



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 27th 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. FRITSCHKE	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Ryan Jenson, First Methodist Church, 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.

Commissioner Conley was not present at beginning of the meeting.

25258 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$ 552,046.30 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

25259 APPROVE COMMISSIONERS COURT MINUTES OF MAY 20, 2008

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of May 20, 2008 as presented by the County Clerk. All present voting "Aye". MOTION PASSED

25260 APPROVE SPECIFICATIONS FOR RFP #2008-P06 "AUDIT FOR HAYS COUNTY" AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve specifications for RFP #2008-P06 "Audit for Hays County" and authorize Purchasing to solicit for proposal and advertise. All present voting "Aye". MOTION PASSED

25261 APPROVE THE MARCH AND APRIL 2008 TREASURERS REPORT AND INVESTMENT REPORT

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve the March and April 2008 Treasurer's Report and Investment Report. All present voting "Aye". MOTION PASSED

25262 APPROVE UTILITY PERMITS

A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to approve Utility Permit #01954 on Commercial Drive issued to Verizon Wimberley, #01955 on Sawyer Ranch Road issued to Realty America Group, #01936 on Windy Hill Road issued to Verizon Wimberley, and #01948 on CR118 issued to Texas Gas Service. All present voting "Aye". MOTION PASSED

25263 PUBLIC HEARING AND ACTION TO ESTABLISH TRAFFIC REGULATIONS IN DUDLEY JOHNSON PARK AND RANDAL VETTER PARK [T1-47]

Judge Sumter declared the public hearing open. No public input was received and public hearing was closed. Stop sign at the exits to the park.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to establish traffic regulations of STOP sign at the exits to Dudley Johnson Park and Randal Vetter Park. All present voting "Aye". MOTION PASSED

25264 CALL FOR A PUBLIC HEARING ON JUNE 10, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON CRYSTAL HILL DRIVE IN GOLDENWOOD SUBDIVISON [T1-61]

Proposed traffic regulation: 30 MPH speed limit. A motion was made by Commissioner Ford, seconded by Commissioner Barton to call for a public hearing on June 10, 2008 to establish traffic regulations on Crystal Hill Drive in Goldenwood Subdivision. All present voting "Aye". MOTION PASSED



25265 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE CONSTRUCTION BOND, AND ACCEPT MAINTENANCE BOND FOR TWO YEARS FOR RIM ROCK PHASE 2 SECTION 2 SUBDIVISION [T1-69]

RPTP Director Jerry Borcharding gave staff recommendation for approval. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to accept road construction and drainage improvement, release construction bond, and accept maintenance bond for two years for "Rim Rock Phase 2 Section 2" subdivision. All present voting "Aye". MOTION PASSED

Commissioner Conley came to meeting at this time.

25266 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE CONSTRUCTION BOND, AND ACCEPT MAINTENANCE BOND FOR TWO YEARS FOR RIM ROCK PHASE 3 SECTION 2 SUBDIVISION [T1-87]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to accept road construction and drainage improvements, release construction bond, and accept maintenance bond for two years for "Rim Rock Phase 3 Section 2" subdivision. All voting "Aye". MOTION PASSED

25267 CALL FOR PUBLIC HEARING ON JUNE 10, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON MCGREGOR LANE (CR187) [T1-98]

RPTP Director Jerry Borcharding gave staff recommendation for approval. Reducing the speed limit. A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to call for a public hearing on June 10, 2008 to establish traffic regulations on McGregor Lane (CR187). All voting "Aye". MOTION PASSED

25268 [#08-3-19] HILLCROFT SUBDIVISION SOUTH ONE-HALF OF LOT 32 - GRANT A VARIANCE TO PLATTING [T1-111]

Subdivision Coordinator Sandy Irvin gave staff recommendation for granting a variance to platting. A motion was made by Commissioner Conley, seconded by Commissioner Barton to grant a variance to platting of south one-half of Lot 32 of Hillcroft Subdivision. All voting "Aye". MOTION PASSED

25269 [#08-4-28] ROLLING OAKS SECTION 3 LOT 44 RESUBDIVISION - APPROVE PRELIMINARY PLAN [T1-277]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan. A motion was made by Commissioner Ford, seconded by Judge Sumter to approve preliminary plan for "Rolling Oaks Section 3 Lot 44 Resubdivision". All voting "Aye". MOTION PASSED

25270 [#08-2-30] RUBY RANCH BLOCK A PHASE 4 LOTS 4 & 5 REPLAT - WAIVE PRELIMINARY PLAN APPROVAL AND APPROVE FINAL PLAT [T1-303]

Subdivision Coordinator Sandy Irvin gave staff recommendation for waiver of preliminary plan approval and approve the final plat. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to waive preliminary plan approval and approve final plat of "Ruby Ranch Block A Phase 4 Lots 4 & 5 Replat". All voting "Aye". MOTION PASSED

25271 [#08-1-18. 7 LOTS] TORRES SUBDIVISION - APPROVE FINAL PLAT [T1-320]

Subdivision Coordinator Sandy Irvin gave staff recommendation for final plat approval. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve final plat of "Torres Subdivision". All voting "Aye". MOTION PASSED

BAN THE USE OF CERTAIN TYPES OF FIREWORKS AND INSTITUTE A BURN BAN [T1-335]

Fire Marshal Carroll Czichos gave burn index. Special Counsel Mark Kennedy gave statute to be followed. This item will be placed on the next agenda for reconsideration. Court was unable to take action at this time based on figures provided by the Fire Marshal.



25272 APPROVE TRANSFER OF FUNDS FROM CONSTABLE PCT. 1 PERSONNEL SAVINGS TO VEHICLE MAINTENANCE [T1-540]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to approve transfer of funds from Constable Pct. 1 personnel savings to vehicle maintenance. All voting "Aye". MOTION PASSED

25273 AMEND TAX OFFICE BUDGET TO MOVE \$300 FROM 01-415-5391 ALARMS/OTHER TO 01-415-5331 CONTINUING EDUCATION [T1-550]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to amend Tax Office budget to move \$300 from 01-415-5391 Alarms/Other to 01-415-5331 Continuing Education. All voting "Aye". MOTION PASSED

25274 APPOINT JEFF HAUFF, GRANTS ADMINISTRATOR, TO REPLACE RICHARD SALMON ON THE SOLID WASTE ADVISORY COMMITTEE WITH CAPCOG [T1-595]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to appoint Jeff Hauff, Grants Administrator, to replace Richard Salmon on the Solid Waste Advisory Committee with CAPCOG. All voting "Aye". MOTION PASSED

25275 APPROVE BUDGET AMENDMENT 08-16 [T1-624]

Budget amendment is needed to transfer \$156,975 for projected fuel deficits in general fund departments for balance of FY08 from savings of property/liability officials & law enforcement/workers comp insurance expense budgeted in county-wide and to transfer \$50,000 from contingencies to county-wide operations legal line item for legal representation. **A motion was made by Commissioner Barton, seconded by Judge Sumter to approve Budget Amendment #08-16 as proposed by the County Auditor. All voting "Aye". MOTION PASSED**

25276 ACTION TO EXCEED COMP TIME LIMIT OF 60 HOURS FOR COMPENSATION ANALYST FOR THE HUMAN RESOURCES DEPARTMENT [T1-705]

A motion was made by Commissioner Barton, seconded by Judge Sumter to allow exceeding of comp time limit of 60 hours for Compensation Analyst for the Human Resources Department. All voting "Aye". MOTION PASSED

25277 AUTHORIZE THE PURCHASE OF REPLACEMENT LASER JET PRINTER AND LAPTOP AND AMEND THE BUDGET ACCORDINGLY FOR THE HUMAN RESOURCES DEPARTMENT [T1-759]

A motion was made by Commissioner Ford, seconded by Commissioner Barton to authorize the purchase of replacement laser jet printer and laptop and amend the budget accordingly for the Human Resources Department. All voting "Aye". MOTION PASSED

25278 AUTHORIZE THE COUNTY JUDGE TO ACCEPT A GENERAL WARRANTY DEED TO RECEIVE TITLE TO THE OLD COUNT JAIL AND SIMULTANEOUSLY EXECUTE A PRESERVATION EASEMENT ON SAID PROPERTY NAMING PRESERVATION ASSOCIATES INC. AS HOLDER [T1-815]

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to authorize the County Judge to accept a General Warranty Deed to receive title to the old County Jail located at 170 Fredericksburg Street in San Marcos, Texas, and simultaneously execute a preservation easement on said property with the addition to a litigation and arbitration section naming Preservation Associates Inc. as holder. All voting "Aye". MOTION PASSED

25279 APPROVE PAYMENT FOR REPAIR OF DAMAGE TO VARIOUS LOW WATER CROSSING MONITORING DEVICES PROVIDED BY WATERMARK AND APPROVE THE ON-GOING AGREEMENT FOR MAINTENANCE AND MONITORING OF SAID DEVICES BY WATERMARK SAFETY INC. [T1-1193]

Repair costs are \$1,696 and on-going maintenance agreement = \$40,000 per year (includes website monitoring). **A motion was made by Judge Sumter, seconded by Commissioner Barton to approve payment for repair of damage to various low water crossing monitoring devices provided by Watermark to be paid out of contingencies. All voting "Aye". MOTION PASSED** No action was taken regarding agreement for maintenance and monitoring of said devices by Watermark Safety Inc.



25280 DECLARE AN EMERGENCY IN ORDER TO BUDGET AN AMOUNT NOT TO EXCEED \$25,000 FROM THE BAIL BOND FUND FOR CONTRACT TITLE/REAL ESTATE SERVICES [T1-1502]

A motion was made by Judge Sumter, seconded by Commissioner Ingalsbe to declare an emergency in order to budget an amount not to exceed \$25,000 from the Bail Bond Fund for contract title/real estate services. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING CALENDAR FOR COURT MEETINGS AND WORKSHOPS [T1-1548]

Discussion was had to reduce the number of meetings held during the summer. Commissioner Ford spoke of workshops and meetings being held between now and the end of the year. Tentative meetings to be cancelled: July 1st & 15th, December 2nd & 30th

PRESENTATION BY TRAVIS COUNTY EXPERTS/CONSULTANTS ON CONDITION OF HAMILTON CREEK AND POOL AND ANTICIPATED COSTS FOR REMEDIATION [T1-2121]

Victoria Harkins (Espy Consultants Inc.) gave a powerpoint presentation regarding failure of on-site flood control system at Ranches on Hamilton Pool development creating an abundance of silt pooling along Hamilton and Davis Creeks. Will need a combination of manual removal and wash down - will use divers and high pressure filter presses and vacuum pumps. Total cost of cleanup is estimated to be \$2.3 million.

Clerk's Note: Agenda Item #27 RE: EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO INTERVIEW, DISCUSS AND DELIBERAE THE APPOINTMENT OF A FIRE MARSHAL was PULLED.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE REGARDING THE RANCHES AT HAMILTON POOL SUBDIVISION AND PENDING LITIGATION RELATED THERETO IN CAUSE NO. D-1-GV-07-002293, STYLED TRAVIS COUNTY ET AL V. COLDWATER DEVELOPMENT LTD. ET AL, INCLUDING DISCUSSION OF CONDITION OF HAMILTON CREEK AND REMEDIATION OPTIONS [T1-

Court convened into closed execution session to discuss pending litigation regarding The Ranches at Hamilton Pool Subdivision at 1:50 P.M. and reconvened into open meeting at 2:45 P.M. No action was taken.

Court was adjourned this the 27th day of MAY, 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 MAY 27, 2008.



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

