



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 19th DAY OF FEBRUARY A.D., 2008, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LINDA C. FRITSCHÉ	COUNTY CLERK

WITH THE FOLLOWING MEMBER ABSENT: COMMISSIONER PRECINCT 1 DEBBIE GONZALES INGALSBE; AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Barton asked for a moment of silence/prayer and Commissioner Ford led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

24984 ADOPT A PROCLAMATION RECOGNIZING THE WEEK OF FEBRUARY 25-29, 2008 AS "SPAY DAY USA" IN HAYS COUNTY

A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt a Proclamation recognizing the week of February 25-29, 2008 as "Spay Day USA" in Hays County. All present voting "Aye". MOTION PASSED

PUBLIC COMMENT

Charles O'Dell, President of Hays CAN, made public comment regarding bond funds used for The Village of San Marcos project. Lila Knight made public comment regarding the Martinez septic system permit.

24985 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve payment of county invoices in the amount of \$692,695.46 as presented by the County Auditor. All voting "Aye". MOTION PASSED

24986 APPROVE OUT OF STATE TRAVEL – SHERIFF'S OFFICE

This request is for a Sheriff's Detective to attend the Annual National Narcotics Detector Dog Association Training in Jackson Mississippi to be paid out of currently budgeted training funds. A motion was made by Commissioner Barton, seconded by Judge Sumter to approve out-of-state travel for the Sheriff's office. All voting "Aye". MOTION PASSED

24987 APPROVE CHANGE ORDER #1 FOR THE PROJECT AT THE HAYS COUNTY JUVENILE DETENTION CENTER IN THE AMOUNT OF \$3,600.00

This change order is to remove the obstacle course and re-grade the area – sufficient funds are available in the budget. A motion was made by Commissioner Barton, seconded by Judge Sumter to approve Change Order #1 for the project at the Hays County Juvenile Detention Center in the amount of \$3,600.00. All voting "Aye". MOTION PASSED

24988 APPROVE SPECIFICATIONS FOR RFQ #2008-P08 "ARCHITECTURAL SERVICES FOR HAYS COUNTY LAW ENFORCEMENT CENTER EXPANSION AND RENOVATIONS" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Barton, seconded by Judge Sumter to approve specifications for RFQ#2008-P08 "Architectural Services for Hays County Law Enforcement Center Expansion and Renovations" and authorize Purchasing to solicit for proposal and advertise. All voting "Aye". MOTION PASSED

24989 APPROVE RESOLUTION AUTHORIZE COUNTY JUDGE TO SUBMIT GRANT APPLICATION TO THE OFFICE OF GOVERNOR – DISCRETIONARY JUSTICE ASSISTANCE GRANT PROGRAM FOR UP TO \$14,950.00

This grant will allow the Sheriff's office to efficiently and accurately capture and plot items of evidence at felony crime scenes and traffic investigations in the purchase of a "total station" crime/accident scene surveying equipment currently used by the Texas Department of Public Safety. A motion was made by Commissioner Barton, seconded by Judge Sumter to approve Resolution authorizing the County Judge to submit a grant application to the Office of Governor – Discretionary Justice Grant Program for up to \$14,950.00. All voting "Aye". MOTION PASSED

**24990 APPROVE COMMISSIONER COURT MINUTES OF FEBRUARY 12, 2008**

Commissioner Barton requested amendment to item #24975 (change word "would" to "may" on seventh line from the bottom of the page and County Clerk Linda Fritsche advised that amendment has been made to item #24982 to reflect the executive session that was held. Charles O'Dell made public comment regarding amendment to the minutes. **A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioners Court Minutes of February 12, 2008 with amendments requested. All present voting "Aye". MOTION PASSED.**

24991 APPROVE TO ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORT FOR THE HAYS COUNTY CIVIC CENTER

A motion was made by Commissioner Conley, seconded by Commissioner Barton to approve and accept the delivery of the internal examination report for the Hays County Civic Center. All present voting "Aye". MOTION PASSED.

24992 ACCEPT CONSTRUCTION FOR THE PRESERVE AT LA VENTANA SECTION 2 [T1-450]

RPTP Director Jerry Borcharding gave staff recommendation for acceptance of construction – the roads are private. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to accept construction for the "Preserve at La Ventana Section 2" subdivision. All present voting "Aye". MOTION PASSED**

24993 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN BELTERRA SUBDIVISION PHASE 4, SECTION 1 [T1-503]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for traffic regulations. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to establish traffic regulations of a STOP sign on Belterra Drive at Sawyer Ranch Road, a 3-Way STOP at Belterra Drive and Estes Drive, and a speed limit if 30 MPH in Belterra Subdivision Phase 4 Section 1. All present voting "Aye". MOTION PASSED**

24994 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON HUGO ROAD/CR 214 [T1-518]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. RPTP Director Jerry Borcharding gave staff recommendation for traffic regulations. **A motion was made by Commissioner Conley, seconded by Judge Sumter to establish traffic regulations of a speed limit of 35 MPH for a ¼ mile section centered on the third crossing of Sink Creek (3rd crossing from Ranch Road 12) on Hugo Road/CR214. All present voting "Aye". MOTION PASSED**

24995 PUBLIC HEARING TO CONSIDER (1) THE PROPOSED IMPROVEMENTS TO OAK BRANCH DRIVE WITHIN THE OAK RUN WEST SUBDIVISION IN HAYS COUNTY TO CAUSE THE ROADWAY TO COMPLY WITH HAYS COUNTY ROAD STANDARDS, AND (2) THE ASSESSMENT OF ALL OR PART OF THE COSTS OF THE IMPROVEMENT PRO RATA, AGAINST THE RECORD OWNERS OF THE REAL PROPERTY OF THE OAK RUN WEST SUBDIVISION AND ACTION [T1-543]

Judge Sumter declared the public hearing open. No public input was received and the public hearing was closed. Keith Conner and Orlando Baños made public comment in support of improvements. Commissioner Ford spoke of assessment for improvements. Special Counsel Mark Kennedy spoke of ballot language. Commissioner Conley spoke of private financing for improvements. Orlando Baños spoke of HOA being unable to obtain private financing – their fees go strictly to road repairs. Discussion was had regarding lots that are all or partly in Travis County. Commissioner Barton spoke of need for an interlocal agreement with Travis County. **A motion was made by Commissioner Ford, seconded by Judge Sumter that the improvements to Oak Ranch Drive are necessary for health and safety and welfare of residents of Hays County and to Order an election by mail out ballots to lot owner in Oak Run West Subdivision and that if the majority of those residents vote to go forward with improvements proposed that Hays County proceed under Chapter 253 to make those improvements and instruct Special Counsel and Jerry Borcharding to work with Travis County for an Interlocal Agreement to accept and maintain a portion of the roadway that might be in Travis County. Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED**

24996 ACCEPT OLD RED RANCH ROAD (1.5 MILE) INTO THE COUNTY ROAD MAINTENANCE SYSTEM [T1-1497]

Commissioner Ford advised that the road has been brought up to county standards. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to accept Old Red Ranch Road (1.5 miles) into the county road maintenance system. All present voting "Aye". MOTION PASSED**



24997 [#08-4-04, 2 LOTS] **CHRISTAL MOUNTAIN SUBDIVISION – APPROVE PRELIMINARY PLAN AND GRANT VARIANCE FOR SHARED ACCESS DRIVE LENGTH** [T1-1535]

Subdivision Coordinator Sandy Irvin gave staff recommendation for approval. The variance is for the shared access driveway length which is 483 feet longer than what county rules allow. RTP Director Jerry Borcharding spoke of this being a 60 foot SAD which could eventually be established as a roadway. Erin Banks spoke of property division. **A motion was made by Commissioner Ford, seconded by Judge Sumter to approve preliminary plan for “Christal Mountain Subdivision” and grant a variance to the shared access drive length. All present voting “Aye”. MOTION PASSED**

24998 **APPROVE BUDGET AMENDMENT 08-08** [T1-1624]

Kate Johnson (HCHC Chair) spoke of need for continuing education in the Historical Commission budget. **A motion was made by Judge Sumter, seconded by Commissioner Barton to approve Budget Amendment #08-08. All present voting “Aye”. MOTION PASSED**

Clerk’s Note: Agenda Item #15 RE: LIFT THE BURN BAN AND LOCAL DISASTER DECLARATION was PULLED.

24999 **ADVERTISE FOR AN RFQ FOR DESIGN OF A BRIDGE OVER WILSON CREEK ON GREEN ACRES ROAD NEAR WIMBERLEY, TEXAS** [T1-1690]

RTP Director Jerry Borcharding spoke of need for bridge replacement over Wilson Creek on Green Acres Road. **A motion was made by Commissioner Conley, seconded by Commissioner Barton to advertise for an RFQ for design of a bridge over Wilson Creek on Green Acres Road near Wimberley, Texas. All present voting “Aye”. MOTION PASSED**

25000 **ACTION TO PROMOTE AND FUND (WHOLE OR PART) PARTICIPATION IN CENTRAL TEXAS MEDICAL CENTER’S HEALTHCHECK 2008** [T1-1795]

Fee has increased from \$25 to \$30 per person - \$5 to be paid by employee – additional testing fee of \$15 for PSA and \$15 for thyroid hormone tests will be available to the employee. **A motion was made by Judge Sumter, seconded by Commissioner Barton to fund \$25 per employee – with employee contributing \$5 – for participation in Central Texas Medical Center’s Healthcheck 2008. All present voting “Aye”. MOTION PASSED**

25001 **APPROVE SPONSORING THE AQUARENA EARTHDAY CELEBRATION ON APRIL 20, 2008** [T1-1890]

A motion was made by Judge Sumter, seconded by Commissioner Conley to approve sponsoring the Aquarena Earthday Celebration on April 20, 2008 in the amount of \$500 out of contingency funds. All present voting “Aye”. MOTION PASSED

DISCUSSION REGARDOMG A CONTRACT WITH BARECKY CONSTRUCTION CO. TO BEGIN CONSTRUCTION OF THE NEW PCT. 4 BUILDING [T1-1942]

Commissioner Ford gave history of this project and provided drawings of the building (6,040 sf) and site location. Estimated cost is \$1.6 million for the project. She spoke of rainwater collection system that has been added for irrigation and makeup water for septic system. Commissioner Ford spoke of native plantings for landscape and wastewater system (sand filtering). Discussion was had regarding cost per square foot and maintenance of specialized systems. Special Counsel Mark Kennedy spoke of need for more documents referred to in Sections 9.1.4 & 9.1.5 of the contract. No action taken this date.

WORKSHOP: HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT PRESENTATION ON THEIR 2008 BUDGET, SPENDING PRIORITIES AND GOALS FOR THE NEXT 12 MONTHS, AND POSSIBLY BEYOND [T2-157]

Andrew Backus (Hays Trinity Groundwater Conservation District Board President) gave a powerpoint presentation on use of funds allocated by Hays County for Fiscal 2008. He spoke of the districts funding dilemma and proposed use of funding being to set aside \$25,000 for review of 10 water availability investigations (\$2,000 each); installation of dedicated monitoring wells (\$9,000-14,000 each); installation of P&T transducers in volunteers wells (\$2,500 each x 4 systems), Public Education - web site graphics improvements allowing participation in water IQ program, 3D animation of geologic system, drought management plan - stakeholder process for input related to final drought trigger and management plan (\$2,000-\$20,000); Water Quality Studies - basic water chemistry from widely dispersed middle and lower Trinity wells (\$175 each x 10), isotope study to age date water from upper, middle and lower Trinity (\$1,500 x 3), bacterial water samples from widely dispersed wells in areas with a variety of waste water system (\$4,000); Water Use Studies – give away 20 household water meters for folks using well to improve estimated water use of households, participants will report use over time (\$200 each); Revised GAM - Consultants Review (\$10,000), and fund graduate students to work on model development (\$10,000).



Court was adjourned this the 15th day of February, 2008.

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 FEBRUARY 19, 2008.



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

