



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 29TH DAY OF JANUARY A.D., 2007, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN SPECIAL MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCH	COUNTY CLERK

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Sumter called the meeting to order. Commissioner Ford was not present at that time.

WORKSHOP RELATING TO PULBIC FINANCE ISSUES INCLUDING A PRESENTATION BY COUNTY AUDITOR AND COUNTY'S FINANCIAL ADVISOR

Dan Wegmiller & Jeff Garland from First Southwest Company appeared before the court. Mr. Wegmiller spoke of valid and legal debt obligations used by County government: Limited (\$0.80/\$100 maximum tax rate) and Unlimited (no limitation as to tax rate) Tax Bonds – require a successful bond election with funds authorized for specific public purposes; Certificates of Obligation – do not require voter authorization and can be issued for most county purposes; Revenue Bonds – payable solely from the revenues of an operating system such as parks, correctional facilities, libraries and landfills; Public Property Finance Contractual Obligations – used solely for the acquisition of personal property (lease/purchase financing); Tax Notes – have a maximum maturity of 7 years; ***Commissioner Ford came to the meeting at this time*** Creation of Non-Profit Corporation – used to issue industrial development bonds, healthcare facility revenue bonds, single/multi-family housing bonds and revenue bonds for other special purpose projects; Economic Development – Chapter 381 Assistance (up to \$0.05/\$100 of dedicated General Fund revenue, if approve by county voters), County Development Districts (requires populations of 400,000 or less), and other Development Districts (WCID, MUD, SUD, FWSD). Mr. Wegmiller explained the three primary methods for the sale of Bonds, Notes and CO's: Private Placement; Negotiated Sale; and Competitive Sale. Who are the players?: Financial Advisor – represents the County in the bond market in addition to having a thorough knowledge of the county's financial planning and goals; Bond Counsel – charged with researching the law, rendering tax opinion, and preparing the required legal documents and shepherding the transaction through the Attorney General's office for approval; Underwriter – charged with marketing the bonds to the ultimate bondholders. State law is very specific. Involve the Financial Advisor and Bond Counsel on the front end of any project to ensure marketability, feasibility and legality. Bond law is complicated by the fact that each Legislative session produces new law, as well as many amendments at least every other year. Underlying ratings for Hays County: Moody's – "Aa3" ("Aaa" Insured) and S&P – "A+" ("AAA" Insured). Rating Criteria/Factors: Financial position of County, economy, management assessment, and debt position. Mr. Wegmiller presented a 10 year history of tax-exempt interest rates: Current = 4.32%; 1 year average = 4.39%; 5 year average = 4.64%; and 10 year average = 5.01%. He went through various preliminary capital planning models.

WORKSHOP RELATING TO THE HAYS COUNTY HABITAT CONSERVATION PLAN INCLUDING A PRESENTATION BY LOOMIS, AUSTIN AND SMITH, ROBERTSON, ELLIOTT, GLEN, KLEIN & BELL, L.L.P. [T1-1796]

Clifton Ladd (Biologist with Loomis, Austin) introduced various people that were present from his company and other organizations. Allen Glen introduced people from his firm who were present. Commissioner Conley introduced county staff working on this project. Mr. Ladd spoke of the Wimberley By-Pass (Winters Mill Parkway) project and the Golden-cheeked Warbler Habitat. He gave a project overview of the Hays County Conservation Plan. Commissioner Ford voiced her concern about need to consider aquatic species. Allen Glen advised that pumping is not a consideration in the plan. Mr. Ladd went through the project objectives and work plan components. We are currently in phase 2 – project development and community guidance (establish advisory committees and public outreach process, complete NEPA scoping, develop general HCP strategy/framework). They are ready to post a link on the county website with approval from the court. Phase 3 is to prepare conceptual draft HCP; Phase 4 is committee/agency review and HCP revision; Phase 5 is the permit application; and Phase 6 is the permit processing. Discussion was had regarding the selection of the Citizens Advisory Committee and the Biological Advisory Team. The CAC needs to stay under 20 members to function well and they need to be people who are dedicated to the process - 1/3 must be landowners. There is a list of potential stakeholders for consideration and members of the court can make their recommendations. Commissioner Conley spoke of people who he has spoken with that have been contacted and they are excited to serve. [T2-465] Allen Glen spoke of having a countywide HCP would allow obtaining a permit (anywhere in the county) without having to go through a 1-2 year process.



Court was adjourned.

I, LINDA C. FRITSCHER, 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 JANUARY 29, 2007.



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

