



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 10TH DAY OF JUNE 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:

New employees introductions was had and Humanities Team Unconditional Love Tour spokesman spoke of event to be held today on the courthouse lawn.

Commissioner Barton 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.

25301 APPROVE PAYMENT OF COUNTY INVOICES

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve payment of county invoices in the amount of \$898,994.49 as presented by the County Auditor. All voting "Aye". MOTION PASSED

25302 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 3, 2008

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 3, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

25303 ACCEPT ANNUAL FINANCIAL REPORT FROM NORTH HAYS COUNTY ESD #1

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to accept Annual Financial Report from the North Hays County ESD #1. All voting "Aye". MOTION PASSED

25304 APPROVE AWARD OF BID #2008-B14 ELECTRICAL SERVICES TO TED BREIHAN ELECTRIC COMPANY

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve award of Bid #2008-B14 Electrical Services to Ted Breihan Electric Company. All voting "Aye". MOTION PASSED

25305 APPROVE SPECIFICATIONS FOR BID #2008-B16 HAULING OF SOLID WASTE AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Ford, seconded by Commissioner Ingalsbe to approve specifications for Bid #2008=B16 Hauling of Solid Waste and authorize Purchasing to solicit for bids and advertise. All voting "Aye". MOTION PASSED

25306 [#08-4-23, 2 LOTS] **KIRCHNER SUBDIVISION – APPROVE FINAL PLAT** [T1-94]

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 "Kirchner Subdivision". All voting "Aye". MOTION PASSED

25307 [#08-4-27, 2 LOTS] **BIG COUNTRY SECTION 1 RESUB LOT 43A – CALL FOR A PUBLIC HEARING ON JUNE 24, 2008 AND APPROVE PRELIMINARY PLAN** [T1-107]

Subdivision Coordinator Sandy Irvin gave staff recommendation for preliminary plan approval. A motion was made by Commissioner Ford, seconded by Commissioner Conley to call for a public hearing on June 24, 2008 and approve preliminary plan for "Big Country Section 1 Resubdivision of Lot 43A". All voting "Aye". MOTION PASSED



25308 [#07-4-020, 41 LOTS] **LAUREL CANYON SUBDIVISION – APPROVE FINAL PLAT AND ACCEPT CONSTRUCTION FISCAL SURETY** [T1-149]

Subdivision Coordinator Sandy Irvin gave staff recommendation for final plat approval. Special Counsel Mark Kennedy spoke of language on the fiscal surety and his recommendation for changes. **A motion was made by Commissioner Ford, seconded by Commissioner Conley to approve final plat of “Laurel Canyon Subdivision” contingent on receiving the construction fiscal surety with recommended revisions, contingent on receiving a letter from the Dripping Spring Water Supply Corp. showing water availability at full build out, and contingent on having a letter from TCEQ on the enhanced optional measures. All voting “Aye”. MOTION PASSED**

25309 [#08-4-28, 2 LOTS] **ROLLING OAKS SECTION 3 RESUBDIVISION OF LOT 44 – APPROVE FINAL PLAT** [T1-299]

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 “Rolling Oaks Section 3 Resubdivision of Lot 44”. All voting “Aye”. MOTION PASSED**

25310 [#08-4-05, 4 LOTS] **TUSCANY VILLA SUBDIVISION – APPROVE FINAL PLAT** [T1-312]

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 “Tuscany Villa Subdivision”. All voting “Aye”. MOTION PASSED**

25311 **APPOINT ALLAN KIMBALL TO THE HAYS COUNTY ESD #7 BOARD TO REPLACE FRANK PLUCKETT** [T1-344]

A motion was made by Commissioner Conley, seconded by Commissioner Ford to appoint Allan Kimball to the Hays County ESD #7 Board to replace Frank Pluckett. All voting “Aye”. MOTION PASSED

25312 **APPROVE BRINGING THE ROADS IN GOFORTH VILLAGE INTO THE COUNTY MAINTENANCE SYSTEM** [T1-366]

Trish Jones and Marcella Ellensoha made public comment. Commissioner Barton gave background of Goforth Village subdivision and provided a powerpoint presentation. Improvement will be made by the Road Department to bring the roads up to county standards. **A motion was made by Commissioner Barton, seconded by Commissioner Conley to formally accept the roads in Goforth Village and bring them into the county maintenance system. All voting “Aye”. MOTION PASSED**

DISCUSSION REGARDING THE POSSIBLE ACQUISITION OF THE BAPTIST CHURCH FACILITY IN WIMBERLEY [T1-739]

Charles O'Dell (Hays CAN) made public comment. Wimberley Mayor Don Ferguson gave a powerpoint presentation. He spoke of possible participating entities (Village of Wimberley, Hays County offices, Wimberley Village Library, Wimberley Fire Dept. and EMS, etc.). Sheriff Allen Bridges and Justice of the Peace Pct, 3 Andy Cable spoke. Commissioner Conley spoke. Estimated cost: \$2.4 million for acquisition of the property plus \$600,000-\$1,000,000 for renovations.

Clerk’s Note: Agenda Item #23 RE: ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN HAYS COUNTY THE CITY OF DRIPPING SPRINGS AND SHERIFF ALLEN BRIDGES was PULLED.

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

The court convened into closed executive session at 11:15 a.m. and ended the session at 12:25 p.m. No action was taken.



25313 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH ALLIANCE TRANSPORTATION GROUP FOR THE COUNTY BOND ADVISORY COMMITTEE

[T1-2195] Jim Harvey, Alliance Transportation Group Inc., appeared before the court. Discussed SCOPE OF WORK: Task 1 – complete the Hays County call for projects, Task 2 – develop project cost estimates, Task 3 – solicit public input on candidate projects, Task 4 – evaluate candidate projects, Task 5 – master development and implementation schedule, and Task 6 – financial strategy. [T2-320] **A motion was made by Commissioner Barton, seconded by Commissioner Ford to authorize the County Judge to execute a contract with Alliance Transportation Group Inc. for the County Bond Advisory Committee and to instruct the County Judge to negotiate the contact based on what was presented by Alliance in Task 1 - for Option 1 only and deleting Option 2, in Task 2 - with no change, in Task 3 - deleting Option 4, in Task 4 - deleting Option 2, and in Task 5 and 6 - with no change. All voting “Aye”. MOTION PASSED**

Clerk’s Note: Agenda Item #18 RE: AUTHORIZE THE USE OF A PORTION OF THE 2001 BOND INTEREST FOR THE REALIGNMENT OF OAK BRANCH DRIVE AND NUTTY BROWN ROAD was PULLED.

WORKSHOP REGARDING REGIONAL HABITAT CONSERVATION PLAN TO INCLUDE A PRESENTATION BY CONSULTANTS ON A DRAFT PLAN AND EXPLANATION OF FINANCE OPTIONS [T2-463]

A Progress report was given regarding Phases 2 & 3, public scoping for environmental impact statement, preliminary draft Hays County HCP, funding and economic impact. A preliminary draft of the Hays County Regional Habitat Conservation Plan was presented to members of the court and discussion was had regarding the funding plan. No action was taken.

PRESENTATION BY HNTB RELATED TO POLICIES FOR CONTEXT SENSITIVE SOLUTIONS AND DESIGN FOR HAYS COUNTY ROADWAY PROJECTS [T2-2595]

Engineer Jeff Watson and Project Manager Mark Mathews of HNTB Engineers & Planners gave a powerpoint presentation regarding the concepts of Context Sensitive Solutions and Context Sensitive Design and how we might develop a set of policy guidelines, procedures, and a pattern book that could be applied to any project with which the County is involved. No action taken.

WORKSHOP REGARDING UPDATED SUBDIVISION RULES [T3-196]

Grant Jackson gave an update of changes made to the new subdivision rules. A lengthy discussion was had. Commissioner Conley left the meeting during this workshop. Court agreed that the rules are ready for public hearings - suggested holding two meetings the end of July.

REQUEST APPROVAL FOR EXPENDITURE OF \$23,679.92 FOR BUCKING CHUTES AT THE HAYS COUNTY CIVIC CENTER [T3-650]

Civic Center Manager Barry Nelson spoke of need for chutes for upcoming event and events that we are not getting because we do not have the chutes. Court requested figures for revenues over the last couple of years and the schedule of events.

25314 ADOPT A RESOLUTION SUPPORTING THE HILL COUNTRY COUNTY COALITION MISSION AND GOALS FOR COUNTY AUTHORITY [T4-1360]

A motion was made by Judge Sumter, seconded by Commissioner Ford to adopt a resolution supporting the Hill Country County Coalition Mission and Goals for County Authority. All present voting “Aye”. MOTION PASSED

DISCUSSION REGARDING THE JUNE 11TH WORKSHOP BETWEEN COMMISSIONER’S COURT AND CPAT [T4-1550]

Commissioner Ford reminded the court about the workshop being held on June 11, 2008 at the San Marcos Activity Center.

25315 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THREE HAYS COUNTY PURCHASE CONTRACTS TO MARTINA PEREZ, RUDY VILLARREAL AND MARY SALINAS FOR ROW ACQUISITION ON MCCARTY LANE [T4-1589]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to authorize the County Judge
All present voting “Aye”. MOTION PASSED



25316 CONTRACT WITH HOLTMAN WAGNER CPA FIRM TO CONDUCT AN AUDIT OF THE SAN MARCOS/HAYS COUNTY EMS AND AMEND THE BUDGET ACCORDINGLY [T4-1611]

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Ford to contract with Holtman Wagner CPA Firm to conduct an audit of the San Marcos/Hays County EMS and amend the budget accordingly. All present voting "Aye". MOTION PASSED

25317 APPROVE BUDGET AMENDMENT 08-17 [T4-1630]

A motion was made by Commissioner Ingalsbe, seconded by Judge Sumter to approve Budget Amendment 08-17 as proposed by the County Auditor. All present voting "Aye". MOTION PASSED

25318 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONSERVATION EASEMENT FOR PARK AND RECREATIONAL PURPOSES ASSOCIATED WITH THE VILLAGE PARK PROJECT, NAMING HAYS COUNTY AS HOLDER OF SAID EASEMENT

[T4-1656] Special Counsel Mark Kennedy explained the easement and modifications. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Barton to authorize the County Judge to execute a conservation easement for Park and Recreational purposes associated with the Village Park Project, naming Hays County as holder of said easement. All present voting "Aye". MOTION PASSED

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

Court convened into closed executive session regarding the following agenda items at 9:40 p.m. and ended the session at 10:20 p.m.

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

EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE, REGARDING CAUSE NO. D-1-GV-07-002293, STYLED AS TRAVIS COUNTY, TEXAS AND THE STATE OF TEXAS ET AL VS. COLDWATER DEVELOPMENT, LTD., AND RODMAN EXCAVATION, INC. ET AL AND PENDING LITIGATION RELATED THERETO

No action taken.

Court was adjourned this the 10th 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 10, 2008.



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

