



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7th DAY OF AUGUST 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
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCHÉ	COUNTY CLERK

AND THE FOLLOWING MEMBER WAS ABSENT: COMMISSIONER PCT. 3 WILL CONLEY.
THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Father Gahan, St. Stephens Episcopal Church of Wimberley, gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PUBLIC COMMENT

Brad Hagen made public comment regarding FM1626.

24496 APPROVE PAYMENT OF COUNTY INVOICES

County Auditor Bill Herzog requested the addition of an invoice in the amount of \$1500 for pest control. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$801,282.48, with the addition of a \$1500 invoice for pest control. All present voting "Aye". MOTION PASSED

24497 APPROVE BUDGET AMENDMENT 07-31

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Budget Amendment #07-31 as proposed by the County Auditor. All present voting "Aye". MOTION PASSED

24498 APPROVE COMMISSIONERS' COURT MINUTES OF JULY 31, 2007

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioners' Court Minutes of July 31, 2007 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

24499 APPROVE OUT-OF-STATE TRAVEL REQUEST FOR THE SHERIFF'S DEPARTMENT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve out-of-state travel request for the Sheriff's Department. All present voting "Aye". MOTION PASSED

24500 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON MCCARTY LANE, CR 233 [T1-181]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borcharding gave staff recommendation for 45 MPH speed limit on McCarty Lane, west of Hunter Road. A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to establish traffic regulation of 45 MPH speed limit on McCarty Lane (CR233) between Hunter Road and Siesta Verde subdivision entrance. All present voting "Aye". MOTION PASSED

24501 ACCEPTANCE OF ROAD CONSTRUCTION, DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR BUSH RANCH (AKA: LEDGESTONE) PHASE 1 SECTIONS 1 & 2 [T1-203]

Road Supt/Engineer Jerry Borcharding gave staff recommendation for acceptance of road construction and drainage improvements, release of construction bond, and acceptance of maintenance bond with stipulation that developer is to put on notice that storm water will flow into adjoining subdivision and must be addressed before maintenance bond expires. A motion was made by Commissioner Ford, seconded by Commissioner Barton to accept road construction and drainage improvements, release construction bond, and accept maintenance bond in the amount of \$653,452.97 for Bush Ranch (AKA Ledgestone) Phase 1 Sections 1 & 2. All present voting "Aye". MOTION PASSED



24502 [#06-4-026, 86 LOTS] **HIGHPOINTE PHASE III SECTION 1 – APPROVE FINAL PLAT AND ACCEPT CONSTRUCTION FISCAL SURETY** [T1-245]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve final plat and accept construction fiscal surety for “Highpointe Phase III Section 1”. All present voting “Aye”. MOTION PASSED

24503 **APPROVE RENEWAL OF THE TITLE V (FIVE) MATERNAL AND CHILD PRENATAL SERVICES CONTRACT BETWEEN HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE ANNUAL AMOUNT OF \$60,142.00** [T1-304]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve renewal of the Title V Maternal and Child Prenatal Services contract between Hays County Personal Health Department and the Texas Department of State Health Services for the annual amount of \$60,142.00. All present voting “Aye”. MOTION PASSED

24504 **APPOINT A REPRESENTATIVE FROM A SMALL HAYS COUNTY CITY TO THE CAMPO BOARD** [T1-356]

A motion was made by Judge Sumter, seconded by Commissioner Barton to appoint Kyle Mayor Mike Gonzales from a small Hays County City to the CAMPO Board. All present voting “Aye”. MOTION PASSED

24505 **AUTHORIZE THE COUNTY JUDGE TO ENTER INTO CONTRACTS TO LEASE FACILITIES COSTING UP TO \$100 PER DAY FOR ANNUAL OPEN ENROLLMENT MEETINGS FOR HAYS COUNTY EMPLOYEES** [T1-388]

Leased facilities that will be used for annual open enrollment insurance meetings will be the VFW between Wimberley and Drippings Springs and the Dunbar Center in San Marcos. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the County Judge to enter into contracts to lease facilities costing up to \$100 per day for annual open enrollment meetings for Hays County Employees. All present voting “Aye”. MOTION PASSED

24506 **AUTHORIZE COUNTY JUDGE TO NEGOTIATE A CONTRACT FOR SERVICES WITH JOSEPH LESSARD TO PROVIDE ECONOMIC/FINANCIAL ANALYSIS SERVICES FOR HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN** [T1-408]

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to authorize the County Judge to negotiate a contract for services with Joseph Lessard to provide economic/financial analysis services for Hays County Regional Habitat Conservation Plan. All present voting “Aye”. MOTION PASSED

24507 **ACCEPT MEMBERS OF THE BIOLOGICAL ADVISORY TEAM (BAT) FOR THE REGIONAL HABITAT CONSERVATION PLAN** [T1-440]

A motion was made by Commissioner Ford, seconded by Judge Sumter to accept Craig Farqua (*Texas Parks & Wildlife Dept.*), Lee Elliott (*The Nature Conservancy*), Randy Gibson (*USFWS Hatchery*), Cal Newnam (*TxDOT*), Terri Siegenthaler (*Shield Ranch*), and Gary Stevens (*USDA Natural Resources Conservation Service*) as members of the Biological Advisory Team (BAT) for the Regional Habitat Conservation Plan, knowing that additional members may be forthcoming. All voting “Aye”. MOTION PASSED

PRESENTATION BY REPRESENTATIVES OF 2428 PARTNERS ABOUT THE SUNFIELD DEVELOPMENT IN PRECINCT 2 [T1-485]

Steve Bartlett (Steve Bartlett Company) provided information regarding “Sunfield”, a master planned community being developed east of Buda. The project will be the size of a small city: more than 7,400 lots are currently planned on about 2,800 acres which would add approximately 20,000 people to the area. Substantial retail and workforce employment centers are planned and sites for two elementary schools and a middle school are planned within the development. A Fire/EMS station site is to be donated by the developers. Water and wastewater service will come from a series of MUDs. Mr. Bartlett spoke of anticipated new roads, road upgrades and re-alignments. Buda Economic Development Director Warren Kettelman spoke of economic impact from this development. Mr. Bartlett spoke of public and private parks planned for the development. Road Supt/Engineer Jerry Borcharding wanted the developer to know that anything regarding drainage, roads, etc. that is submitted to the City of Buda should also be submitted to the County.



DISCUSSION REGARDING COMMUNICATION EQUIPMENT SPACE LEASE THAT ALLOWS THE INSTALLATION AND MAINTENANCE OF COMMUNICATIONS EQUIPMENT ON TOP OF THE HAYS COUNTY ANNEX BUILDING AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE SAME

[T1-991] Special Counsel Mark Kennedy spoke of previous lease that has expired and he explained the new lease. Commissioner Barton and Information Technology Director Jeff Magill spoke of their concerns. No action was taken this date.

Clerk's Note: Agenda Item #15 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF UHLAND, TEXAS FOR THE ONGOING MAINTENANCE, REPAIR AND/OR UPGRADE OF ROADWAYS WITHIN THE INCORPORATED LIMITS OF THE CITY OF UHLAND was PULLED. No discussion and no action taken.

24508 AUTHORIZE THE COUNTY AUDITOR OR THE ASSISTANT COUNTY AUDITOR TO SIGN NEW CUSTOMER ACCOUNT FORMS AND CONTRACTS FOR NEW VENDOR ACCOUNTS AS THEY ARE NEEDED AND TO RATIFY THE EXECUTION OF ANY NEW CUSTOMER ACCOUNT FORMS AND CONTRACTS THAT MAY HAVE BEEN SIGNED BY THE COUNTY AUDITOR OR THE ASSISTANT COUNTY AUDITOR PRIOR TO THIS DATE [T1-1291]

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the County Auditor or the Assistant County Auditor to sign new customer account forms and contracts for new vendor accounts as they are needed and to ratify the execution of any new customer account forms and contracts that may have been signed by the County Auditor or the Assistant County Auditor prior to this date. All present voting "Aye". MOTION PASSED

24509 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT FOR THE LEASE OF COUNTY PROPERTY FOR LANDSCAPING, DECORATIVE FENCING AND DECORATIVE FENCING COLUMNS [T1-1332]

Special Counsel Mark Kennedy explained the agreement. A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to execute an interlocal agreement with Dripping Springs Independent School District for the lease of county property for landscaping, decorative fencing, and decorative fencing columns. All present voting "Aye". MOTION PASSED

24510 APPROVE CIGNA'S PROPOSAL FOR 2007-2008 AND NEW RATE PLAN FOR MEDICAL AND DENTAL BENEFITS AS RECOMMENDED BY THE INSURANCE COMMITTEE AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE RENEWAL WITH THE CIGNA AS THE RENEWAL DATES APPROACH [T1-1408]

Human Resources Director Dee Dee Baen spoke of insurance committee's recommendation. No rate increase for employee. She spoke of cost management: (1) Personal Health Solutions + Medical Management, (2) Pharmacy Plus, and (3) Behavioral Health Advantage. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Cigna's proposal for 2007-2008 and new rate plan for medical and dental benefits as recommended by the insurance committee and to authorize the County Judge to execute the renewal contract with Cigna as the renewal dates approach and authorize the County Judge to execute same. All present voting "Aye". MOTION PASSED

Court convened into closed executive session to **DISCUSS AND CONDUCT DEPARTMENT HEAD EVALUATIONS IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE** and an **EXECUTIVE SESSION UNDER 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING LITIGATION BETWEEN HAYS COUNTY AND THK PROPERTIES, LLC.** Upon completion of executive session the court adjourned the meeting.

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 AUGUST 7, 2007.



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