



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 20th DAY OF NOVEMBER 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:

Bishop Nathan Curritt, Church of Jesus Christ of Latter Day Saints, gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the flags. Judge Sumter called the meeting to order.

24767 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$452,975.93 as presented by the County Auditor. All voting "Aye". MOTION PASSED.

24768 APPROVE COMMISSIONER COURT MINUTES OF NOVEMBER 13, 2007

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve the Commissioners' Court Minutes of November 13, 2007 as presented by the County Clerk. All voting "Aye". MOTION PASSED.

24769 APPROVE INSTITUTIONAL OSSF PERMIT FOR VANGUARD TRUCK CENTER OF AUSTIN AT 18001 IH 35 NORTH BUDA IN PRECINCT 2

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve Institutional OSSF Permit for Vanguard Truck Center of Austin at 18001 IH35 North Buda in Precinct. 2. All voting "Aye". MOTION PASSED.

24770 AUTHORIZE THE COUNTY JUDGE TO REQUEST DE-OBLIGATION OF CJD FUNDED GRANT #DJ-05-A10-18768-01 ENTITLED, COPSYNC INTEROPERABILITY PILOT PROJECT

A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to request de-obligation of CJD funded grant #DJ-05-A10-18768-01 entitled "COPSYNC Interoperability Pilot Project. All voting "Aye". MOTION PASSED.

24771 APPROVE JUNE 2007 AND JULY 2007 TREASURER'S REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve June 2007 and July 2007 Treasurer's Report and Investment Report. All voting "Aye". MOTION PASSED.

24772 AUTHORIZE THE COUNTY JUDGE TO WITHDRAW GRANT APPLICATION TO CJD ENTITLED, LAW ENFORCEMENT CAPACITY BUILDING PROJECT FOR \$53,685

A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to withdraw grant application to CJD Entitled Law Enforcement Capacity Building Project for \$53,685.00. All voting "Aye". MOTION PASSED.

24773 CALL FOR A PUBLIC HEARING ON DECEMBER 4, 2007 TO ESTABLISH SPEED LIMIT OF 25 MPH ON BREED ROAD [T1-41]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on December 4, 2007 to establish speed limit of 25 MPH on Breed Road. All voting "Aye". MOTION PASSED.



24774 [#05-4-11, 2 LOTS, PCT 4] ROLLING OAKS SECTION 3 RESUBDIVISION OF LOT 10 – PUBLIC HEARING AND APPROVE FINAL PLAT [T1-49]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Subdivision Coordinator Sandy Irvin gave staff recommendation to approval final plat. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve final plat of “Rolling Oaks Section 3 Resubdivision of Lot 10”. All voting “Aye”. MOTION PASSED.**

24775 [#07-3-059, 10 LOTS, PCT 3] MOUNT OLIVE RANCH SUBDIVISION – APPROVE PRELIMINARY PLAN [T1-62]

Subdivision Coordinator Sandy Irvin gave staff recommendation to approval preliminary plan. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve preliminary plan of “Mount Olive Ranch Subdivision”. All voting “Aye”. MOTION PASSED.**

24776 [#07-4-55, 2 LOTS, PCT 4] – BERDOLL SUBDIVISION – APPROVE PRELIMINARY PLAN

[T1-77] Subdivision Coordinator Sandy Irvin gave staff recommendation to approval final plan. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for “Berdoll Subdivision”. All voting “Aye”. MOTION PASSED.**

24777 AUTHORIZE FUNDING TO ALLOW SPECIAL COUNSEL TO ATTEND THE 2007 TEXAS LAW INSTITUTE IN AUSTIN [T1-92]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize funding, out of contingencies, to allow Special Counsel to attend the 2007 Texas Law Institute in Austin. All voting “Aye”. MOTION PASSED.

CONSIDER EARMARKING PARK BOND MONEY FOR PROJECTS ON THE EAST SIDE OF IH35

[T1-152] Judge Sumter spoke of need to earmark funds for east side of IH35 – she suggested at least \$2 million, but not limited to that amount. Commissioner Barton spoke of need to identify potential projects. Discussion was had regarding increasing the amount of \$5 million. **A motion was made by Judge Sumter, seconded by Commissioner Ford to earmark Two Million Dollars of Park Bond money for projects on the East side of IH35. Motion was WITHDRAWN.**

24778 DISCUSSION REGARDING ESTABLISHMENT OF GUIDELINES FOR COURT MEMBER INTERACTION WITH VARIOUS CITIZEN COMMITTEES AND ACTION REGARDING MONTHLY REPORTING [T1-528]

Commissioner Ford spoke of involvement and interaction by members of the court with various citizen committees. Discussion was had regarding the process being followed. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to request Richard Salmon and Jerry Borcharding to provide monthly reports to the court regarding their respective committees. All voting “Aye”. MOTION PASSED.**

24779 CALL FOR A PUBLIC HEARING ON TAXATION ON PERSONAL PROPERTY IN TRANSIT [T1-1333]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to call for a public hearing on December 11, 2007 regarding taxation on personal property in transit. All voting “Aye”. MOTION PASSED.

24780 ACTION TO HIRE A CONSULTANT WITH EXPERIENCE IN PARKS AND OPEN SPACE DEVELOPMENT AND/OR LAND ACQUISITION NOT ONLY TO SUPPORT CPAT AND STAFF BUT TO ASSIST IN LEGALLY VETTING PROJECTS FOR THE COURT AND DISCUSSION REGARDING PROCEDURAL GUIDANCE TO CITIZENS PARKS ADVISORY TEAM FOR ACCEPTING, REVIEWING AND RECOMMENDING PROJECTS FOR FUNDING TO THE COMMISSIONERS COURT [T1-1463]

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize Commissioner Ford and Commissioner Barton to work with the Purchasing Department to develop an RFP for a consultant or consulting team to provide experience and guidance for the CPAT, staff and the court for a fee not to exceed \$25,000.00 for the first year, contingent on bond counsel approval of this use of funds. All voting “Aye”. MOTION PASSED. [T1-2386] Discussion was had regarding procedures currently being followed.



24781 ALLOCATE FUNDS TO THE CITIZENS PARKS ADVISORY TEAM (CPAT) FOR EXPENDITURES RELATED TO ADMINISTRATION AND OPERATIONS FOR ONE YEAR [T1-2786]

A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to allocate \$10,000 to the Citizens Parks Advisory Team (CPAT) for expenditures related to administration and operations out of park bond funds contingent on approval by Bond Counsel or out of contingencies. All voting "Aye". MOTION PASSED.

24782 AUTHORIZE COUNTY JUDGE TO SUBMIT \$8,730 GRANT APPLICATION TO THE LCRA COMMUNITY DEVELOPMENT PARTNERSHIP PROGRAM (CDPP) TO PURCHASE WATER RESCUE EQUIPMENT AND TRAIN 90 PATROL AND TRAFFIC DEPUTIES [T1-3002]

A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the County Judge to submit \$8,730 grant application to the LCRA Community Development Partnership Program (CDPP) to purchase water rescue equipment and train 90 patrol and traffic deputies. All voting "Aye". MOTION PASSED.

24783 ADOPT A RESOLUTION IN SUPPORT OF COMMUNICARE HEALTH CENTERS IN THEIR PURSUIT OF FUNDING AND A HAYS COUNTY CONSORTIUM FOR A FEDERALLY QUALIFIED HEALTH CENTER IN HAYS COUNTY [T1-3085]

Bobbie Rider (National Center for farmworker health) and Debra Thompson, CEO for Communicare, spoke. CTMC has offered a location in San Marcos and discussion was had regarding a location in the Kyle area (2 possibilities). [T2-642] **A motion was made by Commissioner Barton, seconded by Judge Sumter to adopt resolution in support of Communicare Health Centers in their pursuit of funding and a Hays County Consortium for a Federal Qualified Health Center (FQHC) in Hays County; with addition of the following paragraph: "further be it resolved that the Hays County Commissioners' Court hereby commits to provide the use of real property on FM150 in Kyle, Texas, or other property to be mutually agreed upon, for use of Communicare Health Centers to operate a FQHC". All voting "Aye". MOTION PASSED.**

24784 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A TEXAS WATER DEVELOPMENT BOARD, RESEARCH AND PLANNING FUND GRANT [T2-2156]

A motion was made by Judge Sumter, seconded by Commissioner Ford to authorize the County Judge to submit a Texas Water Development Board Research and Planning Fund Grant. All voting "Aye". MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTION 551.072 & 551.071 OF THE TEXAS GOVERNMENT CODE, TO RECEIVE ADVICE FROM COUNSEL AND DISCUSS MATTERS RELATED TO PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IN HAYS COUNTY FOR PARKS, OPEN SPACE AND WATER QUALITY PROTECTION IN HAYS COUNTY [T2-2106]

A powerpoint presentation was given regarding Dahlstrom Ranch on Onion Creek by David Braun (Braun & Associates). Kirk Holland, General Manager for the Barton Springs Edwards Aquifer Conservation District spoke. Joe Berry Geologist/Hydrologist with BSEACD spoke of the features on the property. David Braun spoke of terms for a conservation easement, price and terms for the property and he spoke of public access. George Coffey, Executive Director of the Hill Country Conservancy, spoke. Court convened into closed executive session at 2:30 p.m. and reconvened into open meeting at 4:55 p.m. No action was taken in open court. This will come back to the Commissioners Court on December 4, 2007.

24785 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT COD, RELATED TO PENDING LITIGATION BETWEEN HAYS COUNTY AND ROSA QUINTANILLA WITH ACTION IN OPEN COURT [T2-2106]

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the county Judge to execute a settlement agreement between Hays County and Rosa Quintanilla, agreeing to pay Rosa Quintanilla a total of \$500 to settle her claim against Hays County. Judge Sumter stated that the settlement amount saves the county a lot more in legal fees than the total amount paid and the settlement is not an admission of guilt or wrong doing by the county, any county official, or employees. All voting "Aye". MOTION PASSED.

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 NOVEMBER 20, 2007.



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

