



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 20<sup>th</sup> DAY OF MARCH A.D., 2007, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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

**THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Judge Sumter called the meeting to order, Nancy Marroquin - Pastor of the Dripping Springs Presbyterian Church - gave the invocation and Commissioner Conley led the Court in the Pledge of Allegiance to the Flags.

**24106 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$ 1,088,467.25 as presented by the County Auditor. All voting "Aye". MOTION PASSED

**24107 APPROVE BUDGET AMENDMENT 07-13**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Budget Amendment #07-13 as proposed by the County Auditor. All voting "Aye". MOTION PASSED

**24108 APPROVE MINUTES OF MARCH 9, 12, 13, 2007**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Minutes of March 9, 12, & 13, 2007 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**24109 APPROVAL TO HOLD ON-LINE AUCTION FOR SHERIFF'S DEPARTMENT SALVAGE VEHICLES W/RENE BATES AUCTIONEERS AND AUTHORIZE PURCHASING TO ADVERTISE**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve holding an on-line auction for Sheriff's Department salvage vehicles with Rene Bates Auctioneers and authorize Purchasing to advertise. All voting "Aye". MOTION PASSED

**24110 APPROVE THE SPECIFICATIONS TO REPLACE THE ROOF AT THE HAYS COUNTY CIVIC CENTER**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve the specifications to replace the roof a the Hays County Civic Center. All voting "Aye". MOTION PASSED

**24111 [PCT. 4 #06-4-064, 3 LOTS] SPRINGLAKE TRACT 90 - APPROVE PRELIMINARY PLAN**

[T1-55] Subdivision Coordinator Sandra Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for "Springlake Tract 90". All voting "Aye". MOTION PASSED

**24112 [PCT. 4 #06-4-10, 40 LOTS] THE VINEYARD PHASE 1 - APPROVE FINAL PLAT [T1-65]**

Subdivision Coordinator Sandra Irvin gave staff recommendation for final plat approval. Hanlon Skillman spoke in opposition to this subdivision. Special Counsel Mark Kennedy gave approval to the Letter of Credit. Commissioner Ford spoke of being in the process of revising the subdivision rules and regulations. A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve final plat of "The Vineyard Phase 1" and accept Letter of Credit for construction of road and drainage improvements. All voting "Aye". MOTION PASSED



**24113** [PCT. 4 #07-4-03, 3 LOTS] **VISTA RANCH REPLAT TRACT A – APPROVE PRELIMINARY PLAN** [T1-195]

Subdivision Coordinator Sandra Irvin gave staff recommendation for preliminary plant approval. City of Dripping Springs has already given their approval. **A motion was made by Commissioner Ford, seconded by Judge Sumter to approve preliminary plat of "Vista Ranch Replat Tract A". All voting "Aye". MOTION PASSED**

**24114** **CALL FOR A PUBLIC HEARING ON APRIL 3, 2007 TO ESTABLISH TRAFFIC REGULATIONS AND ENFORCEMENT FOR PARKING RESTRICTIONS AT THE COURTHOUSE ANNEX EMPLOYEE PARKING LOT(S)** [T1-214]

**A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to call for a public hearing on April 3, 2007 to establish traffic regulations and enforcement for parking restrictions at the courthouse annex employee parking lots. All voting "Aye". MOTION PASSED**

**24115** **CALL FOR A PUBLIC HEARING ON APRIL 3, 2007 TO ESTABLISH TRAFFIC REGULATIONS ON SAWYER RANCH ROAD, CR 164** [T1-222]

Road Supt/Engineer Jerry Borchering gave staff recommendation for 25 MPH during construction of roadway. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on April 3, 2007 to establish traffic regulations on Sawyer Ranch Road (CR164). All voting "Aye". MOTION PASSED**

**24116** **CALL FOR A PUBLIC HEARING ON APRIL 3, 2007 TO ESTABLISH TRAFFIC REGULATIONS IN CREEK ROAD RANCH SUBDIVISION, PHASE 3** [T1-235]

**A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on April 3, 2007 to establish traffic regulations in Creek Road Ranch Subdivision Phase 3. All voting "Aye". MOTION PASSED**

**24117** **HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON PAULS VALLEY ROAD** [T1-244]

Judge Sumter called the public hearing open. No public input was received and the public hearing was closed. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to establish traffic regulations of a STOP sign on Pauls Valley Road at its intersection with Fitzhugh Road. All voting "Aye". MOTION PASSED**

**24118** **AUTHORIZE THE COUNTY JUDGE TO SUBMIT GRANT RENEWAL APPLICATION FOR UP TO \$102,402 TO THE DEPARTMENT OF STATE HEALTH SERVICES FOR IMMUNIZATION SERVICES FOR FY 08** [T1-257]

Health Department Director Nick Icossipentarhos explained the grant. This is a renewal grant to continue to provide immunization services. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to submit grant renewal application for up to \$102,402 to the Department of State Health Services for immunization services for FY08. All voting "Aye". MOTION PASSED**

**24119** **AUTHORIZE THE COUNTY JUDGE TO SUBMIT GRANT APPLICATION FOR \$89,939 TO THE DEPARTMENT OF STATE HEALTH SERVICES TO IMPLEMENT THE IMMTRAC PROGRAM** [T1-296]

Health Department Director Nick Icossipentarhos explained the grant. Grant funds will be used to hire 2 employees to provide outreach, education and follow up for Hays County families of children who consent to participate in the statewide immunization registry. DSHS will provide \$89,939 which is 100% of total costs for salary, benefits, travel and supplies for the new employees. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to submit grant application for \$89,939 to the Department of State Health Services to implement the IMMTRAC Program. All voting "Aye". MOTION PASSED**



**24120 APPROVE SPECIFICATIONS FOR BID #2007-B03 PAVING & DRAINAGE IMPROVEMENTS FOR THE HAYS COUNTY JUVENILE DETENTION CENTER AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE [T1-352]**

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve specifications for Bid #2007-B03 Paving & Drainage Improvements for the Hays County Juvenile Detention Center and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

**24121 AUTHORIZE THE COUNTY JUDGE AND STAFF TO NEGOTIATE AN AGREEMENT FOR RECYCLE OF COMPUTER EQUIPMENT THAT IS NO LONGER OF VALUE OR USE TO THE COUNTY AND DISPOSE OF THE PROPERTY [T1-449]**

IT Director Jeff McGill spoke of disposal of computer equipment. A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the County Judge and staff to negotiate an agreement for pickup of computer equipment that is no longer of value or use to the County and dispose of the property. All voting "Aye". MOTION PASSED

**24122 AUTHORIZE THE COUNTY JUDGE TO SUBMIT GRANT APPLICATIONS TO NON-PROFIT AND CORPORATE FOUNDATIONS TO EXPAND THE LINKED DEPOSIT PROGRAM USING EXISTING FUNDS AS MATCH [T1-533]**

Grants Director Richard Salmon spoke. This will expand the county's Linked Deposit Program for water and energy related projects. A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize the County Judge to submit grant applications to non-profit and corporate foundations to expand the Linked Deposit Program using existing funds as match. All voting "Aye". MOTION PASSED

**24123 APPOINT A SMALL CITY REPRESENTATIVE TO CAMPO [T1-612]**

Commissioner Barton spoke of new CAMPO rules being adopted allows for a city representative (city with population less than 50,000) to be appointed by the county. He spoke of nominations that have been submitted by various cities. A motion was made by Commissioner Barton, seconded by Commissioner Conley to appoint Buda Mayor John Trube for a term to expire on December 31, 2007 as the Hays County small city representative to CAMPO. All voting "Aye". MOTION PASSED. A motion was made by Commissioner Barton, seconded by Commissioner Conley to appoint Mike Gonzales, Mayor of Kyle, as alternate small city representative to CAMPO. All voting "Aye". MOTION PASSED.

**24124 AUTHORIZE A PUBLIC MEETING REGARDING THE REFINANCING OF THE HEALTH CARE FACILITY KNOWN AS HAYS COUNTY NURSING AND REHAB CENTER, LOCATED AT 1900 MEDICAL PARKWAY, SAN MARCOS, TEXAS, BY WAY OF A BOND, THE INTEREST ON WHICH IS PROPOSED TO BE TAX-EXEMPT**

[T1-705] Nick Meindl (Jenkins & Gilchrist) explained the request and rules to be followed. Special Counsel Mark Kennedy advised that he has reviewed this and he recommends authorization for a public meeting. A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize a public meeting regarding the refinancing of the Health Care Facility known as Hays County Nursing and Rehab Center located at 1900 Medical Parkway, San Marcos, Texas, by way of a bond, the interest on which is proposed to be tax-exempt. All voting "Aye". MOTION PASSED

**24125 ADOPT A RESOLUTION SUPPORTING THE IMPLEMENTATION OF A FEE DEDICATED TO IMPROVING CIVIL COURT FACILITIES [T1-848]**

A motion was made by Commissioner Ford, seconded by Judge Sumter adopt a resolution supporting the implementation of a fee dedicated to improving civil court facilities. All voting "Aye". MOTION PASSED

**DISCUSSION REGARDING AN AGREEMENT WITH SOUTH MADRONE TRAIL WATERLINE LLP WITH REGARD TO FINANCIAL PARTICIPATION IN THE CONSTRUCTION OF A 6" WATER LINE TO SERVE RESIDENTS OF THE VILLAGE OF BEAR CREEK [T1-887]**

Commissioner Ford spoke of the proposed agreement. This would bring surface water from LCRA to the residents on South Madrone Trail in the Village of Bear Creek. Roger Kew spoke in opposition to agreement. Tony Bagwell spoke in support of this agreement. John Hudson spoke in support of this agreement. Mr. Bagwell spoke of capping wells. Dola Price spoke in support of the agreement. Charles O'Dell, President of Hays CAN, spoke in opposition to the agreement. Ivy Hjernevik spoke in opposition to this agreement. [T1-1400] Andrew Backus spoke of need for groundwater conservation districts to be able to regulate areas like this. [T1-1502] Tony Bagwell spoke of other options for the Village of Bear Creek and he spoke of meetings and workshops that have been held. Commissioner Ford suggested postponement at this time.



**PRESENTATION FROM MEMBERS OF THE HAYS COUNTY LEGISLATIVE REVIEW COMMITTEE REGARDING HB 3570, HB 3058, HB 3447, HB 3039, HB 2645, HB 2648 [T1-1871]**

Commissioner Ford provided members of the court with proposed bills being reviewed by the legislative review committee: HB 3570 pertaining to rock quarries, HB 3058 pertaining to rain water harvesting, HB 3447 giving certain counties the ability to regulate land development (county authority), HB 3039 pertaining to the prevention of discharge of treated wastewater into streams or waterways in the contributing and/or recharge zones of the Barton Edwards Aquifer, HB 2645 pertaining to scenic highway designation on numerous Hays County roads, and HB 2648 pertaining to counties' authority to regulate outdoor lighting. No action was taken.

**PRESENTATION FROM MEMBERS OF THE FIX290 CITIZEN ORGANIZATION WITH POSSIBLE ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THEIR EFFORTS FOR ALTERNATE SOLUTIONS TO THE TXDOT INTERCHANGE PLANNED AT THE HWY 290/71 INTERCHANGE IN OAK HILL [T1-2115]**

A powerpoint presentation was given by the FIX290 Citizens Organization showing an alternative solution to the TxDot interchange planned at the Hwy. 290/71 interchange in Oak Hill. Their concept would preserve Williamson Creek and would eliminate toll road. Discussion was had regarding consideration by CAMPO. [T1-2804] Hanlon Skillman and Roger Kew spoke. No action was taken.

**WORKSHOP RELATING TO ELECTION ISSUES (BOX EXPLANATION) [T1-2920]**

Election Administrator Joyce Cowan spoke of developing a program to recruit workers with the assistance of the Human Resources Department. Also with the assistance of the HR Department, they have surveyed all polling locations on requirements for ADA and will need to do some enhancements to some locations (need to have a certified person assist and review). She spoke of equipment needs – every new precinct created will require more equipment. Discussion was had regarding various bills being considered by the legislature. Joyce Cowan spoke of early voting needs and wants to know desires of the court – some legislation could assist in this: 12 hour early voting days and no excuse mail ballot request. Discussion was had regarding creation of additional precincts and clean up of other precincts. Proposes: **(a)** take Pct. 128 into Pct. 127, **(b)** take Pct. 111 into Pct. 112 – problems with Pct. 110 [leave as is], **(c)** take Pct. 232 into Pct. 230 [problems in City of Kyle and City of Buda], **(d)** bring in city annexations into the precinct they boundary provided it does not cross commissioner lines or create additional problems, **(e)** leave Pct. 315 as is or create Pct. 314 [City of San Marcos votes within Pct. 315], **(f)** create a new precinct in Commissioner Pct. 3 [Wimberley] – we have 2 cities within Pct. 335 & 337 [Woodcreek and Wimberley], **(g)** create a new precinct in Commissioner Pct. 4 [Dripping Springs] – taking some territory out of 441 and 443 – take in some territory to 449 from 441. Commissioner Barton suggested additional voting boxes in Kyle – Amberwood Subdivision (Kyle) residents have to drive to Niederwald to vote. Democratic Chairman Gloria Whitehead spoke of recommendations. Joyce Cowan requested recommendations from the court to update the maps. [T2-428] Discussion was had regarding current recommendations from the election commission. Judge Sumter suggested that each commissioner be given a map of their precinct to work on.

**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 20, 2007.**



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