



STATE OF TEXAS *

COUNTY OF HAYS *

ON THIS THE 20th 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. FRITSCH	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor John McComb, San Marcos Community Church 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.

25238 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve payment of county invoices in the amount \$714,040.76 as presented by the County Auditor. All voting "Aye". MOTION PASSED

25239 APPROVE COMMISSIONER COURT MINUTES OF MAY 13, 2008

Clerk's note: Changes were made to minutes that were initially placed in the agenda packet – final draft was provided by email after packet was prepared. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve Commissioner Court Minutes of May 13, 2008 as presented by the County Clerk this date. All voting "Aye". MOTION PASSED

25240 APPROVE A WOODWORKING SHOP OSSF PERMIT FOR DAVID RAKOWITZ LOCATED AT 1850 OAKWOOD LOOP, SAN MARCOS, IN PRECINCT 3

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve a woodworking shop OSSF permit for David Rakowitz located at 1850 Oakwood Loop, San Marcos, in Precinct 3. All voting "Aye". MOTION PASSED

25241 APPROVE INSTITUTIONAL OSSF PERMIT FOR THE HAYS CISD IMPACT CENTER LOCATED AT 4126 FM 927, BUDA.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve institutional OSSF permit for the Hays CISD Impact Center located at 4126 FM 927, Buda. All voting "Aye". MOTION PASSED

25242 APPROVE PURCHASE OF TWO MAG DRAWER VAULTS FOR SHERIFF'S DEPT AT THE COST OF \$1950 EACH FOR A TOTAL OF \$3,900

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to approve purchase of two Mag Drawer Vaults for Sheriff's Dept. at the cost of \$1950 each for a total of \$3,900. All voting "Aye". MOTION PASSED

25243 AUTHORIZE THE COUNTY JUDGE TO SIGN A RENEWAL BIOTERRORISM/EMERGENCY PREPAREDNESS GRANT AGREEMENT FOR THE HAYS COUNTY PERSONAL HEALTH DEPARTMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR \$120,794

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the County Judge to sign a renewal Bioterrorism/Emergency Preparedness Grant Agreement for the Hays County Personal Health Department with the Texas Department of State Health Services for \$120,794. All voting "Aye". MOTION PASSED



25244 AUTHORIZE THE COUNTY JUDGE TO RENEW THE IMMUNIZATION CONTRACT FOR HAYS COUNTY PERSONAL HEALTH DEPARTMENT, WITH TEXAS DEPARTMENT OF HEALTH SERVICES FOR \$192,341

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to authorize the County Judge to renew the immunization contract for Hays County Personal Health Department with Texas Department of Health Services for \$192,341. All voting "Aye". MOTION PASSED

25245 ACCEPT THE CERTIFICATE OF COMPLETION AND TO ACCEPT THE MAINTENANCE BOND FOR REDWOOD ROAD [T1-45]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to accept the Certificate of Completion and to accept the Maintenance Bond for "Redwood Road". All voting "Aye". MOTION PASSED

25246 ACCEPT THE CERTIFICATE OF COMPLETION AND TO ACCEPT THE MAINTENANCE BOND FOR NUTTY BROWN ROAD [T1-62]

RPTP Director Jerry Borcharding gave staff recommendation for acceptance. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to accept the Certificate of Completion and to accept the Maintenance Bond for "Nutty Brown Road". All voting "Aye". MOTION PASSED

25247 SUBSTITUTE FISCAL SURETY FOR ROAD MAINTENANCE AND CONSTRUCTION IN THE PARKLANDS SUBDIVISION IN PRECINCT 2 [T1-75]

Special Counsel Mark Kennedy spoke of new developer on this project and a new letter of credit has been submitted effective last Wednesday. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to substitute fiscal surety – Letter of Credit effective May 15, 2008 - for Road Maintenance and Construction in the "Parklands Subdivision" in Precinct 2. All voting "Aye". MOTION PASSED

25248 HOLD A PUBLIC HEARING AND ESTABLISH TRAFFIC REGULATIONS IN SAWYER RANCH SUBDIVISION [T1-113]

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 in Sawyer Ranch Subdivision. A motion was made by Commissioner Ford, seconded by Judge Sumter to establish traffic regulations of 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) in "Sawyer Ranch Subdivision". All voting "Aye". MOTION PASSED

25249 [#08-4-26, 2 LOTS] RAINBOW RANCH RESUBDIVISION OF LOT 102 – APPROVE PRELIMINARY PLAN [T1-127]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Commissioner Barton to approve preliminary plan for "Rainbow Ranch Resubdivision of Lot 102". All voting "Aye". MOTION PASSED

25250 [#08-4-24, 2 LOTS] SYCAMORE CREEK RESUBDIVISION OF LOT 21-B – APPROVE PRELIMINARY PLAN AND CALL FOR A PUBLIC HEARING ON JUNE 3, 2008 [T1-139]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve preliminary plan for "Sycamore Creek Resubdivision of Lot 21-B" and call for a public hearing on June 3, 2008. All voting "Aye". MOTION PASSED

25251 [#08-4-05, 4 LOTS] TUSCANY VILLA SUBDIVISION – APPROVE PRELIMINARY PLAN

[T1-165] Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Judge Sumter to approve preliminary plan for "Tuscany Villa Subdivision". All voting "Aye". MOTION PASSED

25252 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY, OFFICE OF MEDICAL EXAMINER [T1-188]

A motion was made by Judge Sumter, seconded by Commissioner Conley to authorize the County Judge to execute an interlocal agreement with Travis County Office of Medical Examiner. All voting "Aye". MOTION PASSED



25253 AUTHORIZE AN ADDITIONAL \$1363.88 TO CINTA'S DOCUMENT MANAGEMENT FOR SHREDDING [T1-234]

A motion was made by Judge Sumter, seconded by Commissioner Barton to authorize an additional \$1363.88 to Cinta's Document Management for shredding out of contingency funds. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

25254 APPROVE APPOINTMENT OF JON ENGEL TO CPAT [T1-273]

Parks Director Jerry Pinnix recommended appointment of Jon Engel. A motion was made by Commissioner Ford, seconded by Judge Sumter to appoint Jon Engel to CPAT (Citizen Parks Advisory Team) to replace staff appointee Sterling Harris. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item # 19 RE: ADOPT A RESOLUTION IN SUPPORT OF TEXAS PARKS AND WILDLIFE WITHHOLDING CERTAIN FUNDS FROM ITS ANNUAL LICENSE RENEWAL FEES FOR PREDATORY CONTROL was PULLED.

25255 APPROVE EXPENDITURES RELATED TO RIGHT OF WAY ACQUISITION ON MCCARTY LANE [T1-365]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Conley to approve expenditure of \$44,372.00 related to right of way acquisition on McCarty Lane with funds to be taken out of 2001 bond funds and authorize the County Judge to execute the relocation agreement for the two properties. All voting "Aye". MOTION PASSED

25256 APPROVE A RESOLUTION TO IMPLEMENT AND ENFORCE THE STATE RULE ON MOTOR VEHICLE IDLING AS PART OF THE HAYS COUNTY COMMITMENT TO THE AUSTIN/ROUND ROCK MSA 8-HOUR OZONE FLEX PROGRAM [T1-551]

Commissioner Ford spoke of other counties that are implementing and enforcing the state rule. Commissioner Conley voiced his concern regarding enforcement. A motion was made by Commissioner Ford, seconded by Judge Sumter to approve a resolution to implement and enforce the State Rule on motor vehicle idling as part of the Hays County Commitment to the Austin/Round Rock MSA 8-Hour Ozone Flex Program. Commissioner Ingalsbe, Commissioner Barton, Commissioner Ford, and Judge Sumter voting "Aye". Commissioner Conley voting "No". MOTION PASSED

CONSIDER AUTHORIZING THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH KNUDSON AND ASSOCIATES FOR HAYS COUNTY CONNECTIONS 2035

[T1-691] Sherri Bilson made public comment. Patty Knudson Joiner (Knudson & Associates) spoke of scope of services, schedule, and deliverables. The proposed plan is a strategic policy plan rather than the comprehensive plan which is a pre-requisite for municipal zoning. A strategic policy plan is a planning tool that is used to evaluate all factors which affect the development of regulations, guidelines, policies, finance and management of county resources. Judge Sumter spoke of water and wastewater facilities planning in addition to the strategic policy plan. Brandon Neal (HDR) spoke of commitment by various entities. Discussion was had regarding cost of contract and plans that are currently being worked on by various citizen groups (ie habitat conservation plan, transportation plan, parks and open space, etc.). A workshop will be held next week .

25257 SELECT A CONSULTANT FOR THE TRANSPORTATION BOND COMMITTEE [T1-2147]

Dan Ekakiadis made public comment. Minutes were submitted from the Transportation Bond Committee meeting held on May 15, 2008 which indicated that the committee recommends selection of Alliance Transportation Group Inc. A brief presentation was made by Alliance Transportation Group Inc. A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the County Judge to negotiate a contact, to be brought back to the court for approval, with Alliance Transportation Group Inc. as recommended by the Transportation Bond Committee and staff, and furthermore authorize an amount not to exceed \$10,000 that can be expended by the consultants until that contract comes back to the court – if the negotiated settlement falls through, we would pay based on their standard hourly rate sheets in existence today - to be funded from interest accrued from the 2001 road bond. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #16 RE: ORDER IMMEDIATE SUBMISSION OF PAST DUE DEPARTMENTAL BUDGETS BY END OF BUSINESS DAY, WEDNESDAY, MAY 21, 2008 was PULLED.



Court convened into closed executive session at 11:45 a.m. for the following items:

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING KRUEGER VS. HAYS COUNTY AND PENDING LITIGATION RELATED THERETO

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING THE APPLICATION FOR AN AMENDED PERMIT BY WCID #1 WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND PENDING LITIGATION RELATED THERETO. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

and reconvened into open meeting and adjourned at 12:35 with no action taken.

Court was adjourned this the 20th 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 20, 2008.



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

