



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 6th DAY OF MAY 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 INGALSBE	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:

Pastor Santiago Heredia, El Buen United Methodist Church in San Marcos, gave the invocation and Commissioner Ford led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

PRESENTATION OF RETIREMENT PLAQUE TO SAMUEL GOMEZ. SUMTER/BAEN

RPTP Director Jerry Borcharding presented a retirement plaque to Samuel "Sammy" Gomez (23 year county employee).

25193 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$575,717.21 as presented by the County Auditor. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

25194 APPROVE COMMISSIONER COURT MINUTES OF APRIL 29, 2008

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of April 29, 2008 as presented by the County Clerk. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

25195 APPROVE SPECIFICATIONS FOR BID #2008-B13 ROAD IMPROVEMENTS/HOT-MIX OVERLAY AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve specifications for Bid #2008-B13 Road Improvements/Hot-Mix Overlay and authorize Purchasing to solicit for bid and advertise. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

25196 APPROVE UTILITY PERMIT #01953

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve Utility Permit #01953 on Purgatory Road issued to Pedernales Electric Cooperative. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

Clerk's Note: Agenda Item #6 RE: DIRECT PURCHASING TO ADVERTISE FOR AN ENGINEERING SERVICES RFQ FOR SAFETY IMPROVEMENTS ON QUAIL RUN IN SAN MARCOS was PULLED.

25197 CALL FOR A PUBLIC HEARING ON MAY 6, 2008 TO ESTABLISH STOP SIGNS AT THE ENTRANCE OF DUDLEY JOHNSON PARK AND RANDALL VETTER PARK

[T1-97] A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to call for a public hearing on May 6, 2008 to establish traffic regulations (stop signs) at the entrance of Dudley Johnson Park and Randall Vetter Park. All voting "Aye". MOTION PASSED

**25198 CALL FOR A PUBLIC HEARING ON MAY 20, 2008 TO ESTABLISH TRAFFIC REGULATIONS IN SAWYER RANCH SUBDIVISION [T1-107]**

Proposed traffic regulation: a Yield sign on Old Mill Drive at Huck Finn Trail and two STOP signs on Huck Finn Trail at Tom Sawyer Road (creating a 4-way STOP at this intersection). **A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on May 20, 2008 to establish traffic regulations in Sawyer Ranch Subdivision. All voting "Aye". MOTION PASSED**

25199 07-4-074 KEY RANCH SUBDIVISION (156 LOTS) – APPROVE PRELIMINARY PLAN

[T1-112] Hays County Subdivision Coordinator, Sandy Irvin, gave staff recommendation. Bob Richardson, Architect, appeared. Commissioner Barton advised that he will abstain because he did some consultation services in the past regarding this subdivision. **A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve preliminary plan for Key Ranch Subdivision. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford and Judge Sumter voting "Aye". Commissioner Barton abstained. MOTION PASSED**

25200 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 SHERIFFS OFFICERS TO BE PROPOSED FOR THE 2009 BUDGET [T1-197]

Constable Pct. 2 James Kohler, Bill Bradfield, James Shirley, Dale Dugger, Glenda Wilcox, Antonio Carducci, Lee Taylor, Linda Kinney, Sherri Bilson, Janelle Delaney, Bill Southworth, Ken Strange, District Clerk Cecelia Adair, Daniel Arredondo, and Gary Raesz made public comment. Commissioner Conley spoke of survey that was done by the Sheriff's Department. He advised that they will give up any merit increases the court gives to other county employees. Sheriff Allen Bridges spoke of recruitment problems. Commissioner Barton spoke of step system that is needed and changes in the benchmark that needs to be addressed for other county employees. He advised that this will impact taxes and the budget. Commissioner Ingalsbe spoke in support of the resolution. Judge Sumter spoke of issues across the county for all county employees, the market that the court adopted and those that were considered – she requested that the resolution be reworded to "will consider adopting". Commissioner Ford spoke in support of the procedure for the budget – she was not aware that there was a recruitment problem before this was brought to the court. She suggested that the resolution read: will "consider" a "workable" step program. Human Resources Director Dee Dee Baen will make a presentation on June 17th regarding all county employee salaries. Commissioner Ford asked for a uniform policy. Deputy Davenport spoke of importance of the step program in recruiting new officers. **A motion was made by Commissioner Conley, seconded by Commissioner Barton to adopt a Resolution of Support for Law Enforcement Officers at the Sheriff's Office and Constables Deputy Officers. All voting "Aye". MOTION PASSED**

25201 FUND A FULL TIME FIRE MARSHAL POSITION BEGINNING JUNE 1, 2008 [T1-2267]

Human Resources Director Dee Dee Baen presented a job description. Commissioner Barton spoke of having the Fire Marshal monitor the government board for fire districts to make sure they file financial reports and make appointments timely. Fire Marshal Carroll Czichos spoke of duties of emergency management versus fire marshal. Discussion was had regarding enforcement of the fire code. **A motion was made by Judge Sumter, seconded by Commissioner Ford to fund a full time Fire Marshal position to begin June 1, 2008, post the job description presented today by Human Resources, for an amount not to exceed \$14,176 from salary savings. All voting "Aye". MOTION PASSED**

25202 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT HIRING A TITLE ATTORNEY FOR THE SPECIFIC AND LIMITED PURPOSE OF REAL ESTATE SERVICES [T1-2862]

Assistant District Attorney David Mendoza spoke of need for title insurance policies and deeds of trust for properties held by the Bail Bond Board to protect the county's interest. **A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the County Judge to execute a Professional Services Agreement hiring Gene Majors, of Independence Title, a Title Attorney, for the specific and limited purpose of Real Estate Services for the Bail Bond Board NTE \$25,000. All voting "Aye". MOTION PASSED**



25203 HIRE A COLLECTION AGENCY TO HANDLE ACCOUNTS FROM JUNE 2003 THAT HAVE OUTSTANDING JUDGMENTS OWED TO THE COUNTY [T1-3114]

Collections Administrator Judy Seim spoke of hiring a collection agency to collect on delinquent accounts at no cost to the county. Special Counsel Mark Kennedy advised that this is a discretionary decision of the court – would qualify as professional services exempt from bidding procedures. Commissioner Barton felt like we should go out for RFP's for this service. **A motion was made by Judge Sumter, seconded by Commissioner Conley to hire MSB Collection Agency to handle accounts from June 2003 that have outstanding judgments owed to the County, finding exception to the purchasing requirement 262.024 for professional services. Commissioner Ingalsbe, Commissioner Conley, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Barton voting "No". MOTION PASSED**

WORKSHOP REGARDING UPDATED SUBDIVISION RULES [T2-148]

Grant Jackson (Naismith Engineering) spoke of Chapter 765 - Conservation and Preferred Development. Special Counsel Mark Kennedy spoke of Tax Code 11.32 that addresses incentives for developers. He spoke of "conservation space" (Page 196 - § 5.01), Scenic and Historic Preservation Buffers, Ecological Assets Management Plan, Impervious Cover, Conservation Roadway and Driveway Design Standards, and Requirements for Property Owners. Also covered was Sub-Chapter 6 – Resource Conservation, Sub-Chapter 7 – Preferred Development Areas, Sub-Chapter 8 – Conservation Development Agreement, and Sub-Chapter 9 – Off-site Transfer for Conservation Development. Discussion was had regarding density issues and cluster developments. Hays Trinity Groundwater Conservation District Representative Andrew Backus spoke. [T2-2274] Top four items per commissioner were: Commissioner Ford: (1) 50% open space allowance - contiguous if possible, (2) conservation easement and ecological assessment management plan, (3) water conservation plan for the development and that can be a number of things, and (4) impervious coverage. Commissioner Ingalsbe: (1) water conservation, (2) impervious cover, (3) buffer, (4) 50% total acreage for open space. Commissioner Barton (1) impervious cover, (2) water conservation, (3) sense of place, and (4) affordable housing – not particular that open space be contiguous. Judge Sumter: (1) open space, (2) water conservation, (3) affordable housing, and (4) conservation easement and ecological assets management plan. Commissioner Conley: (1) water conservation - quantity and quality, and (2) scenic preservation. Discussion was had regarding incentives to be considered. Need to revise Chapter 765.

Commissioner Ford presented a proposal from Naismith Engineering Inc. for additional professional services regarding update of the Hays County Development Standards.

25204 AMEND EXISTING NAISMITH CONTRACT FOR ADDITIONAL COSTS FOR SITE ENGINEERING SERVICES AT PCT 4 OFFICE BUILDING [T2-3049]

Additional cost is for re-engineering the waste water system in order to save money. **A motion was made by Commissioner Ford, seconded by Commissioner Barton to amend existing Naismith contract for additional costs for site engineering services at Pct 4 office building as reflected in letter dated April 28, 2009 in the amount of \$6,013.02 and coming out of the building fund 01-414-5741. All voting "Aye". MOTION PASSED**

25205 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN EXTENSION OF THE OPTION FOR THE PURCHASE OF THE BAPTIST CHURCH PROPERTY IN WIMBERLEY, TEXAS [T2-3197]

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 at a cost of \$50.00. All voting "Aye". MOTION PASSED

WORKSHOP REGARDING UPDATE AND ACTIVITIES FOR THE GOALS AND CRITERIA WORKSHOP SCHEDULED FOR MAY 7TH BY ENVISION CENTRAL TEXAS AS PART OF THE TPL GREENPRINTING PROCESS – INCLUDING A SCHEDULING DISCUSSION FOR OTHER ECT/TPL PROPOSED EVENTS [T2-3454]

Representative from CAPCOG (Counsel of Government), Envision Central Texas, and Trust for Public Land appeared before the court. They spoke of being pro-active and green printing. May 7th will be the kickoff for green printing Hays County. They will try to collect a broad list of objectives for the county - 45 people have been confirmed to appear at the May 7th workshop. The input gathered in the workshop will help shape the decision-making process for future appropriations from the 2007 bond funds and will be the basis for the Hays County portion of the Envision Central Texas (ECT) Greenprint. Court will continue this workshop on Wednesday May 7th at 6:00 p.m.

Agenda Item # 11 RE: ACTION REGARDING THE GOALS AND CRITERIA WORKSHOP AS BEING SCHEDULED BY ENVISION CENTRAL TEXAS AS PART OF THE GREENPRINTING PROCESS – Considered with workshop above - no action taken. [T3-376]

**25206 HIRE GRANTS ADMINISTRATOR ABOVE MINIMUM OF PAY GRADE [T3-466]**

A motion was made by Commissioner Ford, seconded by Commissioner Barton to hire Grants Administrator above minimum of pay grade. All voting "Aye". MOTION PASSED

25207 INSTALL A FAX LINE AND PAY MONTHLY CHARGES AT JUDGE RODRIGUEZ RESIDENCE TO SUPPORT THE HAYS COUNTY MENTAL HEALTH CRISIS TEAM

[T3-472] A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to install a fax line and pay monthly charges at Judge Rodriguez's residence to support the Hays County Mental Health Crisis Team. All voting "Aye". MOTION PASSED

25208 ACCEPT APPOINTMENTS FROM COMMISSIONERS AND COUNTY JUDGE FOR THE CITIZENS BOND ADVISORY COMMITTEE [T3-489]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to accept appointments from Commissioners and County Judge for the Citizens Bond Advisory Committee as follows: Precinct 1 appointment is David Peterson, Precinct 3 appointment is Mike Moeller and Donna Hill, Precinct 4 appointment is Deborah Graham, and Judge Sumter appointment for Chair is Chuck Nash. All voting "Aye". MOTION PASSED

25209 AUTHORIZE EXPENDITURE FOR NEW PCT 4 OFFICE TO CONNECT TO THE DRIPPING SPRINGS WATER SUPPLY CORPORATION'S PUBLIC WATER SUPPLY SYSTEM [T3-581]

A motion was made by Commissioner Ford, seconded by Commissioner Conley to authorize expenditure for new Pct 4 office to connect to the Dripping Springs Water Supply Corporation's public water supply system in the amount of \$18,550.00. All voting "Aye". MOTION PASSED

25210 AUTHORIZE COUNTY JUDGE TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH FUGRO CONSULTING FOR CONSTRUCTION TESTING SERVICES AT PCT 4 NEW OFFICE SITE [T3-644]

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize County Judge to sign a Professional Services Agreement with Fugro Consulting for construction testing services at Pct 4 new office site in an amount not to exceed \$15,000.00. All voting "Aye". MOTION PASSED

25211 AUTHORIZE THE PURCHASE OF 3 FIVE DRAWER LATERAL FILING CABINETS TO REPLACE EXISTING CABINETS AND AMEND THE BUDGET ACCORDINGLY

[T3-754] A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the purchase of 3 five drawer lateral filing cabinets to replace existing cabinets and amend the budget accordingly. All voting "Aye". MOTION PASSED

25212 AMEND THE COUNTY TRAVEL POLICY TO INCREASE THE MEAL ALLOWANCE FOR EMPLOYEES WHILE TRAVELING ON COUNTY BUSINESS [T3-773]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to amend the County Travel Policy to increase the meal allowance for employees while traveling on County business to \$36.00 per day [\$7 breakfast \$13 lunch \$16 dinner]. All voting "Aye". MOTION PASSED

25213 AUTHORIZE PURCHASING TO ISSUE AN RFP FOR THE PURCHASE OF NEW FINANCIAL ACCOUNTING SOFTWARE [T3-844]

A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize purchasing to issue an RFP for the purchase of new financial accounting software. All voting "Aye". MOTION PASSED



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25214 AUTHORIZE A TEMPORARY, PART-TIME POSITION FOR PRECINCT 2 COMMISSIONER'S OFFICE TO FACILITATE THE CONTINUATION OF THE FM1626 PROJECT PREVIOUSLY APPROVED BY COMMISSIONER'S COURT ON OCTOBER 30, 2007 [T3-870]

Discussion was had regarding work required for project management. Discussed having a position at the Road Department to deal with road projects. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize a temporary, part-time position for Precinct 2 Commissioner's Office to facilitate the continuation of the FM 1626 project and other pass through finance projects previously approved by Commissioner's Court on October 30, 2007 to be paid out of line item 42-458-5399 not to exceed \$5,000.00 for the remainder of this budget year. All voting "Aye". MOTION PASSED

25215 AUTHORIZE THE COUNTY JUDGE TO EXECUTE TWO HAYS COUNTY PURCHASE CONTRACTS TO ROBERT TIJERINA JR. AND ELIAS F. SALINAS FOR ROW ACQUISITION ON MCCARTY LANE [T3-1744]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute two Hays County purchase contract to Robert Tijerina, Jr. and Elias F. Salinas for ROW Acquisition on McCarty Lane. All voting "Aye". MOTION PASSED

Court recessed until 6:00 p.m. on Wednesday May 7, 2008 to continue Goals and Criteria Workshop scheduled by Envision Central Texas as part of the green printing process.

GOALS AND CRITERIA WORKSHOP BY ENVISION CENTRAL TEXAS

Judge Sumter reconvened the meeting at 6:00 p.m. and all members of the court were present. Introduction to greenprinting was given by Bob Heuer (Trust for Public Land), and an overview of Hays County's natural resources was given by Sandra Tassel (Look at the Land Inc.). The people in attendance split up into six groups to discuss goals and criteria. Everyone then met as a group to review and organize categories of goals and criteria with the assistance of facilitator Caryn Ernst (Trust for Public Land).

Court was adjourned at 9:05 p.m this the 6th day of MAY, 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 MAY 6, 2008.



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