

**Commissioners Court -March 22, 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 **22nd day of March, 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

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	4	Approve payments of county invoices. HERZOG
2	5-11	Approve Commissioner Court Minutes of March 8, 2011. COBB/GONZALEZ
3	12-13	Accept additional funding from the Cedar Oak Mesa Water Supply Corporation, in the amount of \$2,975.00, for completion of the Cedar Oak Mesa Water Storage Tank project and amend the budget accordingly. CONLEY/HAUFF
4	14	Authorize on-line auction with Rene Bates Auctioneers of surplus vehicles no longer in use from the Sheriff's Department. COBB/HERZOG/MAIORKA/CUTLER
5	15-18	Amend Budget of Constable Pct 3 for vehicle maintenance and supplies. CONLEY/AYRES
6	19-20	Authorize Institutional OSSF Permit for an office and electronics testing facility located at 13033 Trautwein Road, Dripping Springs, TX 78620, in Precinct 4. WHISENANT/PRATT
7	21-22	Authorize Institutional OSSF Permit for an olive oil processing plant, tasting and retail room, and cooking demonstration kitchen located at 2530 West Fitzhugh Road, Dripping Springs, TX 78620, in Precinct 4. WHISENANT/PRATT
8	23	Approve allowing Barry Nelson, Civic Center Director, to modify the type and quantities of fans to be purchased for the Hays County Civic Center. INGALSBE/NELSON
9	24-25	Approve out of State Training Travel Request for Erica Carpenter in the Sheriff's Office. INGALSBE/DAVENPORT
10	26-34	Approve Utility Permits. COBB

ACTION ITEMS

SUBDIVISIONS

11	35-36	11-2-4 Hallett Entjer Subdivision. Discussion and possible action to consider approval of preliminary plan. JONES/BOTKIN
12	37-38	10-4-31 1826 Nutty Brown Subdivision. Discussion and possible action to consider approval of preliminary plan. WHISENANT/BOTKIN

MISCELLANEOUS		
13	39-40	Discussion and possible action regarding the Sheriff's Vehicle Take Home Program. COBB/CUTLER
14	41	Discussion and possible action to approve hiring for Sheriff's Office job vacancies. CONLEY/CUTLER
15	42	Discussion and possible action to eliminate the overtime compensation line item and the holiday overtime compensation line item in ESD Dispatch and utilize the Sheriff's Office overtime and holiday compensation line items for the dispatchers assigned to ESD Dispatch. CONLEY/CUTLER
16	43-45	Discussion and possible action to have Cintas Document Management provide on-site document shredding services for the Courthouse and Sheriff's Office and consider a public Shred Day. COBB/KNOTT
17	46-48	Discussion and possible action to approve a temporary Bail Bond Administrative Assistant position and amend the budget accordingly. COBB/MENDOZA/RODRIGUEZ/VILLALPANDO
18	49	Discussion and possible action to approve the Personal Health Department filling two positions: the Administrative Assistant 1-TB and the Administrative Assistant 1-Well Child/Immunization receptionist for the San Marcos clinic. INGALSBE/HARGRAVES
19	50	Discussion and possible action to support the 2 nd Annual Rainwater Festival to be held in Dripping Springs (date to be determined). WHISENANT
20	51	Discussion and possible action to support The Hays County Historical Commission's application for a grant of \$100,000.00 from the Burdine Johnson Foundation. JONES/JOHNSON
21	52	Discussion and possible action to adopt a resolution in support of proposed legislation that would modify the process for appointment of bailiffs in the District Courts of Hays County. COBB
22	53-55	Discussion and possible action to approve Supplemental #1 to Work Authorization #3 for ROW acquisition of FM 110 (termination date extension) with Lockwood, Andrews and Newnam. INGALSBE
23	56	Discussion and possible action to accept the Annual Report from the Hays County Emergency Services District #3. INGALSBE
24	57-67	Discussion and possible action to approve specifications for IFB #2011-B04 "Phase 3 Interior Renovations to the LBJ Museum of San Marcos" and authorize purchasing to solicit for bid and advertise. COBB/HERZOG
25	68	Discussion and possible action to waive OSSF permit fees for Belinda Van Dyke, owner of the home at 311 Reimer in San Marcos. CONLEY/GARZA
26	69	Discussion and possible action to appoint Randy Garst to the North Hays County Emergency Services District #1 Board of Directors. WHISENANT

WORKSHOP		
27	70	10:00 AM Workshop to discuss with the County's Financial Advisor and others, the county's upcoming financial obligations, options and the county debt. INGALSBE

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.		
28	71	Executive Session Pursuant to Section 551.071 and 551.072 of the Texas Government Code: Consultation with Counsel and Deliberation regarding Right of Way Acquisition on or near CR 266 aka Old Bastrop Hwy in Precinct 1. INGALSBE
29	72	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 FM 2325. Possible action may follow in open Court. CONLEY
30	73	Executive Session pursuant to 551.071 of the Texas Government Code: consultation with counsel regarding collective bargaining. Possible action may follow in open Court. COBB

STANDING AGENDA ITEMS

The Commissioners Court utilizes Standing Agenda Items to address issues that are frequently or periodically discussed in court. This section allows the Court to open the item when a need for discussion arises.

31	Discussion and possible action related to the burn ban. COBB/CHAMBERS
32	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. INGALSBE
33	Discussion of issues related to the road bond projects, including updates from Mike Weaver, Prime Strategies and Jeff Curren, HDR. Possible action may follow. COBB
34	Presentations by Department Heads to update and inform the Commissioners Court of department structure, performance, and goals. COBB/BAEN
35	Discussion and possible action to approve hiring, transfer and/or promotion of vacant position(s). The intent of the standing agenda item is to recognize deadline restraints and remove barriers or bottlenecks for hiring managers when presenting to Commissioners Court key positions they feel are needed to be filled. COBB/BAEN

ADJOURNMENT

Posted by 5:00 o'clock P.M. on the 18th day of March, 2011

COMMISSIONERS COURT, HAYS COUNTY, TEXAS

CLERK OF THE COURT

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

Agenda Item Request Form

Hays County Commissioners' Court

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: 3/22/11

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

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

AGENDA ITEM: APPROVE COMMISSIONER COURT MINUTES OF March 8, 2011

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: GONZALEZ

SPONSORED BY: COBB

SUMMARY:



MARCH 8, 2011

VOLUME U PG 531

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8TH DAY OF MARCH 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:

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.

27871 ADOPT A PROCLAMATION DECLARING MARCH 14 TO MARCH 20, 2011 AS MULTIPLE SCLEROSIS AWARENESS WEEK

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring March 14 to March 20, 2011 as Multiple Sclerosis Awareness Week. All voting "Aye". MOTION PASSED

27872 ADOPT A PROCLAMATION DECLARING MARCH 14-18 AS FLOOD SAFETY AWARENESS WEEK IN HAYS COUNTY

A motion was made by Judge Cobb, seconded by Commissioner Ingalsbe to adopt a Proclamation declaring March 14-18 as Flood Safety Awareness Week in Hays County. All voting "Aye". MOTION PASSED

PUBLIC COMMENTS

Sandra Martinez San Marcos resident spoke of having a grievance and being wrongfully terminated. Mary E. Gonzales spoke of the redistricting committee.

27873 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve payments of county invoices in the amount of \$ \$115,000.00 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

27874 APPROVE COMMISSIONER COURT MINUTES OF MARCH 1, 2011

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve Commissioner Court Minutes of March 1, 2011 as presented by the County Clerk. All voting "Aye". MOTION PASSED

27875 AMEND FY11 BUDGET OF CONSTABLE PCT 1 AND JUSTICE OF PEACE PCT 1 PLACE 1 FOR CONTINUING EDUCATION

Constable 1 continuing education requires a transfer from Commissioner 1 community programs Justice of Peace 1-1 transfer from within her own budget. Amount required \$100 to 001-635-00.5551 Constable 1 continuing from 001-601-00.5353 Commissioner Pct 1. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to amend FY11 Budget of Constable Pct 1 and Justice of Peace Pct 1 Place 1 for Continuing Education. All voting "Aye". MOTION PASSED

27876 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON PARK SOUTH DRIVE

Judge Cobb opened the public hearing. No public input was received. Judge Cobb declared the Public hearing closed. Transportation Director Jerry Borcharding gave staff recommendation. The public hearing will seek to establish a speed limit of 25 MPH on Park South Drive, off of Windy Hill Rd, CR131. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to establish traffic regulations on Park South Drive. All voting "Aye". MOTION PASSED



27877 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 [10-3-48]

Judge Cobb opened the public hearing. No public input was received. Judge Cobb declared the public hearing closed. Roxie Boytin Subdivision Coordinator gave staff recommendation. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve 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. All voting "Aye". MOTION PASSED

27878 CANCEL THE MARCH 15, 2011 COMMISSIONERS COURT

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to cancel the March 15, 2011 Commissioner Court meeting. All voting "Aye". MOTION PASSED

27879 AMEND THE LOOMIS PARTNERS PROFESSIONAL SERVICE AGREEMENT FOR NECESSARY ADDITIONAL SERVICES ON THE RM 2325 PROJECT IN PRECINCT 3

Tracy Bratton Engineer with Loomis Partners gave an overview of the project. The RM 2325 project from Carney Lane to Fisher Store Rd, was identified as a key project in Precinct 3 as part of the 2008 Priority Road Bond Program. The project is nearing completion of design in preparation for letting by the Texas Department of Transportation. Timing of the project letting is crucial due to the proposed roadway and other safety improvements located along the entrance to Jacobs Well Elementary School. The project's goal is to have the work adjacent to the elementary school mostly complete prior to the start of the 2011/2012 school year. As the project is nearing design completion, there have been several requests by TxDot that were not in the original project scope. As this project is no longer being let by the County, to take advantage of the savings by allowing TxDot to let the project and provide construction engineering and inspection services, these items need to be addressed. These items include: (1) Additional submittals and reviews by TxDot necessitated by TxDot letting the project. (2) Revision of Environmental Document for updated TxDot Standards of Uniformity (SOU). (3) Preparation of a full drainage report as requested by TxDot hydraulics engineer. In addition, as utility companies are moving forward with the design of their relocations, they are requesting various proposed elements to be surveyed/staked to assist in their design process. As Loomis provided the design survey, it is the most expeditious route to allow the Loomis surveyors to provide these services which also include the preparation of field notes pertaining to a utility easement which was found during the ROW acquisition process. Funds are available within the project's bond program budget. A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to amend the Loomis Partners Professional Service Agreement for necessary additional services on the RM 2325 project in Precinct 3 in the amount of \$60,000.00. All voting "Aye". MOTION PASSED

27880 AUTHORIZE HAYS COUNTY TO CONSENT TO PROPOSED LEGISLATION RELATING TO THE HUDSON RANCH FRESH WATER SUPPLY DISTRICT NO. 1 IN ACCORDANCE WITH THE TEXAS WATER CODE, TEXAS GOVERNMENT CODE, THE TEXAS CONSTITUTION, AND OTHER SUCH LAWS AS ARE APPLICABLE AND SUPPORT PASSAGE OF SUCH LEGISLATION

Andy Barrett representing Jeremiah Development spoke of the legislation. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize Hays County to consent to proposed legislation relating to the Hudson Ranch Fresh Water Supply District No. 1 in accordance with the Texas Water Code, Texas Government Code, the Texas Constitution, and other such laws as are applicable and support passage of such legislation in the form attached as Exhibit B which is in the backup. All voting "Aye". MOTION PASSED

27881 APPROVE A RESOLUTION TO SUPPORT THE HAYS COUNTY DEVELOPMENT DISTRICT NO. 1

Andy Barrett representing Hays County Development District #1 spoke. The proposed legislation currently being reviewed by legislative counsel, a proposed resolution in support of the legislation, and past action taken by the Commissioners Court on January 11, 2000. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a resolution to support the Hays County Development District No. 1. All voting "Aye". MOTION PASSED



MARCH 8, 2011

VOLUME U PG 533

27882 AWARD THE BALANCE OF UNCOMMITTED FUNDS FROM THE PARKS AND OPEN SPACE BOND TO THE HAYS COUNTY WCID #2 GREENBELT/PARK PROJECT IN THE AMOUNT OF \$100,000.00

Lenae Lovejoy made a public comment. Andy Barrett representing Hays County WCID #2 made a public comment. Hays County Parks and Open Space Advisory Board Project Comments are (1) City of Dripping Springs, Harrison Ranch Park, Park Bond request \$1,700,000 (2) Trust for Public Land, Purgatory Creek Tracts park bond request \$950,000 (3) City of Buda, Bradfield Park/Trail park bond request \$334,200 (4) City of Buda, Skate Park bond request \$150,000 (5) Hays County WCID #2 park bond request \$280,000 (6) Hays County Youth Athletic Assoc. park bond request \$822,200, (7) Friends of Craddock Park bond request \$2,281,900 (8) City of Buda park bond request \$25,000 (9) Hill Country Conservancy \$300,000 (10) Dripping Springs Youth Sports Assoc. park bond request \$129,268 (11) Swimberley, Inc park bond request \$2,000,000 (12) HC Shooting Sports Task Force \$3,500,000. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to award uncommitted funds from the Parks and Open Space Bond to the Hays County WCID #2 Greenbelt/Park Project in the amount of \$100,000.00. All voting "Aye". MOTION PASSED

27883 AUTHORIZE BROADDUS & ASSOCIATES TO MOVE FORWARD WITH DESIGN AND CONSTRUCTION MANAGEMENT OF A BUILDING FOR PRECINCT 2 UNDER THE DIRECTION OF COMMISSIONER MARK JONES

Lucy Johnson Mayor of Kyle spoke of needing the office space for the Kyle Police Department. Brenda Jenkins and Jeff Larr of Broaddus and Associates spoke of needing approval today for moving forward on this project. Cora Furr and Marla Sanders of the Personal Health Department spoke of revenue that would be generated. Margie Rodriguez Indigent Health Care spoke of the numbers showing the need in the Kyle area for Personal Health. Rachell Thomas Chief and Lisa Pacheco the Director of the Adult Probation Office spoke of the needs the probation office has in the Kyle/Buda area. Luanne Caraway Tax Assessor/Collector spoke of having two offices, one in Kyle and one in Buda. Luanne Caraway spoke of the big volume of people in those two offices. She requested combining the two offices. A drive-thru would be ideal but not necessary. Brenda Jenkins spoke of a simple drive-thru proposed at the proposed Kyle/Buda office. Constable Pct 5 Matt Mancillas spoke of the amount of people that come into the precinct 5 office and the space needs in that office. Constable Pct 2 James Kohler spoke of the Plum Creek area that is still being developed. Justice of the Peace Pct 2 Beth Smith spoke of the revenue that her office brings in. Shelly Williams Juvenile Probation spoke of needing space in the Kyle/Buda area if the court would consider it. Captain, Mike Davenport of the Sheriff's Department requested any additional space would be appreciated. Sam Brannon San Marcos resident asked, if this had already been budgeted? Lenae Lovejoy San Marcos resident questioned if this item had been posted correctly. The City of Kyle requested that Hays County vacate the building that is currently being occupied by Commissioner Jones. Therefore, Commissioner Jones is requesting that Broaddus & Associates be allowed to move forward with design and construction management for the project. On February 14, 2011, Commissioner Jones received a summary of the project costs of the building and the appraisal for the two buildings sites that were suggested, Plum Creek and FM 150. The Plum Creek location was selected by a panel of Precinct 2 stakeholders following a thorough solicitation and selection process involving multiples sites and landowners. The new facility is expected to be approximately 17,000 square ft and will house all precinct functions which include the Justice of the Peace, Juvenile Probation, Adult Probation, the Tax Assessor, Sheriff's Office, Public Health, Constable, and Commissioner. Estimated cost not to exceed \$225 and \$250 per square foot. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize Broaddus & Associates to move forward with design and construction management of a building for Precinct 2 under the direction of Commissioner Mark Jones. All voting "Aye". MOTION PASSED

27884 ADOPT A RESOLUTION IN SUPPORT OF THE TEXAS AUTOMOBILE BURGLARY & THEFT PREVENTION AUTHORITY (ABTPA)

Hays County Sheriff Gary Cutler requested support of this Resolution. The Hays County Sheriff's Department belongs to the Sheriff's Combined Auto Theft Task Force and receives grant money to fund a deputy position and expenses related to auto burglary and theft. The Legislative Budget Board has recommended all funds collected will be used to offset budget shortages and funding to the ABTPA will be indefinitely suspended resulting in dissolution of the ABTPA and funding to the law enforcement agencies supported by those funds. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to adopt a resolution in support of the Texas Automobile Burglary & Theft Prevention Authority (ABTPA). All voting "Aye". MOTION PASSED

27885 REAPPOINT MARK CHAMBERS TO THE POSITION OF COUNTY FIRE MARSHAL FOR A TERM NOT TO EXCEED TWO YEARS PER LGC 352.011B

This is required for all county Fire Marshals in the state. As required by Local Government Code 352.011b. The Commissioner's Court shall establish the term of office for the County Fire Marshal not to exceed a period of two years. A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to reappoint Mark Chambers to the position of County Fire Marshal for a term not to exceed two years. All voting "Aye". MOTION PASSED



27886 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A LICENSE AGREEMENT WITH THE FIRST BAPTIST CHURCH WIMBERLEY FOR PUBLIC USE OF PARKING SPACE ADJACENT TO THE WINTER'S MILL HIKE AND BIKE TRAIL

This License Agreement proposes that the First Baptist Church in Wimberley allow the public to use parking space as a means of accessing the Winter's Mill Hike and Bike Trail. The agreement calls for the County to maintain cleanliness in the parking lot during the term of License. This parking area is the best means of public access to the Hike and Bike Trail on its northern side. A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a License Agreement with the First Baptist Church Wimberley for public use of parking space adjacent to the Winter's Mill Hike and Bike Trail with modifications made by Special Counsel. All voting "Aye". MOTION PASSED

27887 ACCEPT THE TRANSFER OF CONTRACTUAL TERMS FROM THE WIMBERLEY VALLEY WATERSHED ASSOCIATION OF A LEASE HELD BY THE WOODCREEK PROPERTY OWNERS ASSOCIATION (WPOA)

The WOPA has been leasing of the old clubhouse at the Jacob's Well Natural Area since 2010. They use the space for their regular meetings. Their lease ends December 31, 2011. Since the County received dedication of the property that includes the old clubhouse, WOPA's lease payment for 2011 has been forwarded to Hays County. Acceptance of the contractual terms will provide a means for audit reconciliation by the Hays County Auditor's Office, and it will guide the WPOA continued use of the property through the remainder of this calendar year. A motion was made by Commissioner Conley, seconded by Commissioner Jones to accept the transfer of contractual terms from the Wimberley Valley Watershed Association of a Lease held by the Woodcreek Property Owners Associations (WPOA). All voting "Aye". MOTION PASSED

27888 INSTITUTE COUNTY-WIDE FREEZE ON HIRING, PROMOTIONS, AND/OR TRANSFERS INTO VACANT POSITIONS WITHOUT COMMISSIONERS COURT APPROVAL; AND TO DECLARE AN EFFECTIVE DATE AS OF MARCH 8, 2011; IF A COUNTY DEPARTMENT HAS ALREADY MADE A COMMITMENT TO HIRE SOMEONE AND ARE IN THE PROCESS OF HIRING FOR THEM TO PROCEED TO FILL THOSE POSITIONS

Chief Deputy Sheriff, Jamie Page, spoke of slots they still have unfilled. Chief Paige spoke of candidates that are currently in the academy and wanting to hire some of them. Sheriff Gary Cutler requested that his office be exempted from this hiring freeze due to the fact that hiring in the Sheriff's Office takes longer than a usual office (i.e. background checks, checking credentials, review boards). Mary E. Gonzales San Marcos resident spoke of some concerns. Sam Brannon San Marcos resident spoke of half on certain projects. While an absolute hiring freeze may not be needed at this time, a policy of approval through Commissioners Court operates as a check and balance against filling positions that could be delayed until a clear view of FY 2012 has been realized. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to institute county-wide freeze on hiring, promotions, and/or transfers into vacant positions without Commissioners Court approval; and to declare an effective date of March 8, 2011. Commissioner Conley made an amendment motion, seconded by Commissioner Ingalsbe if a County Department has already made a commitment to hire someone, and are in the process of hiring for them to proceed to fill those positions. All voting "Aye". MOTION PASSED

27889 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GRANT BUDGET ADJUSTMENT TO PURCHASE EQUIPMENT FOR THE HAYS COUNTY CONSTABLE'S OFFICE PRECINCT ONE

Constable Pct 1 David Peterson explained about the money left in the grant and the items he is requesting out of this money. On March 9, 2010 the Commissioners Court accepted an award from the Office of the Governor, Criminal Justice Division for the Hays County Constable's Office Precinct One for In-Car Video Cameras. The estimated cost for the (3) In-Car Video Cameras was \$15,717, the amount of the grant. After the purchase of these cameras in the amount of \$14,250.60, funds remain in the amount of \$1,466.40. Constable Peterson is requesting a desktop Computer to download and store data collected from the video cameras, and patrol vehicle emergency lights. The current patrol vehicle does not possess emergency lights. Cost for the Computer is \$1,026.40 and for the lights \$1,083.50 for a total of \$2,109.90. Remaining balance will come from Commissioner Pct 1 budget and will come out the Community Service Budget (001-601-00.5353). A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to accept a grant budget adjustment to purchase equipment for the Hays County Constable's Office Precinct One. All voting "Aye". MOTION PASSED



MARCH 8, 2011

VOLUME U PG 535

27890 ALLOW UNION CREEK SENIOR CITIZENS ASSOCIATION TO CONNECT THEIR RAW SEWAGE LINE TO HAYS COUNTY'S SEWAGE LIFT STATION

Sewage from the Justice of the Peace Precinct 5 office complex currently flows to a pump station that delivers the sewage to the City's collection system. Union Creek Senior Citizens Association is planning to build a separate facility near the current Justice of the Peace Precinct 5 office. They're petitioning the County to allow their sewage to flow to our pump station rather than go the expense of either building a septic field or running their own line to the City's collection system. This action would allow this proposal to move forward and authorize Commissioner Jones to sign any agreements that are deemed needed to facilitate this action. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to allow Union Creek Senior Citizens Association to connect their raw sewage line to Hays County's sewage lift station. All voting "Aye". MOTION PASSED

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING COLLECTIVE BARGAINING

Court convened into closed executive session at 1:00 pm and reconvened into open court meeting at 3:30 p.m. In attendance in Executive Session will be the Bargaining Committee, Attorney, Liz Provencio, and Special Counsel, Mark Kennedy. No action was taken.

27891 EXECUTIVE SESSION, PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE, TO DISCUSS PROJECT SUNBURST AND PROJECT BIOCENTRAL

Court convened into closed executive session at 3:37 p.m. and reconvened into open court meeting at 4:06 p.m. In attendance in Executive Session will be Special Counsel Mark Kennedy. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute first amendment to Chapter 381 Economic Development Incentive Agreement between Grifols and Hays County which will specifically make changes to Exhibit C of the original Agreement. All voting "Aye". MOTION PASSED

DISCUSSION RELATED TO THE BURN BAN

At this time Mark Chambers, Hays County Fire Marshal, requested that the burn ban stay in effect.

27892 APPROVE THE SPECIFICATIONS AND AUTHORIZE PURCHASING TO GO OUT FOR BIDS FOR THE GOVERNMENT CENTER FURNITURE

Bob Hinkle of Broadbuss and Associates spoke of the Government Center being on schedule and under budget. He spoke of all the Furniture Bid Package - furnishings that will be placed at the new Government Center. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the specifications and authorize purchasing to go out for bids for the Government Center furniture. All voting "Aye". MOTION PASSED

Clerk's Note Agenda Item #25 RE: DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND JEFF CURREN, HDR. POSSIBLE ACTION MAY FOLLOW - was pulled

Clerk's Note Agenda Item #26 RE: PRESENTATIONS BY DEPARTMENT HEADS TO UPDATE AND INFORM THE COMMISSIONERS COURT OF DEPARTMENT STRUCTURE, PERFORMANCE, AND GOALS - was pulled

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 March 8, 2011.



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

Agenda Item Request Form

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9:00 a.m. Every Tuesday

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

AGENDA ITEM: Accept additional funding from the Cedar Oak Mesa Water Supply Corporation, in the amount of \$2,975.00, for completion of the Cedar Oak Mesa Water Storage Tank project and amend the budget accordingly.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: \$2,975.00

LINE ITEM NUMBER OF FUNDS REQUIRED: 146-753-99-050.4610

REQUESTED BY: Hauff

SPONSORED BY: Conley

SUMMARY:

The Cedar Oak Mesa Water Supply Corporation, Water Storage Tank Project is sponsored by Hays County with funding provided under a grant from the Texas Department of Rural Affairs, Community Development Block Grant Program and local contributions from the Cedar Oak Mesa Water Supply Corporation (COMWSC). Hays County has served as the grant sponsor and administrator for the project as per requirements of the funding agency. The COMWSC has requested additional work associated with the water system improvements and has provided additional funding to supplement remaining grant funds to complete these improvements.

Agenda Item Routing Form

DESCRIPTION OF Item: Accept additional funding from the Cedar Oak Mesa Water Supply Corporation, in the amount of \$2,975.00, for completion of the Cedar Oak Mesa Water Storage Tank project and amend the budget accordingly.

PREFERRED MEETING DATE REQUESTED: March 22, 2011

COUNTY AUDITOR

AMOUNT: \$2,975.00

LINE ITEM NUMBER: 146-753-99-050.4610

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: See budget amendment

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

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: Authorize on-line auction with Rene Bates Auctioneers of surplus vehicles no longer in use from the Sheriff's Department.

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

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Cutler

SPONSORED BY: Cobb

SUMMARY: These are vehicles that are no longer in use due to problems that create unsafe use or that have been seized. A list of the vehicles for auction may be reviewed in the Purchasing Office.

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: Amend Budget of Constable Pct 3 for vehicle maintenance and supplies

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

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

Amount Required: \$ 787

LINE ITEM NUMBER OF FUNDS REQUIRED: to 001-637-00.5206 Law Enf Supplies

001-637-00.5413 Veh Maint.

REQUESTED BY: Darrell Ayres

SPONSORED BY: Conley

SUMMARY:

Constable 3 has paid for several items from supplies rather than as budgeted eqpt due to the cost being under the threshold eqpt amount (and at a savings) and requests that the remainder be transferred from eqpt to supplies and maintenance.

See Budget Amendment

Agenda Item Routing Form

DESCRIPTION OF Item: Amend Budget of Constable Pct 3 for vehicle maintenance and supplies

PREFERRED MEETING DATE REQUESTED: March 22, 2011

COUNTY AUDITOR

AMOUNT: \$ 787

LINE ITEM NUMBER: to 001-637-00.5206 Law Enf Supplies/001-637-00.5413 Veh Maint, from 001-637-00.5717 Law Enf Eqpt / 001-637-00.5713 Vehicle

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: See budget amendment

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

AMENDMENT
2011-017 CC
FY2011 BUDGET
3/22/2011

FUND NO: 001
FUND TITLE: GENERAL

<u>Line Item - Expenditures</u>	<u>Appropriation before Amendment</u>	<u>Amendment</u> <u>Increases</u>	<u>Decreases</u>	<u>Appropriation as Amended</u>
<u>Constable 3 (637):</u>				
001-637-00.5206 Law Enf Supplies	1,655	779		2,434
001-637-00.5717 Law Enf Eqpt	8,635		(779)	7,856
001-637-00.5413 Veh Maint	2,500	8		2,508
001-637-00.5713 Vehicle	20,750		(8)	20,742

Transfer part budget of eqpt spent as supplies and savings to supplies and maintenance

ORDER AMENDING THE COUNTY OF HAYS BUDGET
FOR FY ENDING SEPTEMBER 30, 2011

THE STATE OF TEXAS
COUNTY OF HAYS

WHEREAS, on the 22nd day of March, A.D., 2011, the Commissioners' Court of Hays County, Texas, has determined that a need exists for the reallocation of certain appropriations included in the FY 2011 Budget in accordance with the attached list which is hereby made a part hereof. It was also determined and agreed that the need was of such a nature as to justify and require amendment of the Budget, as provided in Section 111.010(D), Local Government Code.

NOW, THEREFORE, the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, pursuant to the authority granted to it under Section 111.010(D), Local Government Code, ORDERS that the pertinent parts of the County of Hays Budget for the Fiscal Year ending September 30, 2011 be and they are hereby amended as indicated on the attached list.

It is the further order of the COMMISSIONERS' COURT that a copy of the amendment provided herein be filed with the Clerk of the County Court of Hays County, with instructions that it be attached to the Budget originally adopted and now on file in the office of the County Clerk.

Passed by the COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, this 22nd day of March, 2011

FOR	()	_____
AGAINST	()	DR. BERT COBB
ABSTAIN	()	COUNTY JUDGE, HAYS COUNTY, TEXAS

FOR	()	_____
AGAINST	()	DEBBIE GONZALES - INGALSBE
ABSTAIN	()	COMMISSIONER, PRECINCT 1

FOR	()	_____
AGAINST	()	MARK JONES
ABSTAIN	()	COMMISSIONER, PRECINCT 2

FOR	()	_____
AGAINST	()	WILL CONLEY
ABSTAIN	()	COMMISSIONER, PRECINCT 3

FOR	()	_____
AGAINST	()	RAY WHISENANT
ABSTAIN	()	COMMISSIONER, PRECINCT 4

ATTEST:	_____
	LIZ Q. GONZALEZ
	COUNTY CLERK, HAYS COUNTY, TEXAS

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

Action to Authorize Institutional OSSF Permit for an office and electronics testing facility located at 13033 Trautwein Road, Dripping Springs, TX 78620, in Precinct 4.

CIRCLE ONE ACTION ITEM	Subdivision	Road	Staff Recommendation
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PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: NA

LINE ITEM NUMBER OF FUNDS REQUIRED: NA

REQUESTED BY: Bob Pratt, R.S., Development Services.

SPONSORED BY: Commissioner Whisenant, Precinct 4

SUMMARY: The Espy Corporation is proposing an OSSF to serve an office and electronics testing facility. This property is located at 13033 Trautwein Road, Dripping Springs, TX in Precinct 4. The property is 3.2237 acres.
--

It is a low pressure dosing On Site Sewage Facility designed by Derrick Lormand, R.S. The On Site Sewage Facility is designed for a maximum wastewater flow of 300 gpd for a maximum of 30 employees and guests per weekday. Water is supplied by an existing water well.

STAFF REVIEW/COMMENTS

Development Services Department 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
3/8/2011

OSSF Permit #: 2010-449

TYPES OF PERMITS: ☒ OSSF permit

☒ Commercial

PROPERTY ADDRESS: 13033 TRAUTWEIN ROAD, DRIPPING SPRINGS TX 78620

NAME OF OWNER: THE ESPY CORPORATION

MAILING ADDRESS: 815-A BRAZOS STREET #319 AUSTIN TX 78701 BRADLEY J. LINGVAI

Work Phone: (512) 261-1016

Cell: (512) 415-2172

Home Phone:

Fax:

throoms: 2

Septic Type: Commercial

Reason: New

10772 Sq Ft

30 Employees

Purchased: 12/8/2010

Revision: 12/30/2010

License Date:

Field: 3000

Plans: 12/2/2010

Final Inspection:

Printed:

0 0 0 0

Authorization:

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:

Page:

HAYS COUNTY

Lot/Tract: 1

Block:

Lot size:

Precinct/Zone: 4

Affidavit File Date:

Survey:

Grid/Section:

Subdivision: SUNSET QUARRY

Reference: R45361

Evaluator's Information:

Site Evaluator: LORMAND, DERRICK

Type of soil: 4

Soil Date: 12/2/2010

300 GPD

System Information:

Manufacturer:

Distributor:

Designer: LORMAND, DERRICK

Installer: TBD

Treatment Type: Septic

Disinfectant:

Flood Plain Permit:

Disposal: Low Pressure Dose

Drainfield: 0 x 0 x 0 - 0

Flood Plain Status:

Brand / Model

Serial Number

Date

Flood Plain Date:

System:

Aerator:

Discharge:

Flood Plain Certificate:

Flood Plain Complete:

Expiration Date:

Service and Maintenance Information

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:

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

Action to Authorize Institutional OSSF Permit for an olive oil processing plant tasting and retail room and cooking demonstration kitchen located at 2530 West Fitzhugh Road, Dripping Springs, TX 78620, in Precinct 4.

CIRCLE ONE ACTION ITEM

Subdivision

Road

Staff Recommendation

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: NA

LINE ITEM NUMBER OF FUNDS REQUIRED: NA

REQUESTED BY: Bob Pratt, R.S., Development Services.

SPONSORED BY: Commissioner Whisenant, Precinct 4

SUMMARY: Rick Mensik (Texas Hill Country Olive Orchard) is proposing an OSSF to serve an olive oil processing plant tasting and retail room and cooking demonstration kitchen. This property is located at 2530 West Fitzhugh Road, Dripping Springs, TX in Precinct 4. The property is 17.19 acres.

It is an Aerobic Treatment Unit using low pressure dosing dispersal designed by Derrick Lormand, R.S. The On Site Sewage Facility is designed for a maximum wastewater flow of 300 gpd for a maximum of 4 employees and 10 customers per weekday and 30 customers per weekend day. Water is supplied by a proposed public water well.

STAFF REVIEW/COMMENTS

Development Services Department 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
3/8/2011

OSSF Permit #: 2010-273

TYPES OF PERMITS: ☒ OSSF permit

PROPERTY ADDRESS: 2530 WEST FITZHUGH ROAD, DRIPPING SPRINGS TX 78620

NAME OF OWNER: RICK MENSIK

MAILING ADDRESS: P.O. BOX 1129 DRIPPING SPRINGS TX 78620 JOHN GAMBINI

Work Phone: (512) 607-6512

Cell: (907) 347-6671

Home Phone: (907) 347-6671

Fax:

throoms: 2

Septic Type: Commercial

Reason: New

10000 Sq Ft

10 Employees

Purchased: 7/8/2010

Revision:

License Date:

Field: 1500

Plans: 6/15/2010

Final Inspection:

Printed:

0 0 0 0

Authorization:

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:

Page:

HAYS COUNTY

Lot/Tract:

Block:

Lot size:

Precinct/Zone:

Affidavit File Date:

Survey:

Grid/Section:

Subdivision:

Reference: R20177 & R129213

Evaluator's Information:

Site Evaluator: LORMAND, DERRICK

Type of soil: 3

Soil Date: 5/20/2010

300 GPD

System Information:

Manufacturer: JET, INC.

Distributor:

Designer: LORMAND, DERRICK

Installer: KUYKENDALL, JAMES

Treatment Type: Aerobic

Disinfectant:

Flood Plain Permit:

Disposal: Low Pressure Dose

Drainfield: 0 x 0 x 0 - 0

Flood Plain Status:

Brand / Model

Serial Number

Date

Flood Plain Date:

System: Jet

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: Approve allowing Barry Nelson, Civic Center Director, to modify the type and quantities of fans to be purchased for the Hays County Civic Center.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: None, already budgeted

LINE ITEM NUMBER OF FUNDS REQUIRED: 001-464-00.5719

REQUESTED BY: Barry Nelson

SPONSORED BY: Ingalsbe

SUMMARY: Currently, the approved miscellaneous equipment for the civic center is for 10 – 30 inch wall fans with variable speed controllers at a cost of \$5664.00. These fans were to be mounted along the walls of the facility to improve airflow. Together, the fans will produce a total of 200,000 cubic feet of air per minute at full capacity.

Since the authorization of this equipment, a new type of fan came on the market that will out- perform the 10 fans for a lower cost. The equipment requested is 24-33, 60" high speed ceiling fans with variable speed controls that will together produce from 1.1 to 1.5 million cubic feet of air per minute at full capacity. The total cost of the fans range from a low of \$2960.00 (24 fans) to a high of \$4000.00 (33 fans)

The first 24 fans will be installed over the main arena to test the airflow generated throughout the facility. The additional fans may be installed over the dance floor area and wing area if deemed needed. The material cost of the installation will cost \$1200.00 (24 fans) to \$1500.00 (33 fans). Labor has already been secured through the Adult Probation Office and a license electrician is standing by at this time waiting for the go ahead.

The total cost of this change will be from \$4160.00 to \$5500.00, leaving us well within the original \$5664.00 authorized amount that did not include materials or labor.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Approve out of State Training Travel Request for Erica Carpenter in the Sheriff's Office.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: \$85.00

LINE ITEM NUMBER OF FUNDS REQUIRED: 001-618-00-5551

REQUESTED BY: Captain Mike Davenport/Hays County Sheriff's Office

SPONSORED BY: Debbie Ingalsbe

SUMMARY:

The Navigator 2011 Premier Educational conference for Police, Fire and Medical Dispatch is scheduled for April 20-22, 2011 in Las Vegas, Nevada. Erica Carpenter has been selected to instruct a block called Group Work and Brainstorming: Skills to get it done productively!

Since she will be an instructor, everything except her meals are being covered by the conference.

The HSCO will assume the responsibility to pay her per diem to total 85.00. If more info is needed, please see Capt. Davenport.

Agenda Item Routing Form

DESCRIPTION OF Item: Approve out of State Training Travel Request for Erica Carpenter in the Sheriff's Office.

PREFERRED MEETING DATE REQUESTED: March 22, 2011

COUNTY AUDITOR

AMOUNT: \$85.00

LINE ITEM NUMBER: 001-618-00-5551

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS:

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Approve Utility Permits.

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

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

PREFERRED MEETING DATE REQUESTED: 3/22/11

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

SPONSORED BY: COBB

Permit	Road Name	Type of Utility
831	Darden Hill Rd	Buried Electric Cable
832	Whistling Wind	Buried Electric Cable

**HAYS COUNTY RESOURCE PROTECTION, TRANSPORTATION and
PLANNING DEPARTMENT**



UTILITY PERMIT APPROVAL

Approval of Utility Permit: # **831**

Application Date: **3/3/2011**

Commissioner Court Approval Date: **3/15/2011**

Company Name: **VERIZON**

Company Address: 109 S. Llano
Fredericksburg, TX

Company Phone: Fredericksburg, TX

Company Contact: Randy Roberts

Type of Utility: **BURIED ELECTRIC CABLE**

Road Name: **DARDEN HILL ROAD** Subdivision: Pct #: 4

Specs: **BURIED TELEPHONE CABLE TO BE PLACED IN RIGHT OF WAY OF DARDIN HILL ROAD
2' INSIDE RIGHT OF WAY 36" IN DEPTH**

County Provisions: traffic control required; min 36" in depth; maintain 2' inside right-of-way;
erosion controls may be needed; Notify Hays County 24 hrs prior to construction



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

Application for Installation

Utility Line on Hays County Right of Way

831

Date: 3/3/2011

Formal notice is hereby given that Verizon Southwest

Company proposes to place a a buried cable

line within the right-of way of Darden Hill Rd

as follows: (give location, length, general design, etc.)

Beginning at the intersect of Darden Hill Rd and the entry to 1200 Darden Hill Rd in the south ROW of said roadway Verizon proposes to place a buried cable proceeding northward 500' to an existing conduit. Further Verizon proposes to place a buried cable within said conduit under darden hill rd exiting in the north ROW at an existing pedestal

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

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

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

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

The location and description of the proposed line and appurtenances is more fully shown by 1 complete sets of drawings attached to this notice.

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

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

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

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

Construction of this line will begin on or after the 4th day of March, 2011.

General Special Provisions:

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

Firm Verizon Southwest

Title Outside Plant Technician

By (Print) Randy Roberts

Address 109 S.Llano

Signature _____

Fredericksburg, Texas

Phone 830.997.9002

Approved by Hays County Road & Bridge Department

Signature _____

Title _____

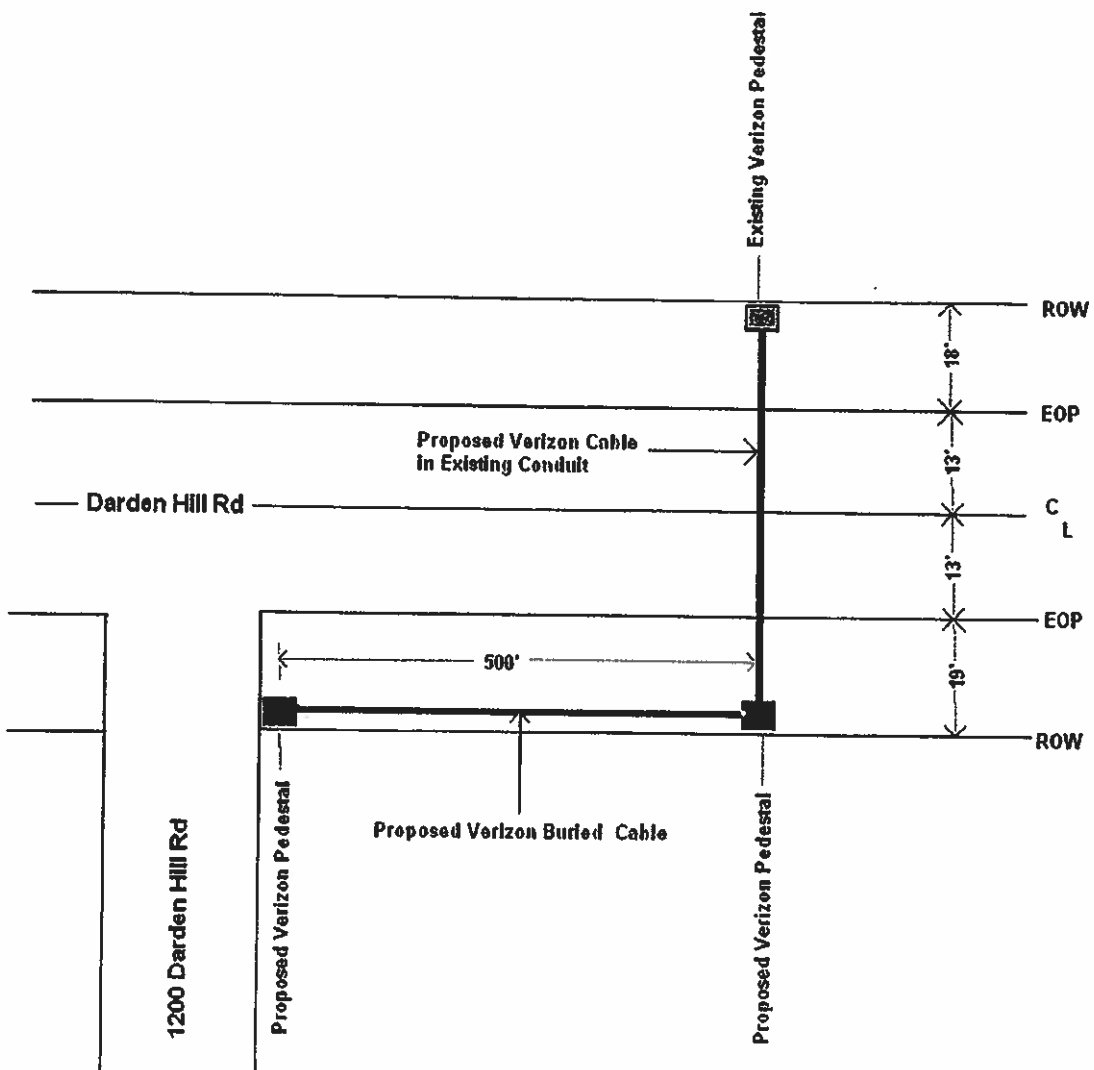
Date _____

June 26, 2004

5120-3P0A0LE

3/3/2011

No Scale



**HAYS COUNTY RESOURCE PROTECTION, TRANSPORTATION and
PLANNING DEPARTMENT**



UTILITY PERMIT APPROVAL

Approval of Utility Permit: # **832**

Application Date: **3/3/2011**

Commissioner Court Approval Date: **3/15/2011**

Company Name: **VERIZON**

Company Address: 109 S. Llano
Fredericksburg , TX

Company Phone: Fredericksburg , TX

Company Contact: BRIAN VICKERS

Type of Utility: **BURIED ELECTRIC CABLE**

Road Name: WHISTLING WIND

Subdivision: WOOD CREEK NORTH

Pct #: 3

Specs: **TELEPHONE SERVICE CROSSING WHISTLING WIND LN**

County Provisions: traffic control required; min 36" in depth; casing required; flowable fill for backfill required; Notify Hays County 24 hrs prior to construction



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

Application for Installation

Utility Line on Hays County Right of Way

832

Formal notice is hereby given that VERIZON
Company proposes to place a 25 pair copper cable
line within the right-of-way of Whistling Wind Lane
as follows: (give location, length, general design, etc.) Verizon proposes to cut and patch Whistling Wind Ln from an existing pedestal located at 41 Whistling Wind Ln on the South side of roadway and place a new 25 pair copper cable under the roadway to serve 38 Whistling Way Ln on the north side of the Roadway. The cut and patch will follow Hays County guidelines attached to permit at a minimum depth of 36 inches.

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

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

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

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

The location and description of the proposed line and appurtenances is more fully shown by ONE(1) complete sets of drawings attached to this notice.

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

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

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

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

Construction of this line will begin ASAP on or after the 15th day of March, 2010.

General Special Provisions:

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

Firm VERIZON

Title: OPT-NETWORK ENGINEER

By BRIAN VICKERS

Address: 6601 FM 3237

Signature Brian Vickers

WIMBERLEY, TX 78676

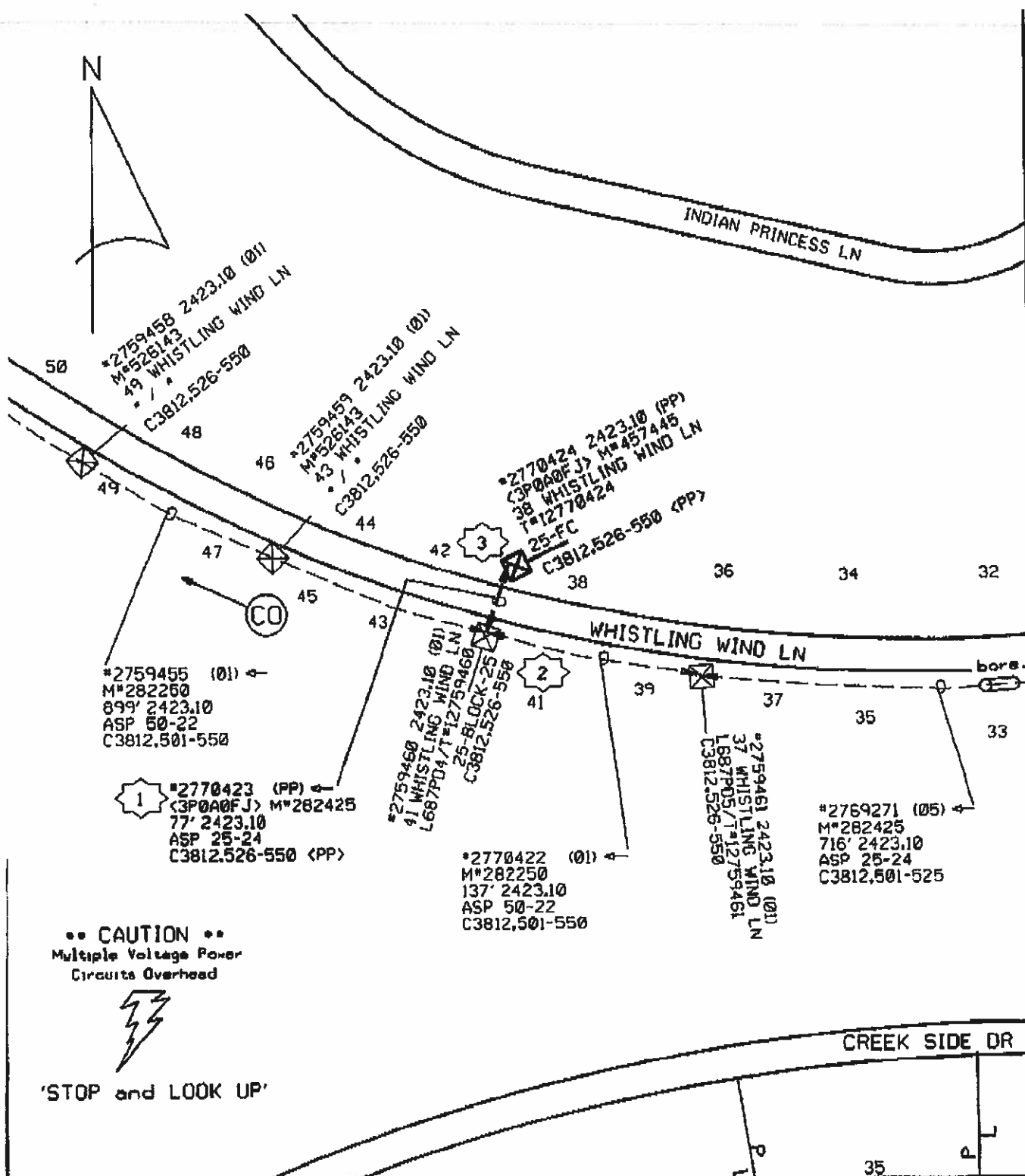
Phone: 512/847-9843

Approved by Hays County Road & Bridge Department

Signature [Signature]

Title Inspector

Date 3/9/11



•• CAUTION ••
Multiple Voltage Power
Circuits Overhead



'STOP and LOOK UP'

NOTE AREA—

SPLICER NOTE: TIME ADDED TO
REMOVE TEMP DROP OFF ROADWAY
38 WHISTLING WIND

KILOVOLTS 0.00 PRIMARY VOLTAGE (JT USE) (BUR. JT.) EXPOSED
--

VERIZON		9TS		AREA		STATE:		TX	
DIVISION: SOUTHWEST				EXCH.: 5187		REM. CD.: 001			
W.C.: 8470		WD NO.: 3P0A0FJ			CONTROL NUMBER:				
TITLE: WMBR-OBLIG-RELOCATE V					TAX DST.: *				
TWP: *		RNG.: *		SEC.: *		SAL: XXX			
DATE: 02/22/11			REV. DATE:			SCALE: 1"=100.00'			
FILE: WP1			DRWN BV	ENG BV	APRVD		PRINT 1 OF 1		

c:\dan\8470\3POA0FJlwp1.dgn 3/2/2011 3:29:13 PM

LONG BOW DR, Wimberley, TX - Google Maps

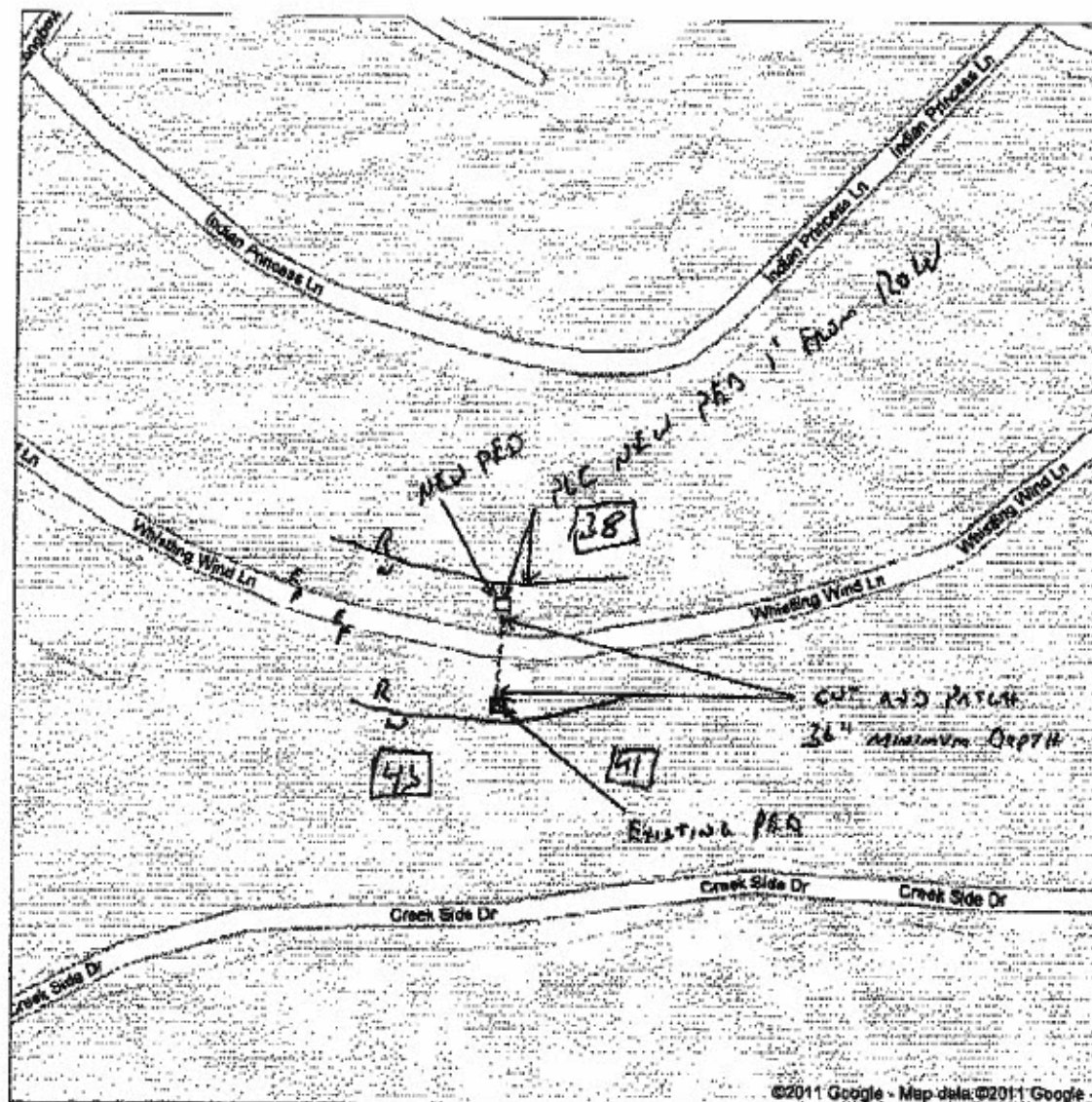
Page 1 of 1

Google maps

Address Long Bow Ln
Wimberley, TX 78678

Get Google Maps on your phone

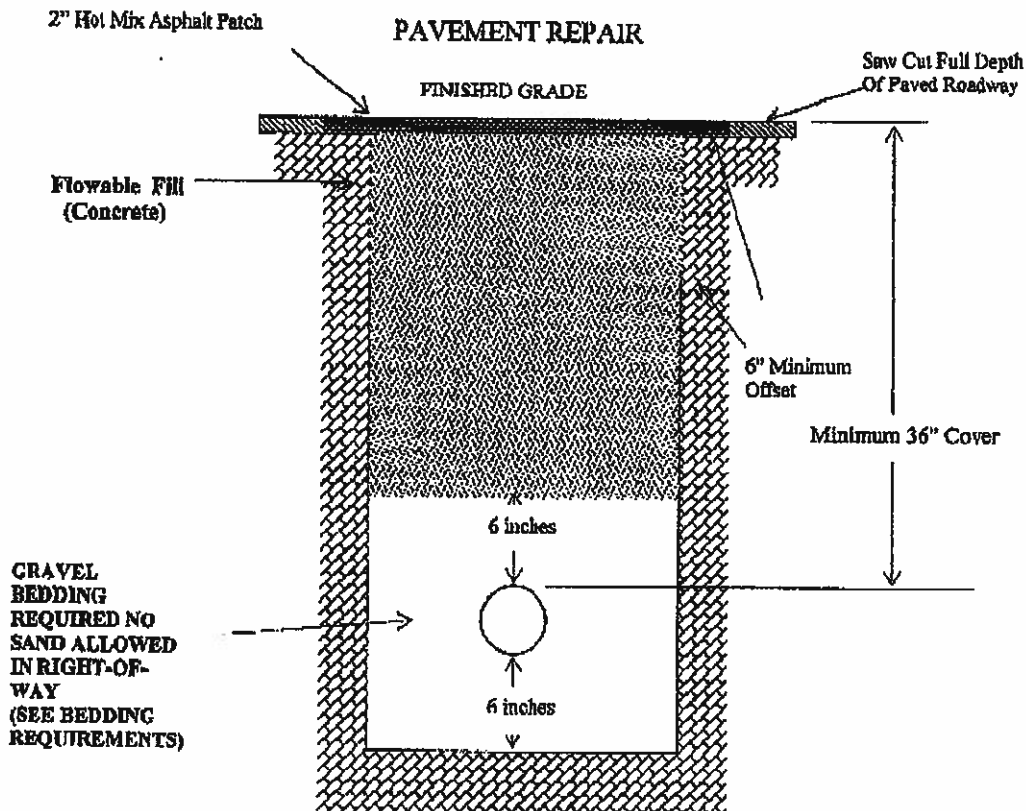
Text the word "GMAPS" to 466453



HAYS COUNTY

Underground Utilities Crossing County Road

1. All utility lines that pass under a road shall be installed before the road is paved. When it is necessary that utility lines pass under an existing road pavement, they shall be bored to a point of at least four (4) feet beyond the edge of the pavement.
2. Should conditions exist making it impossible to bore, the following steps must be followed:
 - a) A permit must be obtained from the Road & Bridge Department showing location, time and date the road is to be cut.
 - b) Signage must be provided in accordance with Texas Manual of Uniform Traffic Control Devices(MUTCD); and a flagman shall direct traffic during the construction.
 - c) The road will be repaired in accordance with the detail shown below.
 - d) After the construction is completed, the Road & Bridge department shall be contacted for the final inspection.
- ~~3. Effective July 1st 2009: All open cuts to roadways will have a \$500 fee imposed~~
4. Failure to follow procedure in Item 2 will result in a suit to collect the County's damages including attorney's fees and court cost, and may result in criminal prosecution.



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:

11-2-4 Hallett Entjer Subdivision. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Botkin

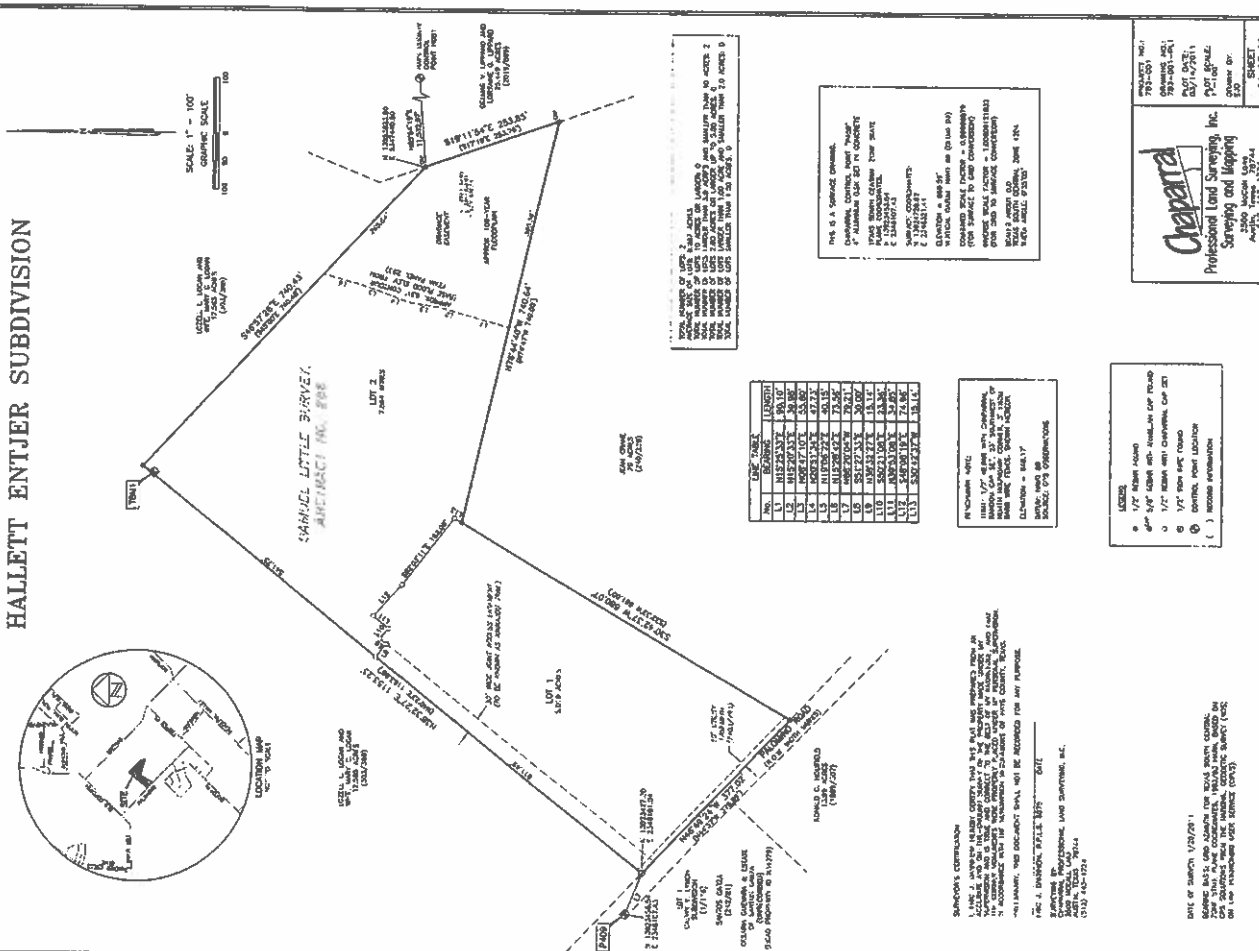
SPONSORED BY: Commissioner Precinct 2 Mark Jones

SUMMARY:

The Hallett Entjer Subdivision is a proposed subdivision of 12.574 acres of land located off Palomino Road in Precinct 2. The division will consist of 2 lots with an average lot size of 6.287 acres. The individual lot sizes are as follows: Lot 1 – 5.010 acres and Lot 2 – 7.564 acres. Both lots are already developed and are served by existing public water connections and individual on-site sewage facilities.

HALLETT ENTJER SUBDIVISION

HALLETT ENTJER SUBDIVISION



Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
2200 N. 10th St., Suite 100
Albuquerque, NM 87102
505-241-1221

Chaparral
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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:

10-4-31 1826 Nutty Brown Subdivision. Discussion and possible action to consider approval of preliminary plan.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Botkin

SPONSORED BY: Whisenant

SUMMARY:

The 1826 Nutty Brown Subdivision is a proposed subdivision of 5.00 acres of land located at the intersection of FM 1826 and Nutty Brown Road in Precinct 4. The owner intends to build a convenience store and gas station on the lot which will be served by LCRA and an individual on-site sewage facility to be permitted by Hays County.

Concerns regarding access have arisen. The developer has been coordinating with the City of Dripping Springs, Hays County, and TXDOT and are proposing a turning lane on FM 1826 as a condition for approval of the driveway permit through TXDOT.

The City of Dripping Springs approved final plat in late 2010, and approved the site plan on March 8, 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

AGENDA ITEM: Discussion and possible action regarding the Sheriff's Vehicle Take Home Program.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: CUTLER

SPONSORED BY: COBB

SUMMARY: see attached letter



JAMIE R. PAGE
Chief Deputy

GARY CUTLER
HAYS COUNTY SHERIFF

1307 Uhland Road
San Marcos, Texas 78666
512-393-7800

www.sheriff.co.hays.tx.us

BRAD ROBINSON
Captain-- Corrections

MIKE DAVENPORT
Captain-- Law Enforcement

February 15, 2011

To the Honorable Judge Cobb
Hays County Courthouse
San Marcos, Texas

Dear Judge Cobb,

It has been respectfully brought to my attention, that my decision to allow deputies to drive the department's vehicles to their residence has caused some to take exception to that arrangement.

I'd liked to share with you, how I made this important decision.

The safety and protection of our citizens comes first, (and foremost), to me. All deputies must have the means to respond to any call or emergency situation in an expeditious manner without delay. Allowing deputies to have immediate access to their county vehicle assists me in accomplishing this crucial mission at all times, for all citizens within the 680 square miles of Hays County.

Vehicle Take Home Programs promote and enhance proactive community oriented policing, a proven deterrent to crime. Secondly, it allows this agency to have double coverage; during shift changes and when deputies are performing other ancillary duties, (i.e. court, vehicle maintenance and administrative meetings). Furthermore, it permits deputies to routinely respond to calls for service during their commute, which reduces response time to our citizens and in general promotes a safer community and a greater uniformed presence.

By garaging vehicles at their residence, it increases protection of the county's investment which includes the vehicle and ancillary equipment i.e. radar, weapons, computers and personal property – often a target for crime.

Although I have only been in office a short time, I feel confident that I have demonstrated that I am and will continue to be a fiscal conservative.

I respectfully petition that you and each Commissioner support me in my decision, as it is in the best interest of our citizens and the men and women who protect them.

Respectfully,

Gary Cutler, Sheriff

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 hiring for Sheriff's Office job vacancies.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Sheriff Gary Cutler

SPONSORED BY: Will Conley

SUMMARY:

With the current hiring freeze enacted, The Sheriff's Office is requesting Commissioner's Court approval to hire for essential positions within the Sheriff's Office. The Sheriff's Office recognizes the reasons for the hiring freeze and is committed to providing law enforcement services with as much fiscal restraint as possible. We are not asking to fill all positions and will leave three "Deputy" positions vacant until it becomes absolutely necessary to fill them. While these "Deputy" vacancies could strain our overtime budget, we feel confident that we can overcome the budgetary concerns with adaptive management. The following positions are immediately essential:

Law Enforcement:

Six Dispatchers
Two Deputy vacancies
Crime Analyst
Mechanic (part-time)

Corrections:

Two Correction Officer vacancies
Jail Medic
Building Maintenance

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 eliminate the overtime compensation line item and the holiday overtime compensation line item in ESD Dispatch and utilize the Sheriff's Office overtime and holiday compensation line items for the dispatchers assigned to ESD Dispatch.

CHECK ONE:

☐ CONSENT

☒ ACTION

☐ EXECUTIVE SESSION

☐ WORKSHOP

☐ PROCLAMATION

☐ PRESENTATION

PREFERRED MEETING DATE REQUESTED: 3/22/11

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Gary Cutler

SPONSORED BY: Will Conley

SUMMARY: The Sheriff's Office would like to extinguish both overtime and holiday line items in ESD Dispatch for dispatchers and use OT and Holiday Comp out of the Sheriff's Office budget. No additional funds needed.

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 have Cintas Document Management provide on-site document shredding services for the Courthouse and Sheriff's Office and consider a public Shred Day.

CHECK ONE:	CONSENT	X ACTION	EXECUTIVE SESSION
	WORKSHOP	PROCLAMATION	PRESENTATION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: approximately \$3420

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: KNOTT

SPONSORED BY: COBB

SUMMARY: There is an estimated 380 boxes to shred at the Courthouse and Sheriff's Office. The quoted price is \$.18/lb, the average box is 50 lbs resulting in an estimated cost of \$3420. We also have the option for a county wide shred day for public shredding at 3 locations for \$875.00. Funds from county-wide contingencies were used in 2009. Saturday March 26 is available for the public day.

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to have Cintas Document Management provide on-site document shredding services for the Courthouse and Sheriff's Office and consider a public Shred Day.

PREFERRED MEETING DATE REQUESTED: March 22, 2011

COUNTY AUDITOR

AMOUNT: approximately \$3420.00 plus \$875 (if approved)

LINE ITEM NUMBER: TBD

COUNTY PURCHASING GUIDELINES FOLLOWED: Yes

PAYMENT TERMS ACCEPTABLE: Yes

COMMENTS: This is an unbudgeted line item & the Court needs to determine the source of available funding. I recommend the contingency line item. Since our budget is lean this year, I would recommend we just shred County records.

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

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 temporary Bail Bond Administrative Assistant position.

CHECK ONE:	CONSENT	X ACTION	EXECUTIVE SESSION
	WORKSHOP	PROCLAMATION	PRESENTATION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: \$0.00

LINE ITEM NUMBER OF FUNDS REQUIRED: Fund 051.5449 (Temporary Personnel)

REQUESTED BY: David Mendoza, Judge Linda Rodriguez, & Julie Villalpando

SPONSORED BY: Bert Cobb

SUMMARY: Temporary position is needed to investigate Bail Bond applications, research financial statements, prepare agendas and record official minutes of all Bail Bond meetings. Human Resources has graded this position at a grade 106 (minimum \$10.55 per hour).

From: 051.5449 Temporary Personnel- \$704.13

To: 051.5021 Salary Staff-\$654.10

051.5101_100 FICA-\$40.55

051.5101_200 Medicare-\$9.48

Agenda Item Routing Form

DESCRIPTION OF Item: Discussion and possible action to approve a temporary Bail Bond Administrative Assistant position and amend the budget accordingly.

PREFERRED MEETING DATE REQUESTED: March 22, 2011

COUNTY AUDITOR

AMOUNT: \$0.00

LINE ITEM NUMBER: Fund 051-618-00.5449 (Temporary Personnel)

COUNTY PURCHASING GUIDELINES FOLLOWED: N/A

PAYMENT TERMS ACCEPTABLE: N/A

COMMENTS: See budget amendment to transfer funds from temporary help to salaries & fringe benefits.

Bill Herzog

SPECIAL COUNSEL

CONTRACT TERMS ACCEPTABLE: _____

COMMENTS:

COUNTY JUDGE

Signature Required if Approved

DATE CONTRACT SIGNED: _____

FY2011 EXPENDITURES

Account Number	Description	2009 Actual Amount	2010 Adopted Budget	2010 Amended Budget	2010 Actual Amount	2011 Requested	2011 Commissioners' Court Approved
Fund	050						
Sheriff Abandoned Vehicle Fund							
Expenses							
Department	618						
Division	00						
5212	Postage	\$0.00	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
5462	Public Notice	\$0.00	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
Division Total: Operating		\$0.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00
Department Total: Sheriff		\$0.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00
Fund Total: Sheriff Abandoned Vehicle Fund		\$0.00	(\$2,000.00)	(\$2,000.00)	\$0.00	(\$2,000.00)	(\$2,000.00)
Fund	051						
Sheriff Bail Bond Fund							
Expenses							
Department	618						
Division	00						
5021	Staff Salaries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5101	FICA and Retirement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5101_100	FICA and Retirement FICA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5101_200	FICA and Retirement Medicare	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5301	Operating Expenses	\$309.41	\$20,000.00	\$20,000.00	\$3,070.28	\$20,000.00	\$20,000.00
5449	*Temporary Personnel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$708.00 *
Division Total: Operating		\$309.41	\$20,000.00	\$20,000.00	\$3,070.28	\$20,000.00	\$20,708.00
Department Total: Sheriff		\$309.41	\$20,000.00	\$20,000.00	\$3,070.28	\$20,000.00	\$20,708.00
Fund Total: Sheriff Bail Bond Fund		(\$309.41)	(\$20,000.00)	(\$20,000.00)	(\$3,070.28)	(\$20,000.00)	(\$20,708.00)
Fund	052						
Sheriff Special Projects Fund							
Expenses							
Department	618						
Division	00						
5222	Crime Prevention	\$3,652.68	\$6,000.00	\$8,725.00	\$2,675.67	\$6,000.00	\$6,000.00
Division Total: Operating		\$3,652.68	\$6,000.00	\$8,725.00	\$2,675.67	\$6,000.00	\$6,000.00
Department Total: Sheriff		\$3,652.68	\$6,000.00	\$8,725.00	\$2,675.67	\$6,000.00	\$6,000.00
Fund Total: Sheriff Special Projects Fund		(\$3,652.68)	(\$6,000.00)	(\$8,725.00)	(\$2,675.67)	(\$6,000.00)	(\$6,000.00)

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 Personal Health Department filling two positions: the Administrative Assistant 1-TB and the Administrative Assistant 1-Well Child/Immunization receptionist for the San Marcos clinic.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Priscilla Hargraves

SPONSORED BY: Debbie Ingalsbe

SUMMARY: The Tuberculosis (TB) program and the Administrative Assistant 1-TB position is partially funded by DSHS (for FY11, \$14,710). This position handles a number of administrative duties for the TB program, including delivering Direct Observed Therapy (DOT), client assessment including vital signs and weight, making reminder calls for the monthly TB clinic, reminder/recalls to LTBI clients when they need to come into clinic for their monthly assessment and pick up their preventive medications, data entry, and other administrative duties as needed. This position is currently vacant.

The Administrative Assistant 1-Well Child/Immunization Receptionist position will be vacant as of April 25, 2011. The PHD is requesting to post and fill this position so that the new employee will be able to parallel the current Administrative Assistant 1 for up to two weeks, per policy. This position is essential to the flow and efficient operation of the clinic. This position schedules appointments, makes appointment reminder calls, follows up on missed appointments, answers the phone and directs calls, greets clients, prepares charts, checks clients in, takes payments for services, provides clients with receipts for payments, faxes charts as needed for continuity of client services, and other administrative services as needed.

Both positions have been approved and funded in the FY 2011 budget.

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 support the 2nd Annual Rainwater Festival to be held in Dripping Springs (date to be determined).

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Commissioner Whisenant, Pct. 4

SUMMARY:

The purpose of this event is to educate, promote and celebrate rainwater collection. The event will include a day-long schedule of presentations by professionals and users of rainwater from across Texas. There will be water conservation-related business vendor booths, rainwater system displays and experts to provide guidance, information and services.

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 support The Hays County Historical Commission's application for a grant of \$100,000.00 from the Burdine Johnson Foundation.

CHECK ONE:	CONSENT	X ACTION	EXECUTIVE SESSION
	WORKSHOP	PROCLAMATION	PRESENTATION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: JONES

SPONSORED BY: JONES

SUMMARY: The Hays County Historical Commission would like to apply for a grant of \$100,000.00 from the Burdine Johnson Foundation. This grant will be used to fulfill the obligation to finish Phase 1 of the Rehabilitation of the Old Hays County Jail.

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 proposed legislation that would modify the process for appointment of bailiffs in the District Courts of Hays County.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Cobb

SPONSORED BY: Cobb

SUMMARY:

The proposed legislation may be found in backup. The changes provide greater input for both Commissioners Court and the District Court Judges who have not been appointed to the Local Administrative Judge position.

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 Supplemental #1 to Work Authorization #3 for ROW acquisition of FM 110 (termination date extension) with Lockwood, Andrews and Newnam.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ingalsbe

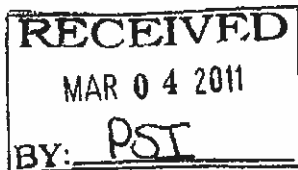
SPONSORED BY: Ingalsbe

SUMMARY:

Currently, we have a hold on ROW acquisition on FM 110 due to the delay on the environmental approval (due July 2011) and word from TxDOT regarding Pass-Through reimbursement.

This action would extend the termination date to March 31, 2012.

There are no additional funds required for this extension.



**ATTACHMENT A
SUPPLEMENTAL NO. 1 TO
WORK AUTHORIZATION NO. 3**

This Work Authorization is made pursuant to the terms and conditions of the Agreement entered into by and between Hays County, Texas, a political subdivision of the State of Texas, (*the "County"*) and Lockwood, Andrews and Newnam, Inc. (LAN) (*the "Engineer"*).

Part 1. The *Engineer* will provide right of way services on FM 110 as shown on the attached Exhibit "B".

Part 2. The maximum amount payable for services under this Work Authorization without modification is No Change.

Part 3. Payment to the *Engineer* for the services established under this Work Authorization shall be made in accordance with the Agreement.

Part 4. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on March 31, 2012, unless extended by a Supplemental Work Authorization.

Part 5. This Work Authorization does not waive the parties' responsibilities and obligations provided under the Agreement.

ATTACHMENT A (con't.)

Part 6. This Work Authorization is hereby accepted and acknowledged below.

ENGINEER:
Lockwood, Andrews & Newnam, Inc.

By: J. Prince
Signature

James M Pierce
Printed Name

Associate
Title

March 4, 2011
Date

COUNTY:
Hays County, Texas

By: _____
Signature

Debbie Ingalsbe
Printed Name

Hays County Commissioner Pct 1
Title

Date _____

ok
mm

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 Annual Report from the Hays County Emergency Services District #3.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Buddy Martin

SPONSORED BY: Ingalsbe

SUMMARY: Report will be distributed the day of Commissioner's Court.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Approve specifications for IFB #2011-B04 "Phase 3 Interior Renovations to the LBJ Museum of San Marcos" and authorize purchasing to solicit for bid and advertise.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY: Herzog/Maiorka/Gomillion

SPONSORED BY:

SUMMARY: see attached

PHASE 3 INTERIOR RENOVATIONS TO THE LBJ MUSEUM OF SAN MARCOS

IFB #2011-B04

HAYS COUNTY, TEXAS

INSTRUCTIONS

Sealed bids addressed to Hays County Purchasing Office will be received at the Hays County Purchasing Office, 111 E. San Antonio Street, Suite 101, San Marcos, Texas 78666 until 2:00 p.m., April 14, 2011. Bids received after the submission deadline will be returned unopened.

Bidding documents may be obtained by prospective bidders or suppliers at the office of Gomillion Kester Zimmerman, Inc., 516 West Hopkins Street, San Marcos, Texas 78666. Telephone 512-353-3339. A non-refundable deposit of \$50.00 will be required for each set of plans. Deposit must be made by check or money order made payable to Gomillion Kester Zimmerman, Inc. Cash will not be accepted.

A non-mandatory Pre-Bid conference will be held on Tuesday, March 29, 2011 at the Museum, located at 131 North Guadalupe Street, San Marcos, Texas 78666.

Hays County reserves the right to reject and or all bids and to waive technical defects in bidding.

It is the responsibility of each bidder, before submitting a bid to examine thoroughly the bidding documents and drawings. To visit the site to become familiar with and satisfy bidder as to the general, local, and site conditions that may affect cost, progress, performance, or furnishing of the work. To consider federal, state, and local laws and regulations that may affect cost, progress, performance, or furnishings of the work. To study and carefully correlate bidder's knowledge and observations with bidding documents and such other related data and to promptly notify architect of any conflicts, errors, ambiguities or discrepancies which bidder has discovered in or between the bidding documents.

Submission of Bids; completed bidding documents shall be sealed and submitted as bidder's response to:

**Hays County Purchasing
Cindy Maiorka, CPPB, Purchasing Manager
111 E. San Antonio Street, Suite 101
San Marcos, Texas 78666**

Sealed bids shall be received no later than 2:00 p.m., April 14, 2011.

Mark sealed envelope in lower left hand corner with due date, bid number and company name. Fax or electronic bids will not be accepted.

Late Bids: bids received in the County purchasing Office after the submission deadline will be considered void and unacceptable. Hays County is not responsible for lateness or non-delivery of mail, carrier, etc, and the date/time stamp in the Purchasing Office shall be the official time of receipt.

Altering Bids: any interlineations, alterations, or erasure made **before** opening time must be initialed by the signer of the bid, guaranteeing authenticity.

Withdrawal of Bid: a bid may not be withdrawn or canceled by the bidder without the permission of the county for a period of ninety (90) days following the date designated for the opening of bids, and bidder so agrees upon submittal of their bid. Bids may be withdrawn at any time prior to the opening by notifying the Hays County Purchasing Office in writing.

Bids will be received and publicly acknowledged at the location, date and time stated in this specification. Bidders, their representatives and interested parties may be present.

Permits: all construction related permits, fees and licenses required by any government entity or agency are the responsibility of the bidder and shall be part of the bid.

Sales Tax: Hays County is exempt from payment of Texas Sales Tax and Federal Excise Tax; therefore the bid shall not include sales taxes. Tax exemption certificates will be executed by the Hays County Purchasing Office.

Contract: this bid and accompanying documents when properly accepted by Hays County shall constitute a contract equally binding between the successful bidder and Hays County. No different or additional terms will become a part of the contract with the exception of change orders.

Change Orders: no oral statement of any person shall modify or otherwise change, or affect the terms, conditions, or specifications stated in the resulting contract. All change orders to the contract will be made in writing to the Hays County Purchasing Office and then submitted to the Hays County Commissioners Court for approval. No item, services etc. on change orders shall be acted upon before it has been approved and recorded by the Hays County Commissioners Court.

Addendum: any interpretations, corrections or changes to this bid and specifications will be made by addendum, unless otherwise stated. Issuing authority of addendum shall be the Commissioners Court and the Purchasing Office. Addendum will be mailed or faxed to all that are known to have received a copy of the bid. Bidders shall acknowledge receipt of all addenda. All questions pertaining to plans and specifications must be submitted in writing to the purchasing office or by e-mail to cindym@co.hays.tx.us **NO LATER** than Wednesday, April 6, 2011.

Bid must comply with all federal, state, county and local laws concerning the type of article and/or services being offered.

Factors in award: bids will be based on, but not limited to, the following factors: total bid price, delivery date, results or any testing or demonstrations, special needs of Hays County, prior experience with this or similar products or services, vendor reputation, vendor's past performance record with Hays County or other counties, an evaluation of the bidder's ability, and warranty terms. In general, Hays County will award a to the bidder whom, in the judgment of the Hays County Commissioners Court, is best able to provide the product or services most likely to satisfy the needs of the County, allowing the County optimum value for the public funds expended. By state law, Hays County is bound to award to the most responsible bidder who submits the lowest and/or best bid.

References: Hays County request bidder to submit, with this IFB, a minimum of three references (listing name, mailing address, telephone number) who can attest to the ability of the bidder to perform under the project being bid.

Successful bidder shall defend, indemnify and save harmless Hays County and all its officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any persons, or property on account of any negligent act or fault of the successful bidder, or of any agent, employee subcontractor or supplier in the execution of, or performance under, any contract which may result from bid award. Successful bidder shall pay any judgment with costs, which may be obtained, against Hays County growing out of such injury or damages.

Termination of contract: this contract shall remain in effect until delivery/completion and acceptance of products and/or performance of services ordered or until terminated by either party with a thirty (30) day written notice prior to any cancellation. The successful bidder must state therein the reason for such cancellation. Hays County reserves the right to award canceled contract to next best/lowest bidder as it deems to be in the best interest of the County.

Equipment & Services: supplied under this contract shall be subject to the county's approval. Item(s) found defective or not meeting specifications shall be replaced by the successful bidder after notification at no expense to the county.

Warranty-Product: bidder shall not limit or exclude any implied warranties and any attempt to do so shall render this contract void at the option of the county. Bidder warrants that the goods furnished will conform to the specifications, drawings, and descriptions listed in the bid invitation. In the event of a conflict between the specifications, drawings, and description, the specifications shall govern.

Venue: both parties agree that the venue for litigation arising from this contract shall lie in San Marcos, Texas.

Questions: relating to this Invitation for Bid, direct your questions to Cindy Maiorka, CPPB, Purchasing Manager, 512-393-2273 or cindym@co.hays.tx.us.

Invoices & Payments: successful bidder shall submit invoices to the Hays County Auditor, 111 E. San Antonio Street, Suite 100, San Marcos, Texas 78666. Payments are processed upon receipt of invoice and after the contract administrator has determined that the items have been received in good condition, that all terms have been met, and that no unauthorized substitutions have been made. All payments must be approved in the regular meetings of the Commissioners Court, in accordance with the State of Texas Prompt Payment Act, Chapter 2251, Government Code. Hays County terms are net 30 days from invoice date.

Insurance and bond requirements: contractor shall procure and maintain for the duration of the project, insurance against claims for injuries to persons or damages to property which arise from or in connection with the performance of the work there under the contractor, his agents, representative, employees or subcontractors. The cost of such insurance shall be the responsibility of the contractor. The County shall be named as additional insured. **Proof of Workers Compensation and liability Insurance shall be provided with bid response.**

a. Minimum Limits of Insurance:

Comprehensive General Liability, to include contractual liability:

Minimum each person:

Bodily Injury \$500,000

Each Occurrence \$1,000,000

Property Damage \$500,000

b. Automobile Liability:

Minimum each person:

Bodily Injury \$500,000

Each Occurrence \$1,000,000

Property Damage \$500,000

**c. Workers Compensation
Statutory**

Other Insurance Provisions:

All coverage: each insurance policy required herein shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage limits except after thirty (30) days prior notice by certified mail, return receipt requested, has been given to the County.

Acceptability of Insurers: insurance is to be placed with insurers licensed in the State of Texas.

Verification of coverage: coverage shall furnish the County with certificates of insurance and evidence of endorsements effecting coverage required herein. The certificates for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf and to be received at the same time the bid is returned. The County reserves the right to require complete, certified copies of all insurance policies at any time.

Bid Bond will be required: Pursuant to the provisions of section 262.032 of the Texas Local Government Code, if the contract contemplated by this request for bids for the construction of public works, or will be under a contract exceeding \$100,000.00, Hays County shall require bidder to execute a good and sufficient bid bond in the amount of five percent (5%) of the amount bid. Said bond shall be executed with a surety company authorized to do business in the State of Texas.

Performance Bond will be required: within ten (10) days after the date of the signing of the contract following acceptance of a bid by Hays County Commissioners Court, the successful bidder shall furnish a performance bond to Hays County for the full amount of the contract if the contract exceeds \$50,000.00. Such bond shall be for the purpose of insuring the faithful performance of the work in accordance with the plans, specifications, and contract documents associated with the project contract.

Payment Bond (Bond for labor & materials) will be required: Pursuant to statute, if the amount of the contract awarded to the successful bidder exceeds \$25,000.00, then said bidder shall execute a payment bond in the amount of the contract, solely for the protection of all claimants supplying labor and materials in the prosecution of the work provided for in said contract, for the use of each such claimant.

No Bond will be required in the event that the resulting contract does not exceed \$25,000.00.

PHASE 3 INTERIOR RENOVATIONS TO THE LBJ MUSEUM OF SAN MARCOS

IFB #2011-B04

BID SHEET

Due Date: April 14, 2011 no later than 2:00 p.m.

Total time of construction: _____

Time to substantial completion: _____

Total lump sum price for project:

\$ _____

The bidder acknowledges receipt and incorporation in this Bid of the following addenda:

No. _____

Dated _____

Project is located at 131 North Guadalupe Street, San Marcos, Texas 78666.

PHASE 3 INTERIOR RENOVATIONS TO THE LBJ MUSEUM OF SAN MARCOS

IFB #2011-B04

CONTRACT

**STATE OF TEXAS
COUNTY OF HAYS**

WHEREAS, The attached "Bid Package" which includes the **Cover Sheet, Instructions, Specifications, and Bid Sheet(s)** for the item(s) being published for competitive bid, were solicited pursuant to Texas Local Government Code 262.021; and

WHEREAS, the Hays County Commissioners' Court as the governing body of Hays County did on _____, 20__ award a contract to _____ (Vendor/Bidder) for furnishing the materials, equipment, supplies and/or services in quantities and at prices as set forth in the above-attached "Bid Package"; and

THEREFORE, Knowing all men by these present, that this contract is entered into by Hays County, Texas (hereinafter called "County") and the undersigned Vendor (hereinafter called "Vendor" or "bidder").

WITNESSETH

THAT IN ACCORDANCE with the above attached Bid Package in every particular, the Vendor will perform in accordance with the terms thereof and the County agrees to make payment for such items or services purchased on appropriate Purchase Orders in accordance with the items of said Bid Package which is made a part of this contract and incorporated herein for all purposes. THAT IN ACCORDANCE with the attached the County's acceptance of equipment, supplies and services shall be contingent on (1) they conform, (2) they were delivered (if applicable), and (3) services have been satisfactorily performed in the sole determination of the County.

Prior Agreements Superseded

This Contract, with the entire Bid Package incorporated herein for all purposes, including any required supporting literature, brochures, and/or data sheets or sample, constitutes the sole agreements of the parties to the agreement and supersedes all oral or written previous and contemporary agreements between the parties and relating to matters herein.

Amendment

No amendment, modification or alteration of the terms of this contract shall be binding unless same is in writing, dated subsequent to the date of this contract, and duly executed by authorization representatives of each party.

IN TESTIMONY WHEREOF: Witness our hands at Hays County, Texas, effective as of the date awarded above, if any.

VENDOR

HAYS COUNTY

BY: _____ BY _____
AUTHORIZED AGENT COUNTY JUDGE

ATTEST: _____
Linda Fritsche, Hays County Clerk

****Failure to sign the Contract page(s) may disqualify the bid from being considered by the Commissioners' Court. However, this contract is not valid until awarded in Commissioners' Court and signed by both parties.**

Vendor/Bidder's Affirmation

1. Vendor/Bidder affirms that they are duly authorized to execute this Contract, that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other bidder, and that the contents of this bid as to price, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engages in this type of business prior to the official opening of this bid.
2. Vendor/Bidder hereby assigns to Purchaser any and all claims for overcharges associated with this Contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.
3. Pursuant to 262.076 (a) of the Texas Local Government Code, Vendor/Bidder, hereby affirms that Vendor/Bidder:

_____ Does not own taxable property in Hays County.

_____ Does not owe any ad valorem taxes to Hays County or is not otherwise indebted to Hays County.

Name of Contracting Company

Contact Name

Title

Mailing Address

City

State

Zip Code

Signature of Company Official Authorizing Bid/Offer

Printed Name

Phone

Fax

E-mail address

Conflict of Interest Disclosure

Beginning January 1, 2006 a new State Law (Chapter 176 of the Texas Local Government Code) requires the filing of Conflict of Interest Questionnaires by individuals and businesses..

The questionnaire requires disclosures describing certain business and gift giving relationships (if any) the filers may have with the Hays County Commissioners Court members and other elected/appointed officials.

The new law applies to:

- Businesses and individuals who contract with Hays County
- Businesses and individuals who seek to contract with Hays County, (regardless of whether a bidder is awarded the contract), and
- Agents who represent such businesses in their business dealings with Hays County

The forms for reporting are available at
www.ethics.state.tx.us/whatsnew/conflict_forms.htm

If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each individual, business, and agent who is subject to the law's filing requirement.

If you are required to file a Conflict of Interest Questionnaire, you should file with the Hays County Clerk by mailing the completed form to:

Hays County Clerk
137 Guadalupe Street
San Marcos, Texas 78666

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 waive OSSF permit fees for Belinda Van Dyke, owner of the home at 311 Reimer in San Marcos.

TYPE OF ITEM: ACTION

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: N/A

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Garza

SPONSORED BY: Conley

SUMMARY:

The OSSF at the Van Dyke Residence is in need of replacement and the owners have begun the process of securing a new design and hiring an installer. The Van Dykes purchased the property in 2000 and feel they were misled about the actual age of the OSSF, which was represented as being only 15 years old at the time when it was in fact 28 years old. The drain field size requirements were much different in 1972 when the system was actually installed compared to 2000 when the purchase took place. The owners say they have worked diligently to reduce the flow through the system and conserve water, but the time has come to replace the entire system. The owners have requested the county waiver the permitting fees for the system replacement. The total fees for this type of permit are \$410.00.

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 appoint Randy Garst to the North Hays County Emergency Services District #1 Board of Directors.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED:

LINE ITEM NUMBER OF FUNDS REQUIRED:

REQUESTED BY:

SPONSORED BY: Commissioner Whisenant, Pct. 4

SUMMARY: Supporting documents will be provided at court. This position is one vacated by the resignation of Board member Rodney White.

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: 10:00 AM Workshop to discuss with the County's Financial Advisor and others regarding the county's upcoming financial obligations, options and the county debt.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

REQUESTED BY: Ingalsbe

SPONSORED BY: Ingalsbe

SUMMARY:

Dan Wegmiller will be here to discuss upcoming options regarding the county's financial responsibilities.

A citizen's budget proposal will also be discussed by members of the public.

Agenda Item Request Form

Hays County Commissioners' Court

9:00 a.m. Every Tuesday

Request forms are due in the County Judge's Office

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

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

AGENDA ITEM: Executive Session Pursuant to Section 551.071 and 551.072 of the Texas Government Code: Consultation with Counsel and Deliberation regarding Right of Way Acquisition on or near CR 266 aka Old Bastrop Hwy in Precinct 1.

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

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: None

LINE ITEM NUMBER OF FUNDS REQUIRED: N/A

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 FM 2325. Possible action may follow in open Court.

TYPE OF ITEM: Executive

PREFERRED MEETING DATE REQUESTED: March 22, 2011

AMOUNT REQUIRED: TBD

LINE ITEM NUMBER OF FUNDS REQUIRED: TBD

REQUESTED BY: CONLEY

SPONSORED BY: CONLEY

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 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: March 22, 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.

