



STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 8<sup>TH</sup> 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:

Human Resources Director Dee Dee Baen introduced new employees to the county.

Carl Clark, Pastor of the Driftwood United Methodist Church 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.

**25114 ADOPT PROCLAMATION SUPPORTING THE BUILDING OF THE "SETON MEDICAL CENTER" IN HAYS COUNTY**

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to adopt Proclamation supporting the building of the Seton Medical Center in Hays County. All voting "Aye". MOTION PASSED

**25115 ADOPT PROCLAMATION RECOGNIZING "COUNTY GOVERNMENT" WEEK APRIL 6<sup>TH</sup> THROUGH THE 12<sup>TH</sup>**

A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt Proclamation recognizing "County Government Week" April 6<sup>th</sup> through the 12<sup>th</sup>. All voting "Aye". MOTION PASSED

**25116 ADOPT PROCLAMATION RECOGNIZING THE WEEK OF APRIL 7<sup>TH</sup> THROUGH 11<sup>TH</sup> AS "WIMBERLEY EDUCATION FOUNDATION" WEEK**

A motion was made by Commissioner Conley, seconded by Commissioner Ford to adopt Proclamation recognizing the week of April 7<sup>th</sup> through 11<sup>th</sup> as "Wimberley Education Foundation" week. All voting "Aye". MOTION PASSED

**25117 APPROVE PAYMENT OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve payment of county invoices in the amount of \$333,565.99 as presented by the County Auditor. All voting "Aye". MOTION PASSED

**25118 APPROVE COMMISSIONERS COURT MINUTES OF APRIL 1, 2008**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Commissioners Court Minutes of April 1, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**25119 AUTHORZE AN OFFICE/RENTAL COMPLEX OSSF PERMIT FOR JOHN STARK LOCATED AT 13500 RR12, WIMBERLEY, IN PRECINCT 3**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize and office/rental complex OSSF Permit for John Stark located at 13500 RR12, Wimberley in Precinct 3. All voting "Aye". MOTION PASSED

**25120 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve Utility Permit #01946 on Bear Creek Pass to LCRA; Permit #01947 on Nutty Brown Road to Texas Gas Service; Permit #01940 on Bunton Lane to Verizon Wimberley. All voting "Aye". MOTION PASSED

**25121 APPROVE RENEWAL OF BID #2006-B17 "FURNISH AND INSTALL GUARDRAILS" FOR ONE ADDITIONAL YEAR AS IN ORIGINAL BID**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve renewal of Bid #2006-B17 "Furnish and Install Guardrails" for one additional year as provided in the original bid. All voting "Aye". MOTION PASSED

**25122 APPROVE AWARD OF BID #2008-B10 "HAYS COUNTY BANK DEPOSITORY" TO AMERICAN NATIONAL BANK**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve award of Bid #2008-B10 "Hays County Bank Depository" to American National Bank. All voting "Aye". MOTION PASSED

**25123 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS ON "SAWYER RANCH ROAD (CR164)" [T1-178]**

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 a 40 MPH speed limit. Previously posted speed limit was 45 MPH. A motion was made by Commissioner Ford, seconded by Commissioner Conley to establish traffic regulation of 40 MPH speed limit on Sawyer Ranch Road (CR164). All voting "Aye". MOTION PASSED

**25124 CALL FOR A PUBLIC HEARING ON APRIL 22, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON MCGREGOR LANE (CR187) [T1-199]**

Recommended speed limit is 40 MPH on McGregor Lane (CR187) between Hwy 290 and Barton Creek where the current posted speed limit is 45 MPH. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to call for a public hearing on April 22, 2008 to establish traffic regulations on McGregor Lane (CR187). All voting "Aye". MOTION PASSED

**25125 RIVER MOUNTAIN RANCH SECTION 1 RESUBDIVISION OF LOTS 74A & 74B [#07-3-71, 4 LOTS] – PUBLIC HEARING AND FINAL PLAT APPROVAL [T1-215]**

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 "River Mountain Ranch Section 1 Resubdivision of Lots 74A & 74B". All voting "Aye". MOTION PASSED

**25126 ALLOW RPTP (ROAD DEPARTMENT) TO HIRE A CONSTRUCTION INSPECTOR UP TO MID-RANGE OF GRADE 917 [T1-259]**

RPTP Director Jerry Borcharding spoke of duties of the inspector. The Road Department has not been able to hire qualified inspectors at the beginning salary rate and request that they be allowed to hire at mid range of Grade 917 = \$39,107.82. A motion was made by Commissioner Ford, seconded by Commissioner Barton to allow RPTP (Road Department) to hire a Construction Inspector up to mid-range of Grade 917. All voting "Aye". MOTION PASSED

**25127 AUTHORIZE PAYMENT UP TO \$3,000.00 TO CINTA'S DOCUMENT MANAGEMENT FOR SHREDDING [T1-310]**

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize and amount not to exceed \$3,000.00 expenditure from contingencies line item #01-414-5399 to CINTA's Document Management for shredding documents that meet the record retention shredding policy. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

**25128 APPROVE BUDGET AMENDMENT 08-11 [T1-363]**

Budget amendment proposed for the Emergency Management Officer budget: transfer \$1,360 for conference/training classes (\$590) and for emergency mobile lighting system (\$770). **A motion was made by Judge Sumter, seconded by Commissioner Barton to approve Budget Amendment 08-11 as proposed by the County Auditor. All voting "Aye". MOTION PASSED**

**25129 AUTHORIZE THE PURCHASE OF VIDEO EQUIPMENT FOR CONSTABLE PRECINCT 2 PATROL CAR [T1-387]**

Constable Pct. 2 James Kohler spoke. **A motion was made by Commissioner Barton, seconded by Commissioner Ford, to authorize the purchase of video equipment for Constable Precinct 2 patrol car in the amount of \$4,969 to be paid out of contingencies line item #01-414-5399. All voting "Aye". MOTION PASSED**

**25130 AUTHORIZE THE CREATION OF A TAX ASSESSOR COLLECTOR SUBSTATION IN THE PRECINCT 2 BUILDING IN KYLE [T1-412]**

Tax Assessor-Collector Luanne Caraway suggested placing a member of her staff in the Precinct 2 building in Kyle for vehicle title and registration and payment of property taxes to serve the citizens of that area. She will need to add an employee in the next fiscal year. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize the creation of a Tax Assessor Collector substation in the Precinct 2 building in Kyle. All voting "Aye". MOTION PASSED**

**25131 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN MOU WITH THE BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT FOR ONGOING REVIEW OF GROUNDWATER AVAILABILITY STUDIES SUBMITTED TO THE COUNTY FOR DEVELOPMENTS WITHIN THE JURISDICTION OF THAT DISTRICT**

[T1-577] **A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the County Judge to execute an MOU with the Barton Springs Edwards Aquifer Conservation District for ongoing review of groundwater availability studies submitted to the County for developments within the jurisdiction of that district. All voting "Aye". MOTION PASSED**

**25132 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MAINTENANCE AGREEMENT WITH D&T SERVICES FOR MAINTENANCE OF THE PRECINCT 4 SEPTIC SYSTEM**

[T1-599] Contract is for \$1200 per year. Court requested that quotes be obtained and then bring this item back to the court. [T1-1677] Commissioner Ford spoke of calls that were made by Purchasing Agent Cindy Maiorka regarding this issue and no one called was interested in submitting a bid. **A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize the County Judge to execute a maintenance agreement with D&T Services for maintenance of the Precinct 4 septic system. All present voting "Aye". MOTION PASSED. Commissioner Barton and Commissioner Conley were not present to vote.**

**25133 APPROVE RENTAL FEE REDUCTION AT THE HAYS COUNTY CIVIC CENTER FOR "VIVA CINCO DE MAYO" AND THE "HAYS COUNTY FAIR" [T1-673]**

Civic Center Manager Barry Nelson spoke of fees being charged for use of the civic center. Commissioner Ingalsbe suggested a discount of \$1500 to Cinco De Mayo and \$750 discount for the Hays County Fair. Mr. Nelson spoke of other events that may benefit the county and receive reduced rates. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve rental fee reduction at the Hays County Civic Center in the amount of \$1500 for "Viva Cinco De Mayo" and \$750 for the "Hays County Fair". All voting "Aye". MOTION PASSED**

**25134 APPROVE TEMPLATES FOR LEASE OF THE HAYS COUNTY CIVIC CENTER AND AUTHORIZE THE CIVIC CENTER MANAGER TO EXECUTE THE LEASES, AS APPROPRIATE, FOR THE USE OF THE CIVIC CENTER BY THIRD PARTIES [T1-872]**

This group of contract templates is meant to address the normal use of the Civic Center. It would be burdensome for the CC Manager to acquire the County Judge's signature on each and every lease, therefore, it is suggested that the manager be authorized to execute these templates on behalf of the county unless a material change is requested by the leasing party, in which case the modified agreement would come to Commissioners' Court for consideration. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve templates for lease of the Hays County Civic Center and authorize the Civic Center Manager to execute the leases, as appropriate, for the use of the Civic Center by third parties. All voting "Aye". MOTION PASSED**



**25135      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EXTENSION OF THE OPTION FOR THE PURCHASE OF THE BAPTIST CHURCH PROPERTY IN WIMBERLEY**

[T1-991]

Commissioner Conley advised that the fee of \$50 will be paid as consideration for this extension (out of line item #01-414-5742). A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize the County Judge to execute an extension of the option for the purchase of the Baptist Church property in Wimberley, Texas. All voting "Aye". MOTION PASSED

**DISCUSSION REGARDING BOND ISSUES RELATED TO TRANSPORTATION, INCLUDING A REQUEST FOR PROPOSALS FOR PROFESSIONAL PLANNING AND ENGINEERING ASSISTANCE; A REPORT FROM FINANCIAL ADVISORS AND THE COUNTY'S TRANSPORTATION CONSULTANT ON THE PASS THROUGH FINANCING PARTNERSHIP WITH THE STATE; A PROPOSED NOVEMBER BOND ELECTION, AND \$19.5 MILLION IN PROPOSED REVENUE BONDS; CONSIDERATION OF APPOINTMENTS TO A CITIZEN BOND COMMITTEE; ISSUES CONCERNING POSSIBLE PRIVATE SECTOR PARTNERSHIPS ON PASS THROUGH ROADS OR OTHER ROAD PROJECTS; RECOMMENDED TRANSPORTATION PROJECTS FROM CITIES OR OTHER SOURCES; GENERAL CONSIDERATION OF THE COUNTY'S PLAN, DEBT STRUCTURE AND TIMELINE; AND RELATED TOPICS** [T1-1017]

Mike Weaver provided figures for the Pass Through Program, construction schedule, and timelines. Court needs to finalize agreement with TxDot; develop and approve advance funding agreement for US290 West, FM2001 bridge, and IH35/CR210 bridge, frontage roads and ramps (Phase1); negotiate and execute interlocal agreements with the City of Kyle (financial participation of \$11 million for IH35 improvements) and City of San Marcos (financing and development of FM110); retain right-of-way agents and appraisers for IH35 phase 1 right-of-way acquisition; work with TxDot to adjust utilities on IH35 phase 1 projects; process request for qualifications for design firms to develop environmental documents, schematics, PS&E and right-of-way maps for IH35 phase 2 improvements and re-alignment of FM150; adopt cash flow budget and sell some or all of the \$19.5 million of proposed revenue bonds; and work with Zachry American Infrastructure on FM1626 milestone reviews. Mr. Weaver explained the reimbursement schedule spreadsheet. Financial Advisor Dan Wegmiller spoke. No action taken this date.

Court convened into closed executive session at 1:00 p.m. for the following items:

**EXECUTIVE SESSION PURSUANT TO SECTION 551.074 TEXAS GOVERNMENT CODE TO INTERVIEW, DISCUSS AND DELIBERATE THE APPOINTMENT AND SALARY OF A GRANTS ADMINISTRATOR**

**EXECUTIVE SESSION PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE - DELIBERATION REGARDING THE VALUE AND POSSIBLE ACQUISITION OF REAL PROPERTY**

Court ended the closed executive session at 5:05 p.m. No discussion and no action taken.

**Court was adjourned this the 8<sup>TH</sup> 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 8, 2008.**



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

