



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 6TH DAY OF MARCH A.D., 2007, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Sumter called the meeting to order, Mike Plumpt Klumpp, Pastor of Grace Point Fellowship Church in Dripping Springs gave the invocation and Commissioner Ford led the Court in the Pledge of Allegiance to the Flags.

PUBLIC COMMENT

Constable Pct. 2 James Kohler introduced Mark Blanton as his new Deputy Constable. District Judge Charles Ramsay spoke of health benefits for a retiring court reporter.

24067 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$989197.22 as presented by the County Auditor. All voting "Aye". MOTION PASSED

24068 APPROVE BUDGET AMENDMENT 07-11

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve Budget Amendment #07-11 as proposed by the County Auditor. All voting "Aye". MOTION PASSED

24069 APPROVE MINUTES OF FEBRUARY 26, 27, 28, 2007

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve Minutes of February 26, 27, & 28, 2007 as presented by the County Clerk. All voting "Aye". MOTION PASSED

24070 APPROVE THE HIRING OF GRAHAM & ASSOCIATES TO PROVIDE APPRAISALS OF PROPERTIES ALONG MCCARTY LANE FOR THE AMOUNT OF \$950 PER PARCEL

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve the hiring of Graham & Associates to provide appraisals of properties along McCarty Lane for the amount of \$950 per parcel. All voting "Aye". MOTION PASSED

[PCT. 3 #07-3-07, 5 LOTS] **BURNETT RANCH SECTION 2 RESUB OF LT 14 - PUBLIC HEARING AND POSTPONED APPROVAL OF FINAL PLAT** [T1-70]

Judge Sumter called the public hearing open. No public input was received and the public hearing was closed. Ron Ancelet voiced his concerns. Toni Gallucci voiced her concerns. Lon Breitenbach, owner of Lot 14, spoke in response to concerns that were raised. Subdivision Coordinator Sandra Irvin spoke of notices that were sent out. Jack Hollon, Hays Trinity Groundwater Conservation District, answered questions asked by Commissioner Conley and Commissioner Conley asked that Mr. Breitenbach contact the Hays Trinity Groundwater Conservation District. Commissioner Conley requested postponement of action at this time. Judge Sumter closed the public hearing.

24071 [PCT. 4 #06-4-026, 1 LOT] **HIGHPOINTE PHASE 3 SECTION 2 - APPROVAL OF FINAL PLAT** [T1-409]

Subdivision Coordinator Sandra Irvin gave staff recommendation for final plat approval. Commissioner Ford advised that this will be a condominium regime - it is on public water supply and a wastewater system. A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve final plat of "Highpointe Phase 2 Section 2". All voting "Aye". MOTION PASSED



Clerk's Note: Agenda Item #7 RE: CALL FOR A PUBLIC HEARING ON MARCH 20, 2007 TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF COTTONWOOD ROAD was PULLED. No discussion and no action taken.

24072 ALLOCATE FUNDS FOR UPGRADE OF TELEPHONE SYSTEM AT PERSONAL HEALTH DEPARTMENT [T1-438]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve allocation of funds for upgrade of telephone system at Personal Health Department. All voting "Aye". MOTION PASSED

24073 ACTION TO FUND A PERMANENT, PART-TIME DEPUTY CLERK II POSITION FOR THE PCT 4 OFFICE OF JUSTICE OF THE PEACE [T1-454]

Justice of the Peace Pct. 4 Terry Kyle spoke of need for a part-time Deputy Clerk II position. County Auditor Bill Herzog spoke of various places to pull funding for this position. Judge Kyle will need to resubstantiate the need for this position during the upcoming budget process. **A motion was made by Commissioner Ford, seconded by Judge Sumter to fund a permanent part-time Deputy Clerk II position for the Pct. 4 office of Justice of the Peace. All voting "Aye". MOTION PASSED**

Clerk's Note: Agenda Item #9 RE: DISCUSSION AND POSSIBLE ACTION TO RETAIN KELLY HART & HALLMAN LLP TO PROVIDE REGULATORY AND LEGAL SERVICES TO HAYS COUNTY REGARDING THE COUNTY'S SUBDIVISION AND DEVELOPMENT REGULATIONS was PULLED. No discussion and no action taken.

Clerk's Note: Agenda Item #10 RE: DISCUSSION AND POSSIBLE ACTION TO RETAIN NAISMITH ENGINEERING, INC. TO ASSIST HAYS COUNTY COMMISSIONERS' COURT WITH THE REVIEW AND REVISION OF DEVELOPMENT STANDARDS FOR HAYS COUNTY was PULLED. No discussion and no action taken.

24074 ACCEPT THE FINANCIAL REPORT AND THE ANNUAL REPORT TO THE COMMISSIONERS' COURT FROM HAYS COUNTY ESD #4 [T1-749]

A motion was made by Commissioner Conley, seconded by Judge Sumter to accept the financial report and the annual report to the Commissioners' Court from Hays County ESD #4. All voting "Aye". MOTION PASSED

24075 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A USE OF PREMISES AGREEMENT BETWEEN HAYS COUNTY, HAYS COUNTY CIVIC CENTER MANAGER, L.U.L.A.C. AND VIVA! CINCO DE MAYO [T1-762]

Commissioner Ingalsbe advised that the Cinco de Mayo organization has acquired a storage trailer which they would like to place at the civic center. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute a use of premises agreement between Hays County, Hays County Civic Center Manager, L.U.L.A.C. and Viva! Cinco de Mayo. All voting "Aye". MOTION PASSED**

24076 AUTHORIZE THE COUNTY JUDGE TO ENTER INTO A CONTRACT WITH FUGRO CONSULTANTS, INC. FOR GEOTECHNICAL INVESTIGATION OF THE HAYS COUNTY PRECINCT 4 OFFICE BUILDING SITE IN DRIPPING SPRINGS [T1-810]

Commissioner Ford spoke of proposal from Fugro Consultants Inc. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to enter into a contract with Fugro Consultants Inc. for geo-technical investigation of the Hays County Precinct 4 office building site in Dripping Springs pending approval by Special Counsel. All voting "Aye". MOTION PASSED**



DISCUSSION REGARDING THE ORDERING OF A BOND ELECTION TO BE HELD IN HAYS COUNTY, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION WITH VARIOUS POLITICAL SUBDIVISIONS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION AND PROVIDING AN EFFECTIVE DATE [T1-849]

Commissioner Conley spoke of discussions the court has had regarding roads and parks/open space issues. Richard Schneider, Executive Director of the Buda Area Chamber of Commerce, spoke in support of a bond election. Warren Ketteman, Buda Economic Development, spoke in support of a bond election and he spoke of new development in the Buda/Kyle area. Maria Elena Gonzales, San Marcos resident, read from an article from Texas Monthly online suggesting postponement of bond elections until after the Legislature meets. Todd Derkucz, San Marcos Greenbelt Alliance, spoke in support of parks and open space issues. [T1-1230] Charles O'Dell, President of Hays CAN, spoke of 2000 road bond issue. Terry Tull, Goldenwood property owner & member of the advisory committee of the Hill Country Alliance, spoke in support of parks and open space. He spoke of need to address safety issues on county roads. Hanlon Skillman Spoke of road issues - he opposes pass through financing. [T1-1498] Pokey Rehmet, Wimberley resident, urged the court to call for an election. He supports open space and parks. Michael Pape, Wimberley resident, spoke in support of open space and parks. Jack Hollon, Wimberley resident, spoke of Ranch Road 12 project. He felt like more of the bond money should go toward parks and open space. David Baker, Wimberley Valley Watershed Association Board, spoke of Parks & Open Space Master Plan that was developed and he urged the court to move forward with the initiative. [T1-1745] Dubb Smith, Dripping Springs resident, spoke in support of holding a bond election. He would like to see FM1826 safety improvements on the bond issue. Jim Green, San Marcos resident, spoke in support of the road bond election, including FM1826. Charles Ruth, lives on FM1826, spoke of issues he has with TxDot. Dianne Wassenich, San Marcos resident, supports open space and parks. [T1-2170] Commissioner Conley spoke of Habitat Conservation Plan (HCP). Allen Glenn, HCP legal advisor, spoke of grant pool for habitat preservation and conservation banking and he spoke of habitat protection and endangered species be included in the bond issue. Mike Weaver, Prime Strategies, advised that dollars are budgeted for environmental mitigation. [T1-2542] Commissioner Barton spoke of preserving areas of Hays County and improving roadways across the county.

[T2-1491] Commissioner Conley spoke of change in Proposition #2 ballot language:

“The issuance of \$_____ of Hays County Tax Bonds for the preservation of water quality, water quantity, wildlife habitat, and for parks, open space, natural areas and related projects and levying of taxes in payment thereof”

Commissioner Ford spoke of not being ready to move forward with a proposition regarding FM 1826. She spoke of this being a cost sharing program not a pass through financing project. Commissioner Conley gave history of the 2001 road bond projects and changes made by the Legislature in funding state road improvements. Commissioner Barton spoke of need for improvements to Dacy Lane (located in Pcts. 1 & 2) and he spoke of possible extension of FM1626 from I35 to SH21. Road Supt/Engineer Jerry Borcharding spoke of funding needed for Fischer Store Road, CR266, and other unnamed county roads and acquisition of right-of-way to address safety issues. Commissioner Barton spoke of possible drainage study to address flooding issues on county roads. Jerry Borcharding spoke of cost differences between chip seal and hot mix. Discussion was had regarding having three propositions (2 road propositions) instead of two (roads and parks/open space). [T2-3100] Commissioner Ford spoke of a \$12 million proposition to address Dacy Lane (\$ 2.5 mil), FM1826 (\$7.5 mil), and CR266 & drainage study (\$2.0 mil). [T3-128] County Auditor spoke of possible costs involved in separating bond packages. The consensus of the court is for a park package @ \$30 million. Court to consider two road packages on Friday.

Clerk’s Note: Agenda Item #16 RE: DISCUSSION AND POSSIBLE ACTION TO APPROVE HIRING NAISMITH ENGINEERING FOR THE SITE PLANNING SERVICES FOR THE NEW PCT. 4 OFFICE BUILDING was PULLED. No discussion and no action taken.

Commissioner Barton introduced two new staff members: Special Counsel Mark Kennedy and Temporary Environmental Health Director Tom Forrest.

HAYS COUNTY COMMISSIONERS' COURT MINUTES



VOLUME T PAGE 522

MARCH 6, 2007

WORKSHOP RELATING TO PARKS AND OPEN SPACE REVIEW [T1-2802]

Grants Administrator Richard Salmon spoke of current bond dollars used to obtain grants. David Baker spoke. Richard Salmon spoke of pages 37 & 39 of the Master Plan. Twenty-six meetings were held for Master Plan. The national average is 10 acres per thousand population and Hays County is at 0.59 acres. Todd Derkacz, Greenbelt Alliance, spoke of ways to determine the needs for parks and open space. Mike Blizzard with Opinion Analyst spoke of opinion poll regarding road and parks/open space bond issue. There was very strong support of the parks/open space and the road bonds. The strongest reason was to preserve water quality and protect the drinking water supply. Approving the bonds would cost an average of \$60-65 per year to taxpayers. Mr. Blizzard spoke of how they determined who to poll: a voter file based on voting history. Discussion was had regarding a \$30 million bond package for parks and open space. David Baker spoke of the organizations/groups that help to fund the survey. Diane Wassenich spoke of water quality. Financial Advisory Dan Wegmiller spoke of tax increase for debt of \$190-195 million and flexibility of the debt. Charles O'Dell spoke of hardship for people with limited income. George Coffey, Executive Director of Hill Country Conservancy, provided maps of the San Antonio – Austin corridor and he spoke of the Storm Ranch and the Onion Creek Natural area. Discussion was had regarding conservation easements. [T2-1474] Commissioner Ford suggested creation of a citizens group to provide input if the parks and open space bond passes.

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 MARCH 6, 2007.



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

