



STATE OF TEXAS *

COUNTY OF HAYS *

ON THIS THE 25TH DAY OF SEPTEMBER 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

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Dennis Spire, Calvary Baptist Church of San Marcos, gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

PRESENTATION REGARDING PROGRESS OF THE WONDER WORLD EXTENSION PROJECT

San Marcos Asst. City Manager Laurie Anderson gave an update on the Wonder World Extension Project. The project begins at the railroad overpass on Wonder World Drive and extends from FM3407 to RR12 (just south of the Baptist Academy) – the road will have limited access. Construction should begin in the first quarter of 2008 with a two year construction period (completion by 2010). Mayor Susan Narvaiz spoke.

PRESENTATION AND UPDATE ON STATE HIGHWAY PROJECTS AS THEY PERTAIN TO THE PASS THROUGH FINANCING AGREEMENT [T1-174]

Commissioner Ingalsbe spoke of working with the City of San Marcos regarding FM110. Commissioner Barton spoke of FM1626. Commissioner Conley spoke of Ranch Road 12 project. Warren Ketteman, Buda Economic Development Corp., spoke of growth in the Buda area and urged the court to move forward with agreement. T. J. Higginbotham spoke of need for improvements to RM 967, FM1626, FM110, and RR12. Robert Kidnew, President of Texas Lehigh Cement Company, spoke in support of the pass through financing agreement to address safety issues on FM1626. Richard Schneider, Executive Director of Buda Area Chamber of Commerce, spoke in support of FM1626 improvements. Curtis Hopkins spoke in support of FM1626 improvements. David Sweet, Pastor of the Hays Hills Baptist Church, spoke in support of FM1626 improvements. Brad Hagen spoke in support of improvements to FM1626 and RM967. Peter French, Plum Creek Development, spoke in support of the pass through financing agreement. Terry Ferguson spoke in support of the pass through financing agreement. Dennis Ivey spoke of safety issues.

PUBLIC COMMENT

[T1-703] Ollie Giles spoke regarding conditions at the San Marcos Blanco Cemetery. Joe Doug Griffin spoke in support of pass through financing agreement. Brad Hagen spoke in support of pass through financing agreement.

24614 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payments of county invoices in the amount of \$550,447.23 as presented by the County Auditor. All voting "Aye". MOTION PASSED.

24615 APPROVE BUDGET AMENDMENT 07-37

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Budget Amendment #07-37 as proposed by the County Auditor. All voting "Aye". MOTION PASSED.

24616 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 18,2007

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioners' Court Minutes of September 18, 2007 as presented by the County Clerk. All voting "Aye". MOTION PASSED.



24617 APPROVE RESOLUTION AUTHORIZING THE COUNTY JUDGE TO SUBMIT A GRANT APPLICATION TO THE TEXAS JUDICIAL COUNCIL - TASK FORCE ON INDIGENT DEFENSE FOR \$63,140.00

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Resolution authorizing the County Judge to submit a grant application to the Texas Judicial Council – Task Force on Indigent Defense for \$63,140.00. All voting “Aye”. MOTION PASSED.

24618 APPROVE AWARD OF BID #2007-B08 BRUSH CUTTING & OTHER SERVICES FOR HAYS COUNTY ROAD DEPARTMENT TO ASPLUNDH

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve award of Bid #2007-B08 Brush Cutting and other services for Hays County Road Department to Asplundh. All voting “Aye”. MOTION PASSED.

24619 APPROVE APPOINTMENT OF MYRON YOSHIOKA TO THE HAYS COUNTY ESD #5 BOARD OF DIRECTORS (FIRE AND RESCUE: HENLY, N. HAYS, DRIFTWOOD), FOLLOWING THE RESIGNATION OF NEIL FOX

Note: ESD#5 will become ESD#6 on October 1, 2007 as approved by Commissioners' Court on May 29, 2007. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve appointment of Myron Yoshioka to the Hays County ESD #5 Board of Directors (fire and rescue: Henly, North Hays, Driftwood) following the resignation of Neil Fox. All voting “Aye”. MOTION PASSED.**

24620 PUBLIC HEARING WITH ACTION TO ESTABLISH TRAFFIC REGULATIONS (SPEED LIMIT) ON CENTER POINT ROAD FROM I-35 TO OLD BASTROP HWY [T1-885]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Road Supt/Engineer Jerry Borchering gave staff recommendation to increase speed limit from 40MPH to 45MPH. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to establish traffic regulation of 45MPH speed limit on Center Point Road from I-35 to Old Bastrop Highway. All voting “Aye”. MOTION PASSED.**

24621 ACTION TO COMMIT FUNDS TOWARD THE DEVELOPMENT OF A HAYS COUNTY GREENPRINT FOR GROWTH AS PRACTICED AND PROVIDED BY ENVISION CENTRAL TEXAS IN PARTNERSHIP WITH THE TRUST FOR PUBLIC LANDS

[T1-1027] Commissioner Ford spoke of regional planning by Envision Central Texas and recommendation to fund \$50,000. Diane Miller (Envision Central Texas) spoke in support of greenprint to address growth. Wendy Scapevotta, Travis County Planning Program Executive Director, spoke of information provided by the Trust for Public Lands. Pete Dwyer, Real Estate Developer and Envision Central Texas board member, spoke of need for funding to create a database that will be based in CAPCOG. [T1-1425] Hays County GIS Manager Steve Floyd spoke of need for a parcel map of the county. **A motion was made by Commissioner Ford, seconded by Judge Sumter to commit \$50,000.00 from Parks & Open Space Bond Funds toward the development of a Hays County Greenprint for growth as practiced and provided by Envision Central Texas in partnership with the Trust for Public Lands. All voting “Aye”. MOTION PASSED.**

DISCUSSION REGARDING POSSIBLE GUIDELINES FOR THE CITIZEN PARKS ADVISORY TEAM ON A CATEGORICAL DIVISION OF \$30 MILLION BOND FUNDS [T1-1708]

Curt Busk, CPAT Chair, spoke of meetings held. John Sanford, member of CPAT, spoke of the committee. Commissioner Ford suggested categories and amounts for discussion: \$3-5 million for development of existing parks, natural areas or other qualifying projects; \$7-10 million for water quality, aquifer recharge area, and wildlife habitat; and \$15-17 million for land acquisition and development. It is acknowledged that one project may qualify in two categories. No action was taken this date.

CONSIDER GRANTING A WAIVER TO THE HAYS COUNTY VACATION TIME POLICY TO ALLOW 53.75 HOURS FOR THOMAS CRUZ AND 56 HOURS FOR DANIEL VILLEGAS IN THE MAINTENANCE DEPARTMENT TO CARRY OVER FROM SEPTEMBER 30, 2007 TO DECEMBER 31, 2007 [T1-905]

A brief discussion was had regarding request to waive vacation time policy for employees in the building maintenance department. Court decided to convene into closed execution session to discuss this matter. Upon completion of closed session the County Judge advised that no action will be taken.



Court convened into closed executive session at 11:10 a.m. and reconvened into open meeting at 12:35 p.m. Commissioner Barton was not present for remainder of the meeting.

24622 EXECUTIVE SESSION PURSUANT TO 551.074 OF THE TEXAS GOVERNMENT CODE TO INTERVIEW FOR DIRECTOR OF RESOURCE PROTECTION, TRANSPORTATION AND PLANNING WITH ACTION [T1-2168]

A motion was made by Judge Sumter, seconded by Commissioner Ford to consolidate Environmental Health and the Transportation (Road) Departments forming the Resource Protection, Transportation and Planning Department, and furthermore, hire Jerry Borcharding as Director of Resource Protection, Transportation and Planning Department. All present voting "Aye". MOTION PASSED. Clerk's note: Commissioner Barton requested (in writing) that the minutes reflect his support of this action

24623 AUTHORIZE THE PURCHASE OF A PORTABLE STORAGE BUILDING FOR THE HAYS COUNTY JUVENILE CENTER [T1-2189]

A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the purchase of a portable storage building for the Hays County Juvenile Center. All present voting "Aye". MOTION PASSED.

24624 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A FREQUENCY RECONFIGURATION AGREEMENT WITH NEXTEL OF TEXAS, INC. [T1-2227]

A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the County Judge to execute a frequency reconfiguration agreement with Nextel of Texas, Inc. All present voting "Aye". MOTION PASSED.

24625 WAIVE SEPTIC FEES FOR THE REAL LIFE CHURCH ON OLD BASTROP HIGHWAY

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to waive the septic fees for the Real Life Church on Old Bastrop Highway. All present voting "Aye". MOTION PASSED.

Clerk's Note: Agenda Item #15 RE: AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COMMERCIAL LEASE FOR PRECINCT 2 OFFICES TO BE LOCATED AT 111 N. FRONT STREET, KYLE, TEXAS was PULLED. No discussion and no action taken.

24626 AUTHORIZE THE COUNTY JUDGE TO ACCEPT \$30,000 GRANT FROM EDWARDS AQUIFER AUTHORITY TO EXPAND INTEREST REBATES OF THE COUNTY LINKED DEPOSIT PROGRAM AND TO EXECUTE CONTRACT [T1-2287]

This is for rainwater harvesting systems constructed on private lands to conserve Edwards Aquifer water within Hays County. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the County Judge to accept \$30,000 grant from Edwards Aquifer Authority to expand interest rebates of the County Linked Deposit Program and to execute contract. All present voting "Aye". MOTION PASSED.**

24627 ACCEPT THE BIOTERRORISM PREPAREDNESS CONTRACT FROM DSHS FOR \$106,956.00, COVERING THE FIRST FIFTY PERCENT OF THE ANNUAL AMOUNT FOR THE PERIOD 9/1/2007 TO 2/29/2008 [T1-2366]

Special Counsel Mark Kennedy advised that a revised contract will be forthcoming to change the name of the contractor to "Hays County" from "Hays County Health Dept.". **A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to accept the Bioterrorism Preparedness Contract from DSHS for \$106,956.00 covering the first fifty percent (50%) of the annual amount for the period 9/1/07 to 2/29/08. All present voting "Aye". MOTION PASSED.**

Clerk Note: WORKSHOP REGARDING SPECIAL DISTRICTS (MUD'S, SUD'S ETC.).PRESENTED BY TOM FORREST was PULLED.

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 SEPTEMBER 25, 2007.



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