



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 12TH DAY OF MARCH 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. FRITSCHKE	COUNTY CLERK

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Judge Sumter called the meeting to order.

24077 ACTION TO ORDER 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

PARKS

Attorney Jeff Kuhn, Fulbright & Jaworski, appeared before the court. Discussion was had regarding wording of the proposition. [T1-229] **A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve the issuance of general obligation bonds in the amount of \$30,000,000.00 for parks, natural areas, open space, and related projects, and the preservation of water quality, aquifer recharge areas, and wildlife habitat. All voting "Aye". MOTION PASSED.**

ROADS

Commissioner Barton provided a resolution for consideration regarding number of propositions to be voted on. Special Counsel Mark Kennedy and Jeff Kuhn advised that this resolution should be considered as a statement and not a resolution. Commissioner Barton advised that he is proposing three propositions: (1) one proposition for the general package of state road improvements where feasibility studies have been underway for several years and which have been considered together in repeated public meeting, workshops, presentations and reports in 2006 and 2007, this proposition to include also other county projects as deemed prudent by the Court, including but not limited to the further extension of FM1626 and areas around its intersection with Dacy Lane; (2) one proposition for FM1826; and (3) one proposition for parks. Commissioner Barton spoke of economic development issues. Judge Sumter felt like SH21 has already been committed and monies are available to address the safety issues. She feels like the other roads (FM1626, Loop 110, & RR12) are mobility issues and FM1826, Dacy Lane, Fisher Store Road, CR266, and drainage issues are safety issues. Jeff Kuhn explained language in proposed propositions. Commissioner Ford spoke of having a proposition that addresses safety issues on FM1826, SH21, Dacy Lane, drainage, etc. [T1-836] Charles O'Dell, Hays CAN, spoke. [T1-907] Janet Acord spoke. Commissioner Ford advised that she would not support a proposition with just FM1826 on it. [T1-1329] Mike Weaver, Prime Strategies, spoke of progress on SH21.

A motion was made by Commissioner Barton, seconded by Commissioner Conley to include roads styled as Loop 110, RR12, State Highway 21, and FM1626, and also possibly certain county road projects if excess funds are available. MOTIONS WITHDRAWN

[T1-1233] **A motion was made by Commissioner Barton, seconded by Commissioner Conley to approve Proposition One to include SH21, FM1626, Loop 110, and RR12. Commissioner Ingalsbe, Commissioner Barton, and Commissioner Conley voting "Aye". Commissioner Ford and Judge Sumter voting "No". MOTION PASSED.**

[T1-1504] Commissioner Barton spoke of various options. Commissioner Conley spoke of putting State roads in one proposition and county roads in another proposition. Commissioner Ford spoke of a proposition to address FM1826, Dacy Lane, and other county road projects that are needed for safety or economic development, and drainage improvement study. Commissioner Conley spoke of need for ROW acquisition on Fisher Store Road. County roads that were not completed in the previous bond projects were Mt. Gainor Road and Fisher Store Road. There are funds to complete Mt. Gainor (\$500,000 for fencing, materials for minimal improvements, and clear the new right-of-way). Discussion was had regarding changing low water crossings to bridges. Mike Weaver spoke of funding amounts for various projects. Commissioner Ford spoke of Proposition in the amount of \$10 million for FM1826 to address safety issues. Commissioner Barton spoke of Dacy Lane improvements in the amount of \$3.5 million. Commissioner Ford spoke of Fischer Store Road (\$500,000), other county roads projects and drainage issues (\$500,000), and CR266 (\$500,000 for ROW). A total of \$15 million for second road proposition was discussed. Road Supt/Engineer Jerry Borchering spoke of CR266, Centerpoint Road, and Posey Road (will need improvements because of new high school on CR266). Commissioner Barton and Commissioner Conley advised that they prefer to have one road package. Commissioner Ford spoke in favor of two road packages. Jeff Kuhn advised that countywide drainage improvement study must be directly tied to roads. Commissioner Ingalsbe spoke of her concerns.



[T1-2915] A motion was made by Commissioner Ford, seconded by Judge Sumter to approve Road Proposition Two to include construction and safety improvements on FM1826, Dacy Lane, for right-of-way purchase on Fisher Store Road and Old Bastrop Highway (CR266), and any other county road whose needs for right of way, reconstruction and/or safety improvements can be met under this obligation and for a countywide study that relates to drainage issues on other state and county roadways. Commissioner Ingalsbe, Commissioner Barton, and Commissioner Conley voting "No". Commissioner Ford and Judge Sumter voting "Aye". MOTION FAILED. [T1-3365] A motion was made by Commissioner Conley, seconded by Commissioner Ford to include FM 1826 in Proposition One. All voting "Aye". MOTION PASSED [WAS RESCINDED BELOW]. Commissioner Barton spoke of need to include money for Dacy Lane, countywide drainage issues, R-O-W on Fisher Store Road, etc. Discussion was had regarding a \$182 million road bond issue. [T2-60] A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to rescind previous action and remove FM1826 from Proposition One. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED.

A motion was made by Commissioner Conley, seconded by Commissioner Barton to accept a dollar amount of \$172,000,000 and the following language for Proposition One: "The issuance of \$172,000,000.00 of Hays County Road Bonds for county road construction and improvement, and for constructing and improving FM1626, RR12, and FM110 – roadways that are subject to an existing TxDot Partnership Agreement – and for State Highway 21; and the levying of a tax in payment thereof". All voting "Aye". MOTION PASSED.

Commissioner Barton spoke in support of a motion that would provide for R-O-W on FM1826 and other considerations discussed earlier (Fisher Store Road, Dacy Lane, CR266, countywide drainage). Discussed \$6.5 million for right-of-way. Commissioner Ford spoke of going out to the voters within the next twelve months with a proposition regarding FM1826. Jeff Kuhn spoke of there being other ways to raise capital outside of the bond proposition.

[T2-540]

A motion was made by Judge Sumter, seconded by Commissioner Conley to adopt an Order calling a bond election to be held in Hays County, Texas; 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; with two propositions on that bond, the first one being "The issuance of \$172,000,000.00 of Hays County Road Bonds for County road construction and improvement, and for constructing and improving FM 1626, RR 12, and FM 110 – roadways that are subject to an existing TxDot Partnership Agreement – and for State Highway 21; and the levying of a tax in payment thereof", and the second one being "The issuance of \$30,000,000.00 of Hays County road bonds for parks, natural areas, open space, and related projects, and the preservation of water quality, aquifer recharge areas, and wildlife habitat, and the levying of a tax in payment thereof". All voting "Aye". MOTION PASSED.

Court was adjourned.

I, LINDA C. FRITSCHÉ, 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 12, 2007.



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

