Marcos, Tx 78666  
Re: *Dacy Ln revision*

Dear Mrs. Ingalsbe,

This is in response to your request for Verizon to perform the following work: relocation of 400 pair Seton Hospital feeder cable located along Dacy Lane from Goforth Rd to Kyle Parkway.

We have estimated that the cost of this work effort will be \$18,849.83.

Upon job completion, you will be issued either: (1) a refund for any overpayment, or (2) an invoice, if the final actual costs exceed the advance payments received. Any unapplied portion of advance payments will be refunded to you within sixty (60) days of the final bill or cancellation of the job.

If you agree to these terms, please sign below and forward this signed letter agreement, a check for \$18,849.83 made payable to Verizon and noted with Dacy Ln revision to:

Verizon  
Attn: Olga Gevara  
Engineering Department  
1700 N Austin Ave  
Georgetown, Tx 78626

For your convenience and use, we have enclosed a self-addressed envelope. If you are signing for a company or other entity, then by signing below, you warrant that you are authorized to bind the company or entity to the terms of this letter agreement.

Upon receipt of your signed agreement and advance payment, your work order will be released to our Construction Department for scheduling.

Verizon shall not be responsible to the extent its performance is delayed or prevented due to causes beyond its control, including but not limited to acts of God or the public enemy, terrorism, civil commotion, embargo, acts of government, any law, order, ordinance, regulation, or requirement of any government, fires, explosions, weather, quarantine, strikes, labor disputes, lockouts, and other causes beyond the reasonable control of Verizon.

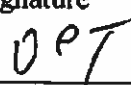
Should you have any questions or concerns regarding these terms, please contact me at 512-585-7343.

Please be advised that the price estimate quoted above is only valid for sixty (60) days from the date of this letter. If this work request is cancelled after you have signed the agreement, you will be billed for any Engineering and Construction cost incurred after the date of signature that may include the cost to place and/or remove facilities.

If we do not receive this signed agreement and your full advance payment within this sixty (60) day period, we will assume that you do not want the work to be undertaken and the project will be **cancelled**.

Sincerely,

  
\_\_\_\_\_  
Verizon Signature

  
\_\_\_\_\_  
Verizon - Title

I agree to the terms of this agreement:

Accepted (Signature): \_\_\_\_\_

Print Name & Title: \_\_\_\_\_

Company: \_\_\_\_\_

Billing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_

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

**AGENDA ITEM:** Discussion and possible action to appoint Michael R. Aulick to Director, Position #2 and M. Scott Roberts to Director, Position #5 on the Driftwood Economic Development Municipal Management District's Board of Directors.

<b>CHECK ONE:</b>	<b>CONSENT</b>	<b>XACTION</b>	<b>EXECUTIVE SESSION</b>
	<b>WORKSHOP</b>	<b>PROCLAMATION</b>	<b>PRESENTATION</b>

**PREFERRED MEETING DATE REQUESTED:**

**AMOUNT REQUIRED: \$**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY: WHISENANT**

**SPONSORED BY: WHISNEANT**

**SUMMARY:** Documentation will be presented at court.

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### **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

**AGENDA ITEM: Workshop by LCRA regarding the planned sale of their water and wastewater facilities.**

<b>CHECK ONE:</b>	<b>CONSENT</b>	<b>ACTION</b>	<b>EXECUTIVE SESSION</b>
	<b>XWORKSHOP</b>	<b>PROCLAMATION</b>	<b>PRESENTATION</b>

**PREFERRED MEETING DATE REQUESTED: 2/8/11**

**AMOUNT REQUIRED: \$**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:**

**SPONSORED BY: WHISENANT**

**SUMMARY: LCRA has requested a 10:00 AM start time for the presentation.**

## *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: consultation with counsel regarding all pending and/or contemplated litigation involving Hays County.**

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

**PREFERRED MEETING DATE REQUESTED:**    February 8, 2011

**AMOUNT REQUIRED:**    N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:**    KENNEDY

**SPONSORED BY:**    COBB

**SUMMARY:**

**Litigation update to be provided in Executive Session.**

## *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:** 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 Hays County property on Old Bastrop Highway adjacent to San Pedro Cemetery. Possible action may follow in open Court.

**TYPE OF ITEM:** Executive

**PREFERRED MEETING DATE REQUESTED:** February 08, 2011

**AMOUNT REQUIRED:** TBD

**LINE ITEM NUMBER OF FUNDS REQUIRED:** TBD

**REQUESTED BY:** INGALSBE

**SPONSORED BY:** INGALSBE

**SUMMARY:** Summary to be provided in Executive Session.

## *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 Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding Right-of-Way acquisition on or near FM 150 in Precinct 1. Possible Action may follow in open court.

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

**PREFERRED MEETING DATE REQUESTED:** February 1, 2011

**AMOUNT REQUIRED:**

**LINE ITEM NUMBER OF FUNDS REQUIRED:**

**REQUESTED BY:** Ingalsbe

**SPONSORED BY:** Ingalsbe

**SUMMARY:** Back-up to be provided in executive session

## *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: consultation with counsel regarding collective bargaining.

Possible action may follow in open Court.

**TYPE OF ITEM:** Executive

**PREFERRED MEETING DATE REQUESTED:** February 8, 2011

**AMOUNT REQUIRED:** N/A

**LINE ITEM NUMBER OF FUNDS REQUIRED:** N/A

**REQUESTED BY:** COBB

**SPONSORED BY:** COBB

**SUMMARY:** Summary to be provided in Executive Session.