



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 1ST DAY OF APRIL 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. FRITSCHÉ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Terry Colley of the First Baptist Church of Driftwood gave the invocation and Commissioner Barton led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

PUBLIC COMMENT

Joe Castillo made public comment on waiving or reducing the fees for the use of the Civic Center for LULAC Council #654

25091 ADOPT PROCLAMATION RECOGNIZING SEXUAL ASSAULT AWARENESS MONTH & NATIONAL CRIME VICTIM'S WEEK

A motion was made by Judge Sumter seconded by Commissioner Conley to adopt Proclamation recognizing "Sexual Assault Awareness Month & National Crime Victim's Week". All voting "Aye". MOTION PASSED

25092 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe to approve payments of County Invoices in the amount of \$400,929.74. All voting "Aye". MOTION PASSED

25093 APPROVE COMMISSIONER COURT MINUTES OF MARCH 25, 2008

A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe approve Commissioner Court Minutes of March 25, 2008. All voting "Aye". MOTION PASSED

25094 AUTHORIZE THE COUNTY JUDGE TO RENEW MOU'S BETWEEN THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT AND THREE OF THE FOUR HAYS COUNTY SCHOOL DISTRICTS FOR EMERGENCY MANAGEMENT PURPOSES

A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe to authorize the County Judge to renew MOU's between the Hays County personal Health Department and three of the four Hays County School District's for emergency management purposes. All voting "Aye". MOTION PASSED

25095 AUTHORIZE A MULTI-UNIT RESIDENTIAL OSSF PERMIT FOR ASHEL & VANESSA VILLARREAL FOR A FOUR-PLEX (FOUR - TWO BEDROOM UNITS) LOCATED AT 2431 BEBEE ROAD, KYLE, IN PRECINCT 2

A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe to authorize a Multi-Unit Residential OSSF Permit for Asael & Vanessa Villarreal for a four-plex (four - two bedroom units) located at 2431 Bebee Road, Kyle, In Precinct 2. All voting "Aye". MOTION PASSED

25096 APPROVE THE OCTOBER 2007 TREASURER'S REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe approve the October 2007 Treasurer's Report and Investment Report. All voting "Aye". MOTION PASSED

25097 ACCEPT VESPER LANE INTO THE COUNTY ROAD MAINTENANCE SYSTEM

[T1-142] Vance Wright made public comment. Jan Thomason made public comment. RPTP Director Jerry Borcharding gave recommendation for acceptance. A motion was made by Commissioner Conley seconded by Commissioner Ford to accept Vesper Lane into the County Road Maintenance System. All voting "Aye". MOTION PASSED



25098 APPOINT DAVID PETERSON TO FILL THE REMAINDER OF THE CONSTABLE PRECINCT 1 TERM

[T1-263] A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to appoint David Peterson to fill the remainder of the Constable Precinct 1 term. All voting "Aye". MOTION PASSED [T2-1999] A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to approve Official Bond of David Peterson as Constable Precinct 1. All voting "Aye". MOTION PASSED

25099 APPROVE AND CONFIRM THE APPOINTMENTS OF BILL KUYKENDALL, MITCH JOHNSON AND MARCUS GONZALES AS DEPUTY CONSTABLES FOR CONSTABLE PCT 1 EFFECTIVE APRIL 1, 2008

[T1-297] A motion was made by Commissioner Ingalsbe seconded by Commissioner Judge Sumter to approve and confirm the appointments of Bill Kuykendall, Mitch Johnson, and Marcus Gonzales as Deputy Constables for Constable Precinct 1 effective April 1, 2008. All voting "Aye". MOTION PASSED

25100 APPROVE AND CONFIRM THE APPOINTMENT OF CLEMENTE VERASTEGUI AS DEPUTY CONSTABLE FOR CONSTABLE PCT. 5 MATT MANCILLAS EFFECTIVE APRIL 1, 2008

[T1-316] A motion was made by Commissioner Ingalsbe seconded by Commissioner Barton to approve and confirm the appointment of Clemente Verastegui as Deputy Constable for Constable Pct. 5 Matt Mancillas effective April 1, 2008. All voting "Aye". MOTION PASSED

25101 CALL FOR A PUBLIC HEARING ON APRIL 15, 2008 TO ESTABLISH TRAFFIC REGULATIONS IN HILL COUNTRY RANCHES SUBDIVISION

[T1-338] Recommendation is to remove a STOP sign on Rabbit Road at Lakeside Drive and establish a STOP sign on Lakeside Drive at Rabbit Road. A motion was made by Commissioner Barton seconded by Commissioner Ingalsbe to call for a public hearing on April 15, 2008 to establish traffic regulations in "Hill Country Ranches" subdivision. All voting "Aye". MOTION PASSED

25102 ACCEPT ROAD CONSTRUCTION, DRAINAGE IMPROVEMENTS AND RELEASE OF THE CONSTRUCTION BOND FOR PINNACLE RIDGE SUBDIVISION

[T1-350] Pinnacle Ridge is a private subdivision – no maintenance bond is required. RPTP Director Jerry Borchherding gave staff recommendation. A motion was made by Commissioner Conley seconded by Commissioner Ingalsbe to accept road construction and drainage improvements and release construction bond for "Pinnacle Ridge Subdivision". All voting "Aye". MOTION PASSED

25103 ACCEPT ROAD CONSTRUCTION, DRAINAGE IMPROVEMENTS AND RELEASE OF THE CONSTRUCTION BOND, AND APPROVAL OF REVISED PLAT FOR CHAMA TRACE SUBDIVISION

[T1-350] Chama Trace is a private subdivision – no maintenance bond is required. A motion was made by Commissioner Ford seconded by Commissioner Conley to accept road construction and drainage improvements, release construction bond, and approve Revised Plat for "Chama Trace" subdivision. All voting "Aye". MOTION PASSED

25104 ALLOW COUNTY JUDGE TO APPROVE AN EASEMENT DEDICATION FOR PEDERNALES ELECTRIC COOPERATIVE FOR THE PRECINCT 4 ROAD DEPARTMENT YARD

[T1-375] This action will allow PEC to install a utility line on the Precinct 4 yard property. RPTP Director Jerry Borchherding gave staff recommendation for acceptance. A motion was made by Commissioner Ford seconded by Commissioner Conley to authorize the County Judge to execute an easement dedication for Pedernales Electric Cooperative at the Precinct 4 Road Department Yard. All voting "Aye". MOTION PASSED

25105 STARR SUBDIVISION [#07-3-67, 2 LOTS] – PUBLIC HEARING AND APPROVAL OF FINAL PLAT

[T1-387] Judge Sumter declared the public hearing. 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 for "Starr Subdivision". All voting "Aye". MOTION PASSED



DISCUSSION TO ADOPT AND MODIFY THE HAYS COUNTY SHERIFFS OFFICE AND HAYS COUNTY DEPUTY CONSTABLE BASE PAY, MODIFY OUR OPEN RANGE POLICY AND REPLACE WITH STEP PROCESS, AND INITIATE A PACKAGE TO PAY FOR UNIFORMS FOR HAYS COUNTY SHERIFF'S OFFICERS

[T1-402] Officer Mike Davenport gave a power point presentation. Sheriff Bridges, Constable Pct 3 Darrell Ayres and Constable Pct 2 James Kohler spoke. No Action taken.

25106 APPROVE POSITION CHANGES IN THE HAYS COUNTY SHERIFF'S OFFICE

[T1-1628] Proposed changes: delete position of one Captain (Grade 329) and one Sergeant (Grade 327) and add two Lieutenants (Grade 328). Sheriff Bridges spoke. **A motion was made by Judge Sumter seconded by Commissioner Ingalsbe to approve position changes in the Hays County Sheriff's office as follows: delete one Captain and one Sergeant and add two Lieutenants. All present voting "Aye". MOTION PASSED – Commissioner Conley not present for vote.**

CLERKS NOTE: Agenda Item No. 14 RE: DISCUSSION AND POSSIBLE ACTION TO ALLOW COURT MEMBERS TO INDIVIDUALLY AND OR COLLECTIVELY HELP SPONSOR THE 2ND ANNUAL AQUARENA EARTH DAY FESTIVAL TO BE HELD ON APRIL 20, 2008 was PULLED. [T1-1662] Court previously approved a \$500 sponsorship. No action taken.

25107 APPOINT W. LEIGHTON STALLONES TO THE HAYS COUNTY EMERGENCY SERVICE DISTRICT #3

[T1-1702] A motion was made by Commissioner Ingalsbe seconded by Commissioner Barton to appoint W. Leighton Stallones to the Hays County Emergency Service District #3. All present voting "Aye". MOTION PASSED – Commissioner Conley not present for vote.

25108 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL CONTRACT WITH CAPCOG FOR GEOMAP 2008 WORK ORDER 3222008056-HAY-01

[T1-1714] Mapping and GIS Coordinator, Steve Floyd spoke. A motion was made by Judge Sumter seconded by Commissioner Conley to authorize the County Judge to execute an interlocal contract with CAPCOG for Geomap 2008 Work Order #322208056-Hay-01 and subject to Special Counsel Approval. All voting "Aye". MOTION PASSED

25109 APPROVE PURCHASE OF A COURTROOM MICROPHONE SYSTEM FOR USE IN THE DISTRICT COURTROOM

[T1-1827] County Auditor Bill Herzog recommended amending the budget for \$10,838 from line item #01-437-5305 (Pre-trial/Trial Expense) to 01-436-5711 (Office Equipment). Judge Robison spoke. **A motion was made by Commissioner Conley seconded by Commissioner Barton to approve purchase of a courtroom microphone system for use in the District Courtroom with an amount NTE \$10,838 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

25110 ADOPT AN OPEN SPACE POLICY FOR HAYS COUNTY

[T1-2037] Thomas Hall of Braun & Associates and Hays County Tax Assessor/Collector Luanne Caraway spoke. **A motion was made by Commissioner Ford seconded by Commissioner Ingalsbe to adopt an Open Space Policy for Hays County. All voting "Aye". MOTION PASSED**

DISCUSSION TO CHALLENGE EACH COURT MEMBER TO MOUNT A TEAM TO COMPETE IN THE BIG BROTHERS BIG SISTERS BOWL FOR KIDS SAKE OF HAYS COUNTY ON SATURDAY, APRIL 12, 2008

[T1-2892] Meghan Jones with Big Brothers Big Sister Bowl spoke of event to be held at Sunset Bowling Lanes on April 12, 2008 at 3:30 P.M. No action taken.

DISCUSSION WITH NAISMITH ENGINEERING AND PRESENTATION ON THE CURRENT DRAFT OF SUBDIVISION RULES

[T1-3053] Grant Jackson of Naismith Engineering gave overview of Chapters 731 – Construction and Acceptance of Maintenance, 735 – Floodplain Management, 751 – Use of County Facilities and 771 – Development Agreements.



25111 APPROVE BUDGET AMENDMENT 08-10

[T2-2020] A motion was made by Judge Sumter seconded by Commissioner Ford to approve Budget Amendment 08-10. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING POSSIBLE ACTION TO GUIDE SANDRA TASSELL, TP: AND ECT AS THEY PREPARE FOR THE GOALS & CRITERIA WORKSHOP TO BE HELD IN MAY, AS WELL AS ANY OTHER INFORMATIONAL NEEDS THEY MAY HAVE IN THE INTERIM

[T2-2037] Discussion was had of names needed for the Stakeholder list. Dates and times were tentatively set for a workshop meeting. No action taken.

25112 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE VILLAGE OF WIMBERLEY REGARDING APPLICATION OF SUBDIVISION REGULATIONS IN THE EXTRA-TERRITORIAL JURISDICTION OF THE VILLAGE OF WIMBERLEY

[T2-3469] A motion was made by Commissioner Conley seconded by Judge Sumter to authorize the County Judge to execute an interlocal agreement between Hays County and the Village of Wimberley regarding application of subdivision regulations in the extra-territorial jurisdiction of the Village of Wimberley. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item No. 27 RE: DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION RATIFYING THE COUNTY'S PARTICIPATION IN AUSTIN URBAN AREA SECURITY INITIATIVE, A FEDERAL GRANT PROGRAM FOR HOMELAND SECURITY was PULLED. No action taken.

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING CAUSE NO D-1-GV-07-002293, STYLED AS TRAVIS COUNTY, TEXAS AND THE STATE OF TEXAS ET AL VS. COLDWATER DEVELOPMENT, LTD. AND RODMAN EXCAVATION, INC., ET AL AND PENDING LITIGATION RELATED THERETO [T2-3555]

Court convened into closed executive session at 6:00 p.m. and reconvened into open session at 6:40 p.m. No action taken.

Court was adjourned this the 1ST day of APRIL, 2008.

I, LINDA C. FRITSCHKE, 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 APRIL 1, 2008.



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

