



STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3rd DAY OF JUNE A.D., 2008, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

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|--------------------------|----------------------|
| 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:

Nick Iccosipentarhos gave the invocation and Commissioner Conley led the court in the Pledge of Allegiance to the American and Texas flags. Judge Sumter called the meeting to order.

25281 PROCLAMATION DECLARING THE MONTH OF JUNE AS HAYS COUNTY HUNGER AWARENESS MONTH

A motion was made by Commissioner Conley, seconded by Judge Sumter to adopt proclamation declaring the month of June as "Hays County Hunger Awareness Month". All voting "Aye". MOTION PASSED

PUBLIC COMMENTS

David Cuddy and Terry Irion made public comments regarding Studio Estates.

25282 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Judge Sumter to approve payment of county invoices in the amount of \$ 588,603.79 as presented by the County Auditor. All voting "Aye". MOTION PASSED

25283 APPROVE COMMISSIONER COURT MINUTES OF MINUTES OF MAY 27, 2008

A motion was made by Commissioner Ford, seconded by Judge Sumter to approve Commissioner Court Minutes of May 27, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

25284 AUTHORIZE COUNTY JUDGE TO RENEW THE RLLS CONTRACT FOR HAYS COUNTY PERSONAL HEALTH DEPARTMENT WITH TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR \$63,535

A motion was made by Commissioner Ford, seconded by Judge Sumter to authorize County Judge to renew the RLLS Contract for Hays County Personal Health Department with Texas Department of State Health Services for \$63,535. All voting "Aye". MOTION PASSED

25285 APPROVE SPECIFICATIONS FOR BID #2008-B15 ANNUAL CONTRACT FOR DUMPSTERS COUNTYWIDE AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Ford, seconded by Judge Sumter to approve specifications for Bid #2008-B15 Annual Contract for dumpsters countywide and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

25286 APPROVE HOLDING ON-LINE AUCTION WITH RENE BATES AUCTIONEERS AND AUTHORIZE PURCHASING TO ADVERTISE

A motion was made by Commissioner Ford, seconded by Judge Sumter to approve holding on-line auction with Rene Bates Auctioneers and authorize Purchasing to advertise. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #6 RE: APPROVE AWARD OF BID #2008-B12 ROAD IMPROVEMENTS/HOT-MIX OVERLAY TO ASPHALT PAVING COMPANY was PULLED.



25287 REJECT ALL BIDS FOR IFB #2008-B12 FIVE MILE DAM PARK AND AUTHORIZE PURCHASING TO RE-SOLICIT FOR BID AND RE-ADVERTISE [T1-258]

Some items are being removed from the bid to bring the pricing down. **A motion was made by Commissioner Ford, seconded by Judge Sumter to reject all bids for IFB#2008-B12 Five Mile Dam Park and authorize Purchasing to re-solicit for bid and re-advertise. All voting "Aye". MOTION PASSED**

25288 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS AND RELEASE CONSTRUCTION BOND FOR HERMOSA PALOMA SUBDIVISION [T1-315]

The Road Department has inspected and approved the improvements, and they recommend acceptance of construction of roads and drainage improvements within the County ROW. These are private roads. **A motion was made by Commissioner Ford, seconded by Judge Sumter to accept road construction and drainage improvements and release construction bond for "Hermosa Paloma" subdivision. All voting "Aye". MOTION PASSED**

25289 [#08-4-10, 2 LOTS] HIGHLANDS EAST SUBDIVISION LOTS 5A & 5B - APPROVE PRELIMINARY PLAN [T1-328]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for "Highlands East Lots 5A & 5B" subdivision. All voting "Aye". MOTION PASSED**

25290 [#08-4-24, 2 LOTS] SYCAMORE CREEK RESUBDIVISION OF LOT 21A - PUBLIC HEARING AND APPROVE FINAL PLAT [T1-351]

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 Ford, seconded by Commissioner Conley to approve final plat of "Sycamore Creek Resubdivision of Lot 21A". All voting "Aye". MOTION PASSED**

25291 [#03-4-23, 2 LOTS] KIRCHNER SUBDIVISION - APPROVE PRELIMINARY PLAN [T1-364]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve preliminary plan for "Kirchner Subdivision". All voting "Aye". MOTION PASSED**

25292 [#08-4-26, 2 LOTS] RAINBOW RANCH RESUBDIVISION OF LOT 102 - APPROVE FINAL PLAT [T1-380]

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

25293 ADOPT A RESOLUTION BANNING THE USE OF CERTAIN TYPES OF FIREWORKS AND INSTITUTING A BURN BAN [T1-394]

Fire Marshal Carroll Czichos requested banning certain types of fireworks and instituting a burn ban based on current drought conditions. **A motion was made by Commissioner Conley, seconded by Commissioner Ford to adopt a resolution banning the use of certain types of fireworks and instituting a burn ban effective immediately. All voting "Aye". MOTION PASSED**

25294 AUTHORIZE OSSF PERMIT FOR THE HAYS CISD CAMINO REAL ELEMENTARY SCHOOL LOCATED AT 2200 ROHDE RD., NIEDERWALD [T1-557]

EH Chief Sanitarian Tom Pope gave staff recommendation for approval. There is a variance request to (1) install the drip dispersal field on a separate tract of property from the school and to (2) cross a waterline easement with the drip field supply and flush return lines. This school is being built in partnership with the developer of a proposed large residential subdivision that will be serviced by a central sewerage system. The ultimate goal is to connect this school to that system as the subdivision is developed. The City of Niederwald has approved the sewage system so that the school can move forward with construction. **A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to authorize OSSF Permit for the Hays CISD Camino Real Elementary School located at 2200 Rohde Road, Niederwald, and grant the two variance requests. All voting "Aye". MOTION PASSED**



25295 AUTHORIZE INSTITUTIONAL OSSF PERMIT FOR SAM HOUSTON AREA COUNCIL, BOY SCOUTS OF AMERICA, IRON WHEEL MESA SHOWER ROOM AT EL RANCHO CIMA CAMP, LOCATED AT 5800 RR-32, WIMBERLEY [T1-727]

EH Chief Sanitarian Tom Pope gave staff recommendation for approval. A variance is being requested to run the pressurized effluent pipe under a driveway. The pipe will be protected by a schedule 40 pvc sleeve. A motion was made by Commissioner Conley, seconded by Commissioner Ford to authorize institutional OSSF Permit for Sam Houston Area Council, Boy Scouts of America, Iron Wheel Mesa Shower Room at El Rancho Cima Camp, located at 5800 RR-32, Wimberley, grant variance request, with first spray head to be moved out further for a better buffer. All voting "Aye". MOTION PASSED

25296 ACCEPT A DONATION OF \$500 CASH AND TWO QUICK LINKS FROM CHARLES NAGEL FOR USE AT THE HAYS COUNTY CIVIC CENTER [T1-949]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to accept a donation of \$500 cash and two quick links from Charles Nagel for use at the Hays County Civic Center. All voting "Aye". MOTION PASSED

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO INTERVIEW, DISCUSS AND DELIBERATE THE APPOINTMENT OF A FIRE MARSHAL

Court convened into closed executive session as 10:15 a.m. and ended that session at 12:30 p.m. No action was taken.

Commissioner Conley was not present when court reconvened into open meeting at 1:00 p.m.

GOVERNMENT CENTER UPDATE AND DISCUSSION. PRESENTATION BY PBS&J, CHUCK CROSLIN [T1-990]

Chuck Croslin of PBS&J gave a powerpoint presentation showing projections on population, personnel, and space. He advised that AgriLife Extension Office, Fire Marshal and Emergency Management may need to be located elsewhere and be removed from the government center. Emergency Management office could be located at the courthouse and AgriLife Extension Office could expand into Environmental Health location. County Judge, Commissioners Court, and Grants would remain at the courthouse. Satellite offices for Special Counsel and the Commissioners would be at the courthouse. Discussed a possible fitness center and daycare in the building or in the general area. Judge Steele, District Attorney Sheri Tibbe, Chief Adult Probation Officer Lynda Turley, and Tax Assessor-Collector Luanne Caraway were present and thanked the court for moving forward with this project.

25297 AUTHORIZE THE COUNTY JUDGE TO INITIAL THE CHANGES TO SCHEDULE C-1 (BUDGET) OF THE AMENDMENTS TO THE PASS-THROUGH AGREEMENT BETWEEN TXDOT AND HAYS COUNTY [T1-1763]

A motion was made by Commissioner Barton, seconded by Judge Sumter to authorize the County Judge to initial the change to Schedule C-1 (budget) of the Amendments to the Pass-Through Agreement between TxDot and Hays County. All present voting "Aye". MOTION PASSED

25298 ACCEPT A \$125 DONATION FROM B.T. GRAF TO BE USED FOR PARKS [T1-1879]

A motion was made by Judge Sumter, seconded by Commissioner Ford to accept a \$125 donation from B. T. Graf to be used for Parks. All present voting "Aye". MOTION PASSED

DISCUSSION REGARDING APPROVAL OF \$1,746,714 OF THE 2001 BOND INTEREST MONEY FOR THE CONSTRUCTION OF THREE LEFT TURN LANES ON HWY 21 [T1-1934] [T1-1934]

Brief discussion was had regarding use of 2001 Bond Interest Money – no action taken.

DISCUSSION REGARDING STUDIO ESTATES SUBDIVISION AND JURISDICTION EXERCISED BY THE CITY OF NIEDERWALD AND HAYS COUNTY [T1-2024]

Clerk's Note: public comments were made at the beginning of the meeting. Commissioner Barton spoke of concerns of the developer. Special Counsel Mark Kennedy spoke of 1445 agreements between the county and cities in the county regarding subdivision review process. No action taken.



DISCUSSION REGARDING A SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN LOCKWOOD, ANDREWS & NEWNAM, INC. (LAN) AND HAYS COUNTY

[T1-2632] Commissioner Barton spoke of FM1626 project – need to change contract to allow LAN to work on both segments of the road. Special Counsel Mark Kennedy spoke of recommended changes to the agreement. This item will be brought back to the court for consideration.

25299 ACCEPT \$2,500 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION SECTION 5310, 3037 AND 5317 PROGRAMS GRANT APPLICATION PART II AND EXECUTE CONTRACT [T1-3014]

Margaret Buentello (Grants Department) spoke of this being maintenance funds for the VA van – there is no county match. A motion was made by Commissioner Barton, seconded by Commissioner Ingalsbe to accept \$2,500 from the Texas Department of Transportation Section 5310, 3037, and 5317 Programs Grant Application Part II and execute contract. All voting “Aye”. MOTION PASSED

25300 APPOINT JEFF HAUFF TO REPLACE RICHARD SALMON ON CAPCOG – TEXAS REVIEW AND COMMENT SYSTEM COMMITTEE [T1-3055]

A motion was made by Judge Sumter, seconded by Commissioner Ford to appoint Jeff Hauff to replace Richard Salmon on CAPCOG – Texas Review and Comment System Committee. All voting “Aye”. MOTION PASSED

DISCUSSION OF THE HAYS COUNTY CONNECTION 2035 STRATEGIC POLICY PLAN - PRESENTATION BY KNUDSON AND ASSOCIATES [T1-3096]

Patty Knudson Joiner gave a power point presentation regarding growth, economic development and community preservation. Lengthy discussion was had regarding planning for the future and costs related to the project.

Court was adjourned this the 3RD day of JUNE, 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 JUNE 3, 2008.



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

