



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 25<sup>th</sup> DAY OF MARCH 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
DEBBIE GONZALES INGALSE	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:

Commissioner Conley gave the invocation and Commissioner Ingalsbe led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

**25070 APPROVE PAYMENTS OF COUNTY INVOICES**

Commissioner Conley asked about the utility bill for the Civic Center. County Auditor Bill Herzog advised that he will look into the charges. A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve payment of county invoices in the amount of \$295,458.68 as presented by the County Auditor. All voting "Aye". MOTION PASSED

**25071 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 18, 2008**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve Commissioners Court Minutes of March 18, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**25072 APPROVE PURCHASE OF A STORAGE SHED FOR THE STORAGE OF OIL DRUMS FOR THE ROAD DEPARTMENT'S PRECINCT 1 MAINTENANCE YARD IN THE AMOUNT OF \$1,229.00 FROM THE HOME DEPOT**

A motion was made by Commissioner Barton, seconded by Commissioner Ford to approve purchase of a storage shed for the storage of oil drums for the Road Department's Precinct 1 maintenance yard in the amount of \$1,229.00 from the Home Depot. All voting "Aye". MOTION PASSED

**25073 ACCEPT THE CERTIFICATE OF COMPLETION AND MAINTENANCE BOND AND AUTHORIZE FINAL PAYMENT FOR KYLE CROSSING, FORMERLY KNOWN AS DRY HOLE ROAD [T1-54]**

RPTP Director Jerry Borcharding gave staff recommendation for acceptance. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to accept Certificate of Completion and Maintenance Bond and authorize final payment for Kyle Crossing, formerly known as Dry Hole Road. All voting "Aye". MOTION PASSED

**25074 CALL FOR A PUBLIC HEARING ON APRIL 8, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON ASPEN DRIVE IN BELTERRA SUBDIVISION [T1-70]**

Recommended speed limit is 20 MPH. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to call for a public hearing on April 8, 2008 to establish traffic regulations on Aspen Drive in Belterra Subdivision. All voting "Aye". MOTION PASSED

**25075 CALL FOR A PUBLIC HEARING ON APRIL 8, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON SAWYER RANCH ROAD (CR 164) [T1-86]**

Recommending a 40 MPH speed limit. A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on April 8, 2008 to establish traffic regulations on Sawyer Ranch Road (CR164) in Meadow Creek Phases 1 & 2. All voting "Aye". MOTION PASSED

**25076 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON PLANT LADY LANE [T1-108]**

Judge Sumter declared 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 regulation of a STOP sign on Plant Lady Lane at the intersection of Martin Road (CR288). All voting "Aye". MOTION PASSED



**25077 RELEASE THE MAINTENANCE BOND AND ACCEPT FOR MAINTENANCE ALL ROAD AND DRAINAGE IMPROVEMENTS WITHIN COUNTY ROW FOR SHADOW CREEK SUBDIVISION PHASE 2 SECTIONS 1,2 AND 3 [T1-118]**

RPTP Director Jerry Borchering gave staff recommendation for release of maintenance bond and accept the roads/drainage for county maintenance. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to release the maintenance bond and accept for maintenance all roads and drainage improvements within county right-of-way for "Shadow Creek Subdivision Phase 2 Sections 1, 2 & 3". All voting "Aye". MOTION PASSED

**25078 RANCH AT WIMBERLEY RESUBDIVISION OF LOT 1H [#08-3-08, 2 LOTS] – PUBLIC HEARING AND APPROVAL OF FINAL PLAT [T1-138]**

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 for final plat approval. A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve final plat of "Ranch at Wimberley Resubdivision of Lot 1-H". All voting "Aye". MOTION PASSED

**25079 RIVER MOUNTAIN RANCH SECTION 1 RESUBDIVISION OF LOTS 74A & 74B [#07-3-71, 4 LOTS] – CALL FOR A PUBLIC HEARING ON APRIL 8, 2008 AND APPROVE PRELIMINARY PLAN [T1-155]**

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Conley, seconded by Commissioner Ford to call for a public hearing on April 8, 2008 and approve preliminary plan for "River Mountain Ranch Section 1 Resubdivision of Lots 74A & 74B". All voting "Aye". MOTION PASSED

**25080 STAGECOACH RANCH SECTION 4 RESUB LOT 7 [#07-4-66, 2 LOTS] – PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-167]**

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 for final plat approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve final plat of "Stagecoach Ranch Section 4 Resubdivision of Lot 7". All voting "Aye". MOTION PASSED

**25081 FLYING C RANCH SUBDIVISION [#08-3-11, 1 LOT] – APPROVE FINAL PLAT [T1-179]**

Subdivision Coordinator Sandy Irvin gave staff recommendation for final plat approval. A motion was made by Commissioner Conley, seconded by Commissioner Ford to approve final plat of "Flying C Ranch Subdivision". All voting "Aye". MOTION PASSED

**25082 AUTHORIZE EXPENDITURE OF RECORDS PRESERVATION FUNDS FOR THE CONVERSION OF [DISTRICT COURT] JUDICIAL CASE FILES TO A DIGITAL FORMAT [T1-190]**

District Clerk Cecelia Adair spoke of work to be done to convert judicial case files to a digital format. A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize the expenditure of Records Preservation Funds for the conversion of District Court judicial case files to a digital format with \$94,000 budgeted this year and the remainder to be funded next fiscal year pending approval by special counsel of the contract. All voting "Aye". MOTION PASSED

**25083 ACTION TO LIFT THE BURN BAN AND LOCAL DISASTER DECLARATION [T1-518]**

Fire Marshal Carroll Czichos spoke of weather conditions. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to lift the burn ban and local disaster declaration under Chapter 418 Government Code and burn ban under Chapter 352 Local Government Code. All voting "Aye". MOTION PASSED

**25084 ACTION FAILED TO ADOPT REGULATION OF THE DISCHARGE OF FIREARMS IN THE UNINCORPORATED AREA OF HAYS COUNTY, AS PROVIDED FOR IN CHAPTER 235 OF THE TEXAS LOCAL GOVERNMENT CODE [T1-628]**

Commissioner Barton spoke of work by citizens committee to create regulations regarding the discharge of firearms and explained the proposed rules and existing laws. [T1-987] Mark Alan Pickett (Kyle resident), Gary Connor (Dripping Springs resident), Craig Young (Kyle resident), and Paul Velte made public comment in opposition to adopting regulation at this time. [T1-1198] Commissioner Barton advised that Constable Kohler wanted to go on record in support of the regulation. He suggested naming this "Daniel's Law". Commissioner Ingalsbe, Judge Sumter, Commissioner Ford and Commissioner Conley spoke. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to adopt Regulation of the Discharge of Firearms in the Unincorporated area of Hays County, as provided for in Chapter 235 of the Texas Local Government Code to be effective April 1, 2008 to be known as "Daniel's Law". Commissioner Ingalsbe and Commissioner Barton voting "Aye". Commissioner Conley, Commissioner Ford and Judge Sumter voting "No". MOTION FAILED



**25085 ACCEPT CONSTABLE LUPE CRUZ RESIGNATION AT THE END OF THE MONTH OF MARCH 2008 [T1-2473]**

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to accept resignation of Constable Lupe Cruz effective March 31, 2008. All voting "Aye". MOTION PASSED

**25086 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A COMMERCIAL LEASE WITH SM LEASING, INC. FOR THE OFFICE OF THE MAINTENANCE DEPARTMENT AT 2019 CLOVIS BARKER [T1-2598]**

Special Counsel Mark Kennedy proposed a revision to Section 15.C(10) regarding HVAC system as shown on page 13 special provisions #35 of the lease. County Auditor Bill Herzog requested amendment to the budget in the amount of \$18,135.00 from contingencies. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to authorize the County Judge to execute a commercial lease with SM Leasing Inc. for office space for the Maintenance Department at 2019 Clovis Barker Drive in San Marcos, Texas with proposed revision. All voting "Aye". MOTION PASSED

**25087 APPROVE BUDGET AMENDMENT 08-09 [T1-2671]**

County Auditor Bill Herzog requested addition of Sheriffs Dept. amendment of \$13,000 to add insurance payment to vehicles line item towards a replacement vehicle. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Budget Amendment #08-09 as presented. All voting "Aye". MOTION PASSED

**25088 ACTION TO PARTICIPATE IN CAMPO'S CONGESTION MONITORING PROGRAM**

[T1-2712] A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to approve participation in CAMPO's Congestion Monitoring Program in the amount of \$3,000 from Road & Bridge Budget consultant line item and additional roads that may be suggested by Commissioners to RPTP Director. All voting "Aye". MOTION PASSED

**PRESENTATION BY DAN WEGMILLER REGARDING PROPOSED CAPITAL IMPROVEMENT PROGRAMS AND DEBT STRUCTURE [T1-2938]**

Dan Wegmiller, First Southwest Company, provided a powerpoint presentation regarding debt structure. Discussion was had regarding current debt profile and a draft capital improvement program 2008-2010 which includes \$19,500,000 Pass-Through Revenue & Limited Tax Bonds, \$10,000,000 Parks, \$25,000,000 Government Center, and \$20,000,000 Jail.

**25089 ACTION REGARDING PREPARATION FOR A POSSIBLE NOVEMBER BOND ELECTION RELATED TO TRANSPORTATION, INCLUDING CONSIDERATION OF A CALL FOR PROJECTS, A REQUEST FOR PROPOSALS FROM PROFESSIONAL CONSULTANTS, A "SCOPE OF WORK" CHARGE FOR A CITIZEN BOND COMMITTEE, AND RELATED ISSUES [T2-868]**

Commissioner Barton spoke of Bond Transportation Committee and proposed charge to the committee. Discussion was had regarding invitation letter from the Court to cities, school districts, etc. - some revisions were made. Discussion was had regarding proposed charge to the committee - revisions were made. A motion was made by Commissioner Barton, seconded by Judge Sumter to adopt the call for projects as amended, with final copy to be provided to the Clerk by the County Judge's office, and the charge for the citizen bond committee with final copy to be provided to the Clerk by Commissioner Barton's office. All voting "Aye". MOTION PASSED. A motion was made by Commissioner Barton, seconded by Commissioner Conley to authorize RPTP Director, working with Prime Strategies and Purchasing Agent, to finalize and advertise for request for proposals to provide professional services to the Bond Transportation Committee. The firms to be considered should not be ones involved in the pass through financing projects. All voting "Aye". MOTION PASSED.

**25090 DISCUSSION OF BUDGET AND PHILOSOPHY AND BUDGET CALENDAR WITH ACTION ON BUDGET CALENDAR [T2-1671]**

Judge Sumter provided a proposed budget calendar. Budget worksheets due back from departments on April 25<sup>th</sup>, County Judge prepares budget proposal and meets with department heads from June 2<sup>nd</sup> - July 25<sup>th</sup>, and presents proposed budget to Commissioners Court and files with County Clerk on July 29<sup>th</sup>. Budget workshops to be held from July 29<sup>th</sup> - August 14<sup>th</sup> with a vote on proposed tax rate and schedule public hearings on the tax rate and budget on August 14<sup>th</sup>. Public hearings on the rate to be held August 27<sup>th</sup> and September 3<sup>rd</sup>. Public hearing on the budget, adopt the budget and set salaries of elected officials on September 10<sup>th</sup> and set tax rate and levy taxes. Changed public hearing on tax rate from August 27<sup>th</sup> to August 26<sup>th</sup>. A motion was made by Judge Sumter, seconded by Commissioner Ford to approve the FY2009 Budget Calendar with one revision. All voting "Aye". MOTION PASSED



Court was adjourned this the 25th day of MARCH, 2008.

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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 MARCH 25, 2008.



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

